



**VILLAGE OF GREAT NECK  
ZONING BOARD OF APPEALS**

**May 2, 2024**

**Agenda**

**I. CONTINUED CASES**

- A. Case No. 2573: 11 Old Tree Lane - Resolution Vote
- B. Case No. 2574: 7 Brown Road - Resolution Vote

**II. NEW CASES**

- A. Case No. 2575: 75 Old Pond Road
- B. Case No. 2576: 6 North Ravine Road
- C. Case No. 2577: 2 Henry Street

**III. NEXT MEETING DATE**

- A. The Next Meeting Will Be Thursday, June 6, 2024 at 7:30 PM



## ITEM TITLE:

Case No. 2573: 11 Old Tree Lane - Resolution Vote

## SUBJECT:

Application of Dorothy and Kia Rahmanim, owners, represented by Cindi Dickman, E.W. Dickman Architect, for the premises 11 Old Tree Lane, in Great Neck. The applicants are seeking site plan approval and the following variance(s) from the Village Zoning Codes for an application to construct a two-story single-family dwelling:

### 1'. §Section 575-52 Building Area and Floor Area Ratio

A. For single-family dwelling use, the building area shall not exceed 30% of the lot area and, subject to any modifications required by § 575-167 of this chapter, the floor area ratio shall not exceed the limits hereinafter set forth.

**The maximum building area is 1,983.89 SF, whereas 2,285.77 SF is proposed. A variance of 301.88 SF is requested.**

### 2. §Section 575-52 Building Area and Floor Area Ratio

A. For single-family dwelling use, the building area shall not exceed 30% of the lot area and, subject to any modifications required by § 575-167 of this chapter, the floor area ratio shall not exceed the limits hereinafter set forth.

(1) On interior lots: 0.50 of the first 6,000 square feet of lot area; 0.20 of the lot area in excess of the first 6,000 square feet which is less than 100 feet from the street on which the lot abuts; and 0.10 of the lot area in excess of the first 6,000 square feet which is farther than 100 feet from said street. To the extent required, all of the area of the lot within 100 feet of the street on which the lot abuts must be included in the calculation of the first 6,000 square feet of lot area.

**The maximum floor area is 3,000.1 SF, whereas 3,420.1 are proposed. A variance of 420 SF is requested.**

### 3. §Section 575-53 Lot Width and Lot Depth

A. On an interior lot:

(1) A minimum lot width of 60 feet shall be maintained from the street line for the first 100 feet of lot depth or 30 feet beyond that point of construction of the principal building that is farthest from the street line, whichever distance is greater.

**57 feet are proposed at 30 feet beyond the point where the proposed house is furthest from the street, which is 3 feet less than required. The determination of conformity based on 575-172 in relation to the location of the house is left to the Board of Zoning Appeals.**

### 4. §Section 575-56 Front Yards

All lots shall have at least one front yard. A corner lot shall have a front yard on each public street on which the lot abuts. All front yards shall have a minimum depth equal to the greater of 25 feet or the

average depth of the front yards of other lots which are on the same block front and within 200 feet. In no event, however, shall a front yard be required to have a depth which is greater than 35 feet.

**The minimum front yard requirement is 28.4 feet, whereas 26 feet are proposed. A variance of 2.4 feet is requested.**

**5. §Section 575-59 Permitted Encroachments**

A. The following encroachments into required yards are hereby permitted:

(3) One-story open porch, having a maximum eave height of 12 feet, and a terrace, neither one of which may project more than 5 1/2 feet into a minimum front yard.

**The maximum encroachment for a front porch is 5.5 feet, reducing the minimum front yard to 22.9 feet, whereas 22.17 feet are proposed. A variance of 0.73 feet is requested.**

**6. §Section 575-168 Facades of Single-Family Dwellings**

In a single-family dwelling:

B. At least 10% of each and every facade shall be comprised of fenestration (windows and/or doors).

**At least 10% of every facade shall be comprised of fenestration or 100 SF of the North side, whereas 56 SF are proposed. A variance of 48.25 SF is requested.**

**§Section 575-168 Facades of Single-Family Dwellings**

In a single-family dwelling:

C. The eave of an open porch on the front of a dwelling shall not exceed 12 feet in height.

**The eave of an open porch on the front of a dwelling shall not exceed 12 feet in height, whereas the proposed eave reaches 12.88 feet at its top. A variance of 0.88' is requested.**

**8. §Section 321-9 Habitable Space**

C. Light and ventilation.

(1) Habitable space shall be provided with natural light through one or more windows, skylights or transparent or translucent panels, or any combinations thereof, that face directly on legal open spaces at least six inches above the adjoining finished grade or that are above a roof.

**Natural light is not provided, and the cellar is proposed as a habitable space.**

The premises also known as Section 1, Block 142, Lot 87, on the Nassau County Land and Tax Map, and are in the Residence B Zoning District.



**ITEM TITLE:**

Case No. 2574: 7 Brown Road - Resolution Vote

**SUBJECT:**

Application of Emil and Michelle Ben-David, owners, represented by Cindi Dickman, E.W. Dickman Architect, for the premises 7 Brown Road, in Great Neck. The applicants are seeking site plan approval and the following variance(s) from the Village Zoning Codes for an application to construct a two-story rear addition:

**1. §Section 575-57 Side Yards**

A. On an interior lot, a single-family dwelling shall have two side yards, one on each side of the main building. The aggregate width of the two side yards shall not be less than 20 feet, plus 1/2 of the width of the lot in excess of 60 feet. No side yard shall have a width of less than eight feet, plus 2/5 of that portion of the minimum required aggregate width of both side yards in excess of 20 feet. Where practical, the wider of the two side yards shall be placed adjacent to the narrower of the side yards of an adjoining lot or lots.

**The minimum side yard required is 20.78 feet, whereas 17.5 feet is proposed. A variance of 3.28 feet is requested.**

**2. §Section 575-51 Population Density and Street Frontage**

A. No single-family dwelling shall be constructed on or occupy an interior lot having an area of less than 6,000 square feet or having a street frontage of less than 60 feet.

**A maximum frontage of 60 feet is required, whereas 51.23 feet is provided. A variance of 8.77 feet is requested.**

**§Section 575-172 Noncomplying Dwellings**

Nothing in this article shall be deemed to prevent normal maintenance and repair, structural alteration in or the reconstruction or enlargement of a noncomplying building, provided that such action does not increase the degree of or create any new noncompliance regarding the regulations pertaining to such buildings.

**The degree of nonconformity is proposed to be increased by the non-conforming aggregate side yard and is therefore not allowed.**

The premises also known as Section 1, Block 142, Lot 68, on the Nassau County Land and Tax Map, and are in the Residence B Zoning District.



## ITEM TITLE:

Case No. 2575: 75 Old Pond Road

## SUBJECT:

Application of Soheil Payami, owner, represented by Isaac Rei, HN Engineering, for the premises 75 Old Pond Road, in Great Neck. The applicant is seeking the following variance(s) from the Village Zoning Codes for an application for additions and alterations:

1. **§575-44 Rear Yards**

There shall be a rear yard, the depth of which shall be 25 feet plus 1/4 of the depth of the lot in excess of 100 feet.

**The proposed rear yard is 20.6 feet, whereas 25 feet is required. A variance of 4.4 feet is requested.**

2. **§575-44 Rear Yards**

There shall be a rear yard, the depth of which shall be 25 feet plus 1/4 of the depth of the lot in excess of 100 feet.

**§575-45 Permitted Encroachments**

A. The following encroachments into required yards are hereby permitted:

(5) One-story open porch or terrace which shall project into a rear yard not more than 10 feet.

**The rear minimum yard required from the deck is 15 feet, whereas 14.7 feet are provided.**

**A variance of .3 feet is requested.**

3. **§575-43 Side Yards**

A. On an interior lot, a single-family dwelling shall have two side yards, one on each side of the main building. The aggregate width of the two side yards shall not be less than 18 feet, plus 1/2 of the width of the lot in excess of 60 feet. No side yard shall have a width of less than 1/2 of the minimum required aggregate width of both side yards. When practical, the wider of the two side yards shall be placed adjacent to the narrower of the side yards of an adjoining lot or lots.

**The proposed aggregate side yard is 23.1 feet, whereas 29.16 feet is required. A variance of 6.06 feet is requested.**

4. **§575-43 Side Yards**

A. On an interior lot, a single-family dwelling shall have two side yards, one on each side of the main building. The aggregate width of the two side yards shall not be less than 18 feet, plus 1/2 of the width of the lot in excess of 60 feet. No side yard shall have a width of less than 1/2 of the minimum required aggregate width of both side yards. When practical, the wider of the two side yards shall be placed adjacent to the narrower of the side yards of an adjoining lot or lots.

**The proposed side yard is 12.2 feet, whereas 14.58 feet is required. A variance of 2.38 feet is**

requested.

5. **§575-168 Facades of Single-Family Dwellings**

In a single-family dwelling:

A. No horizontal plane of a front or side facade shall extend for more than 30 feet without a change or break in said plane of at least two feet in width. The horizontal plane of a front facade shall have at least one break of at least two feet in width, regardless of the overall width of the facade. A projecting chimney shall be considered a change or break in a plane if it is:

(1) A minimum of two stories tall;

(2) At least four feet wide up to the second story, at which point its width may be reduced to three feet; and

(3) At least two feet deep.

**30.2 feet is proposed on the north façade, whereas a horizontal break at 30 feet is required.**

**A variance of 0.2 feet is requested.**

6. **§575-168 Facades of Single-Family Dwellings**

B. At least 10% of each and every facade shall be comprised of fenestration (windows and/or doors).

**The minimum fenestration area of the North elevation is 88.3 SF, whereas 48 SF are provided. A variance of 40.3 SF is requested.**

7. **§575-168 Facades of Single-Family Dwellings**

B. At least 10% of each and every facade shall be comprised of fenestration (windows and/or doors).

**The minimum fenestration area of the rear elevation is 140.4 SF, whereas 48 SF are provided. A variance of 92.4 SF is requested.**

8. **§575-170.3 Electric Generators**

H. Notwithstanding anything in Subsections C through G of this section to the contrary, electric generators shall be permitted as of right in a side yard, so long as they meet all of the following conditions:

(3) They are screened from the adjacent property to the side and from the street by a full evergreen landscaped buffer, as approved by the Building Inspector.

**No landscaping buffer is provided.**

The premises are also known as Section 1, Block 29, Lot(s) 114 on the Nassau County Land and Tax Map and are in the Residence Zoning A-1 District.



**ITEM TITLE:**

Case No. 2576: 6 North Ravine Road

**SUBJECT:**

Application of Rachel and Isaac Franco, owners, represented by Edna Guilor, architect, for the premises 6 North Ravine Road, in Great Neck. The applicants are seeking the following variance(s) from the Village Zoning Codes for an application to construct a retaining wall:

**1. §Section 575-169 Driveways**

E. No retaining wall related to a driveway shall exceed four feet in height, and no two retaining walls may be closer than three feet to one another, measured wall face to wall face.

**The retaining wall associated with this driveway cannot exceed 4 feet, whereas proposed is 8 feet 7 inches. A variance of 4 feet 7 inches is requested.**

**2. §Section 575-61 Accessory Buildings**

B. Unless otherwise provided in this article, accessory buildings or structures shall be located in the rear yard and shall be not less than 10 feet distant from the main building and not less than three feet distant from the rear and side lot lines. Notwithstanding the foregoing, the Superintendent of Buildings may permit a retaining wall closer than such distances when, in the judgment of the Superintendent, adequate arrangements have been made to retain soil on the same lot in the event of a breach in the retaining wall and otherwise provide for the safety of persons and structures in the vicinity. A refusal of such permission by the Superintendent may be appealed to the Board of Trustees, which shall consider the advice of such licensed engineer as the Village may, from time to time, appoint for this purpose.

**The retaining wall is proposed in the front yard, whereas it must be in the rear yard. A variance is requested.**

**3. §Section 575-54 Lot Coverage**

C. Side yard coverage: 10% or, for corner plots, 40% (but in both cases exclusive of coverage by that portion of a driveway whose width does not exceed 20 feet).

**The maximum allowable side yard coverage is 548.1 SF, whereas 648.6 SF are proposed. A variance of 100.5 SF is requested.**

The premises, also known as Section 1, Block 181, Lot 10, on the Nassau County Land and Tax Map, and are in the Residence B Zoning District.



**ITEM TITLE:**

Case No. 2577: 2 Henry Street

**SUBJECT:**

Application of Ronen and Rebecca Shahkoochi, owners, for the premises 2 Henry Street, in Great Neck. The applicants are seeking the following variance(s) from the Village Zoning Codes for an application to construct a retaining wall:

**1. §Section 575-61 Accessory Buildings**

B. Unless otherwise provided in this article, accessory buildings or structures shall be located in the rear yard and shall be not less than 10 feet distant from the main building and not less than three feet distant from the rear and side lot lines. Notwithstanding the foregoing, the Superintendent of Buildings may permit a retaining wall closer than such distances when, in the judgment of the Superintendent, adequate arrangements have been made to retain soil on the same lot in the event of a breach in the retaining wall and otherwise provide for the safety of persons and structures in the vicinity. A refusal of such permission by the Superintendent may be appealed to the Board of Trustees, which shall consider the advice of such a licensed engineer as the Village may, from time to time, appoint for this purpose.

**The retaining wall is proposed in the front yard, which is not allowed and needs the approval of the Board of Zoning Appeals.**

The premises, also known as Section 1, Block 23, Lot 32-35, on the Nassau County Land and Tax Map, and are in the Residence B Zoning District.





**ITEM TITLE:**

The Next Meeting Will Be Thursday, June 6, 2024 at 7:30 PM