

VILLAGE OF LAUREL HOLLOW BOARD OF ZONING APPEALS  
AREA VARIANCE FINDINGS AND DECISION

**Fireplace**

A public hearing of the Board of Zoning Appeals was held in the Village Hall, Village of Laurel Hollow, on 3/19/2019 at 7:30 pm relative to the following matter:

Applicant: Edward Butt, RA On behalf of: George Poll

Property Located at: 1458 Ridge Road, Laurel Hollow

Sec. 26 Blk. C Lot 258

Zoning District: Residential Case #: ZV5-2017

Requirement for which Variance is requested: no accessory building shall have a heating system. Propane-fueled fireplace is proposed.

Applicable Section(s) of Chapter 145-5(A)(1)(c)

At said hearing the Board considered the following factors and made determinations as stated.

1) Will an undesirable change be produced in the character of the neighborhood or be a detriment to nearby properties?

yes  no  Reason: The proposed fireplace will not create heat sufficient to allow for an unauthorized use of the accessory building.

2) Can the benefit sought by the applicant be achieved by a feasible alternative to the variance?

yes  no  Reason: But on the facts of this case, denial is not mandated.

3) Is the variance requested substantial?

yes  no  Reason: See #1 and #2 above.

4) Will the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

yes  no  Reason: See #1 and #2 above.

5) Is the alleged difficulty self-created?

yes  no  Reason: See #2 above.

The Board of Appeals, after taking into consideration the above five factors, finds that:

The benefit to the applicant does not outweigh the detriment to the Neighborhood or community and therefore the variance requested is denied.

X The benefit to the applicant does outweigh the detriment to the neighborhood or community, and the Board of Zoning Appeals further finds that variances of no heating system of Sections: 145-5(A)(1)(c) of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because on balance, the relief sought is appropriate and there will be no corresponding detriment to the community.

and for these reasons the variance is granted with conditions as indicated.

CONDITIONS: The Board of Zoning Appeals finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

**Condition #1: Submission of a Declaration of Restrictive Covenants to the satisfaction of the Village Attorney and to be recorded in the Nassau County Clerk's Office against the property under application that the accessory structure to be constructed shall remain only as long as the parcels known as Section 26, Block C, Lots 2151 and 258 remain in common ownership. If at any time those parcels are not held in common ownership, the accessory structure authorized hereunder shall be demolished and removed. The Certificate of Occupancy and/or Compliance issued in connection with said accessory structure will also include that restriction and condition.**

Adverse impact to be minimized: Creation of a sub-standard parcel.

INCORPORATED VILLAGE OF LAUREL HOLLOW  
APPROVED / BZA

These plans were approved by the Board of Appeals of the Incorporated Village of Laurel Hollow. **This is not a permit.**

**Applicant must now submit any and all additional documentation required by the Building Inspector in order to obtain a permit in a timely manner.**

ZV5-2017  
Case #

3/19/2019  
Date

  
Signature, Chairman, BZA

Record of Vote on Motion as stated above:

**Motion to Approve by Member Kaufman  
Seconded by Member Lebedin**

| Member Name     | Aye     | Nay |
|-----------------|---------|-----|
| Chairman Mohr   | X       |     |
| Member Blumin   | Excused |     |
| Member Kaufman  | X       |     |
| Member Parziale | X       |     |
| Member Lebedin  | X       |     |

INC VLG OF LAUREL HOLLOW  
Filed in the Office of the  
Village Clerk on the 18  
day of April, 2019  
Signed: Nancy Lopez  
Print: Nancy Lopez

VILLAGE OF LAUREL HOLLOW BOARD OF ZONING APPEALS  
AREA VARIANCE FINDINGS AND DECISION

**Setback**

A public hearing of the Board of Zoning Appeals was held in the Village Hall, Village of Laurel Hollow, on 3/19/2019 at 7:30 pm relative to the following matter:

Applicant: Edward Butt, RA On behalf of: George Poll

Property Located at: 1458 Ridge Road, Laurel Hollow

Sec. 26 Blk. C Lot 258

Zoning District: Residential Case #: ZV5-2017

Requirement for which Variance is requested: parcel lacks 40 ft. setback from lot lines not abutting a street; 14.85 proposed; 20'10" previously approved.

Applicable Section(s) of Chapter 145-5(B)(2)

At said hearing the Board considered the following factors and made determinations as stated.

1) Will an undesirable change be produced in the character of the neighborhood or be a detriment to nearby properties?

yes  no  Reason: Construction of the boat house and dock is appropriate under the facts of this case.

2) Can the benefit sought by the applicant be achieved by a feasible alternative to the variance?

yes  no  Reason: The unique circumstances of this case justify approval of the relief sought.

3) Is the variance requested substantial?

yes  no  Reason: See #1 and #2 above.

4) Will the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

yes  no  Reason: See #1 and #2 above.

5) Is the alleged difficulty self-created?

yes  no  Reason: See #1 and #2 above.

The Board of Appeals, after taking into consideration the above five factors, finds that:

The benefit to the applicant does not outweigh the detriment to the Neighborhood or community and therefore the variance requested is denied.

X The benefit to the applicant does outweigh the detriment to the neighborhood or community, and the Board of Zoning Appeals further finds that variances of parcel lacks 40ft. setback from lot lines not abutting a street of Sections: 145-5(B)(2) of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because on balance, the relief sought is appropriate and there will be no corresponding detriment to the community.

and for these reasons the variance is granted with conditions as indicated.

CONDITIONS: The Board of Zoning Appeals finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

**Condition #1: Submission of a Declaration of Restrictive Covenants to the satisfaction of the Village Attorney and to be recorded in the Nassau County Clerk's Office against the property under application that the accessory structure to be constructed shall remain only as long as the parcels known as Section 26, Block C, Lots 2151 and 258 remain in common ownership. If at any time those parcels are not held in common ownership, the accessory structure authorized hereunder shall be demolished and removed. The Certificate of Occupancy and/or Compliance issued in connection with said accessory structure will also include that restriction and condition.**

Adverse impact to be minimized: Creation of a substandard parcel.

INCORPORATED VILLAGE OF LAUREL HOLLOW  
APPROVED / BZA

These plans were approved by the Board of Appeals of the Incorporated Village of Laurel Hollow. **This is not a permit.**

**Applicant must now submit any and all additional documentation required by the Building Inspector in order to obtain a permit in a timely manner.**

ZV5-2017  
Case #

3/19/2019  
Date

  
Signature, Chairman, BZA

Record of Vote on Motion as stated above:

**Motion to Approve by Member Kaufman  
Seconded by Member Lebedin**

| Member Name     | Aye     | Nay |
|-----------------|---------|-----|
| Chairman Mohr   | X       |     |
| Member Blumin   | Excused |     |
| Member Kaufman  | X       |     |
| Member Parziale | X       |     |
| Member Lebedin  | X       |     |

INC VLG OF LAUREL HOLLOW  
Filed in the Office of the  
Village Clerk on the 18  
day of APRIL, 2019  
Signed: Nancy Popper  
Print: Nancy Popper