

LEGAL NOTICE

SOUTHOLD TOWN ZONING BOARD OF APPEALS THURSDAY, JANUARY 21, 2010 PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to Section 267 of the Town Law and Town Code Chapter 280 (Zoning), Town of Southold, the following public hearings will be held by the SOUTHOLD TOWN ZONING BOARD OF APPEALS at the Town Hall, 53095 Main Road, P.O. Box 1179, Southold, New York 11971-0959, on THURSDAY, JANUARY 21, 2010:

9:40 A.M. LAUREN KRUG #6335. Request for a Variance from Code Section 280-124, based on an application for a building permit and the Building Inspector's August 11, 2009 Notice of Disapproval concerning a proposed addition to a single family dwelling, at less than the code-required minimum front yard setback of 35 feet, at 45 Oak Road (and Grathwohl Rd.), New Suffolk; CTM 110-8-9.

9:50 A.M. LAURENCE S. & LILLIAN SIMPSON #6340. Request for a Variance from Code Section 280-124, based on an application for a building permit and the Building Inspector's August 11, 2009 Notice of Disapproval concerning a proposed addition and alterations to a single family dwelling, at less than the code-required minimum rear yard setback of 50 feet, at 125 Brigantine Drive, Southold; CTM 71-2-18.

10:00 A.M. SHEILA CONNEELY #6356. Requests for Variances from Code Section 280-124, based on an application for a building permit and the Building Inspector's November 24, 2009 Notice of Disapproval concerning proposed additions and alterations to a single family dwelling: (1) at less than the code required minimum rear yard setback of 35 feet, (2) at less than minimum side yard setback of 10 feet, (3) less than total required total 25 feet, and (4) in excess of code limitation of maximum 20% lot coverage, at 975 Town Harbor Lane, Southold; CTM 63-4-12. Zone District R-40.

10:15 A.M. MARK M. & ELIZABETH NARDONE #6342. Request for Variances from Code Section 280-124, based on an application for building permit and the Building Inspector's September 2, 2009 Notice of Disapproval concerning proposed additions and alterations to a single family dwelling, (1) less than the code required front yard setback of 35 feet, (2) less than code required rear yard setback of 35 feet, (3) less than the code required minimum side yard setback of 10 feet, and (4) over the lot coverage limitation of 20%, at 1515 Minnehaha Blvd. and Opechee Ave., Southold; CTM 87-3-50.

10:30 A.M. WILMINGTON TRUST COMPANY #6343. Request for variances from Code Section 280-124, based on an application for building permit and the Building Inspector's September 15, 2009 Notice of Disapproval concerning proposed demolition and reconstruct a single family dwelling: (1) less than the code required minimum side yard setback of 20 feet and, (2) less than the code required front yard setback of 55 feet, at Off East End Rd., Fishers Island. CTM 2-1-8.2.

10:40 A.M. FRANK J. & DONNA M. SCAROLA and DONNA PERRIN_#6350. Applicants request a Special Exception under Section 280-13B(14). The Applicants are the owners requesting authorization to establish an Accessory Bed and Breakfast, accessory and incidental to their residential occupancy in this single family dwelling, with four (4) bedrooms for lodging and serving of breakfast to the B&B casual, transient roomers. Location of Property: 4850 Sound Ave., Mattituck; CTM 121-3-6.

11:05 A.M. BRYANT & MERCY McELROY #6346. Request for Variance from Code Section 280-124, based on an application for building permit and the Building Inspector's September 29, 2009 Notice of Disapproval concerning existing addition to a single family dwelling at less than the minimum rear yard setback of 35 feet. Property located at 55 Inlet Lane and Sandy Beach Road, Greenport: CTM 43-4-38.

11:20 A.M. GWYNETH M. KETTERER and MARY B. SYKES_ #6349, Request for Variances under Code Sections 280-123 and 280-15, based on the Building Inspector's September 24, 2009, Amended November 4, 2009 Notice of Disapproval concerning an application for a building permit to alter the use of an accessory structure with additions and alterations: (1) a nonconforming building containing a nonconforming use shall not be enlarged, reconstructed or structurally altered or moved, unless use of such building is changed to a conforming use, (2) less than the code required 50 foot front yard setback, (3) less than the minimum side yard setback of 20 feet, (4) more than the code required maximum height of 22 feet. Location of Property: 1995 Ryder Farm Lane, Orient. CTM: 15-3-1.1.

11:30 A.M. THEODORE C. MARTZ, JR. #6344, Requests for Variances under Code Sections 280-18 and 280-10, based on the Building Inspector's August 19, 2009 Revised November 18, 2009 Notice of Disapproval and an application for a building permit for a subdivision and construction, disapproved for the following reasons: (1) lots merged under Section 280-10; when held in common ownership with the first lot at any time after July 1, 1983...and according to Town Code, the existing lots are merged, (2) proposed Parcel 1 will contain more than one dwelling, (3) subdivision will result in two lots having less than 40,000 square feet for each Parcel 1 & 2. Location of property: 555 Broadwaters Rd., Cutchogue. CTM: 104-12-6.1

12:15 P.M. STEVE and OLGA TENEDIOS_#6323. (Carry Over from Oct. 29, 2009) Location of Property: 17327 Main Road (private right-of-way), Lot 6 on a Map of Brionn Gloid By the Sea, East Marion; CTM 1000-23-1-14.10 adjacent to the Long Island Sound. Requested are Variances under Sections 280-15(C and F), based on a building permit application and the Building Inspector's Notice of Disapproval dated July 7, 2009, Amended December 5, 2009, concerning the following proposed new construction:

- A) The proposed accessory garage is not permitted:
 - 1) with a setback less than 55 feet from the front yard line along the right-of-way;
 - 2) with a size that exceeds the code limitation of 750 square feet;
- B) The proposed accessory pool building is not permitted in the side yard when a front or rear yard location is code required.
- C) The proposed swimming pool is not permitted in a side yard when a front yard or rear yard location is code-required.

1:15 P.M. (Carryover from 10/29/09 PH calendar): Appeal #6316 by LOUIS and LUBA CORSO, 13451 Oregon Road, Cutchogue, appealing Building Permit #34590 dated 4/8/09 and Certificate of Occupancy # Z-33674 dated 4/27/09 concerning an as-built agricultural hoop house for storage on property owned by TIMOTHY AND JEANNE STEELE at 13795 Oregon Road, Cutchogue; CTM 1000-83-2-10.16.

The Board of Appeals will hear all persons, or their representatives, desiring to be heard at each hearing, and/or desiring to submit written statements before the conclusion of each hearing. Each hearing will not start earlier than designated above. Files are available for review during regular business hours and *prior* to the day of the hearing. If you have questions, please do not hesitate to contact our office at (631) 765-1809, or by email: Vicki.Toth@Town.Southold.ny.us .

Dated: December 31, 2009

ZONING BOARD OF APPEALS
GERARD P. GOEHRINGER, CHAIRMAN
BY VICKI TOTH
54375 Main Road (Office Location)
53095 Main Road (Mailing/USPS)
P.O. Box 1179
Southold, NY 11971-0959