

Village of Baxter Estates
Meeting of the Board of Zoning & Appeals
April 26, 2023
7:30 PM

Meeting Minutes

Present: Dr. William Haagenson, Chairman
Dr. Peter Salins, Member
Deborah Shlafmitz, Member
Joseph Zirpolo, Member
Alex Price, Alternate Member
Christopher Prior, Village Attorney
Meghan Kelly, Clerk to the Board of Zoning & Appeals

Absent: Frank Falino, Member

Chairman Haagenson opened the meeting at approximately 7:30 PM.

- 1. PUBLIC HEARING - Application of Robert and Virginia Oates, as owners of premises at 17 Bayside Avenue, Port Washington, NY, Residence A zoning district, Section 5, Block 51, Lot 42 on Nassau County Land & Tax Map, for variance from §175-13A of the Code of the Village of Baxter Estates, to legalize prior installation of canvas awning on metal support structure creating a 3.5' side yard where a 15' side yard is required.**

Chairman Haagenson opened the public hearing at approximately 7:30PM.

On a motion by Dr. Peter Salins, seconded by Deborah Shlafmitz, it was unanimously **RESOLVED** to close the Public Hearing at approximately 7:43 PM.

A stenographic transcript of the public hearing along with the meeting was made and is appended to these minutes.

- 2. Approval of the Application of Robert and Virginia Oates, with regard to the premises at 17 Bayside Avenue**

On a motion by Dr. Peter Salins, seconded by Alex Price, it was unanimously **RESOLVED** to accept the application of Robert and Virginia Oates, based upon the discussions during the hearing, subject to the conditions of maintained the existing screening in the vicinity of the accessory structure and that the variance will expire 10 years from the date of granting. The Board directed counsel to prepare for the Board's review, a draft written findings of fact and decision granting the variance application to be presented at the next meeting.

- 3. Adopt Finding of Fact and Decision in the application of Pedro Avila and Laura Kimeldorf, owners of the premises at 23 Locust Avenue, Port Washington, New York, in Residence A zoning district, shown on Nassau County Land & Tax Map as Section 5, Block 10, Lot 2, to permit alterations and additions to an existing home that would create: (i) a front yard of 31.17', where the minimum required front yard is 35; (ii) an easterly side yard of 7.4', where the minimum required side yard is 15; (iii) a 1-story open porch that encroaches into the front yard by 8.83', where the maximum permitted encroachment is 5'; and (iv) front yard impervious surface of 857 sq. ft., or 46% of front yard lot area, where the maximum allowable impervious surface in a front yard cannot exceed 30%, which in this case would be 559 square feet.**

On a motion by Dr. Peter Salins, seconded by Deborah Shlafmitz, it was unanimously **RESOLVED** to adopt the findings of Fact and Decision with respect to the application of Pedro Avila and Laura Kimeldorf, owners of the premises at 23 Locust Avenue, Port Washington, New York, in Residence A zoning district, shown on Nassau County Land & Tax Map as Section 5, Block 10, Lot 2, heard by the Board on March 22, 2023 in the form prepared by the Village Attorney and presented to the Board of Zoning Appeals.

4. Approval of Meeting Minutes of March 22, 2023

On a motion by Dr. Peter Salins, seconded by Deborah Shlafmitz, it was unanimously **RESOLVED** to accept the draft minutes of the July 27, 2022, Meeting of the Board of Zoning and Appeals.

There being no further business, on a motion by Alex Price, seconded by Joseph Zirpolo, it was unanimously **RESOLVED** that the meeting be and hereby is adjourned at 8:13 PM.

Respectfully Submitted,

Meghan Kelly
Clerk to the Board of Zoning & Appeals