



United States Department of the Interior

NATIONAL PARK SERVICE  
Fire Island National Seashore  
120 Laurel Street  
Patchogue, NY 11772

**Review and Comments on Building/Zoning Permit Application**

**Applicant(s):**

Owner: Walter Kempf

**Tax Map #:**

491-4.46

**Application No.:**

#268-12 on May 8, 2012

**Zoning Authority:**

Islip

**Community:**

Kismet

**Object (Yes/No):**      No

*If Objection status is "Yes", property will be subject to the condemnation authority of the Secretary of the Interior, if built as proposed, or previously built with or without permits beyond allowable standards.*

**Reason for Objection:**

**Objection Type:**

**Comments:**

No objection to 34.6% lot occupancy for proposed 2nd story decks requiring setback variances and to 44.4% FAR (30% Islip requirement).

*Review of this application for construction or variance request within the Fire Island National Seashore is made in accordance with 36 C.F.R. Part 28, Federal Zoning Standards for Fire Island National Seashore.*

Superintendent

5/7/2012

Date

Cc: Applicant

# TOWN OF ISLIP

40 Nassau Ave Suite 1, Islip, New York 11751 (631) 224-5489

## ZONING BOARD OF APPEALS



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MARY PASSARO, *SECRETARY*, *Scanned*

April 19, 2012

Fire Island National Seashore  
120 Laurel Street  
Patchogue, NY 11772

Re: Walter Kempf  
79 Seabay Walk  
Kismet, Fire Island, NY

Receipt # 39689

Dear Sir/Madam:

Enclosed for your review is a copy of the Board of Appeals application, Zoning Denial and survey relative to the above referenced property.

Very truly yours,

Mary Passaro  
Zoning Board Secretary

MP/ nji  
Enclosure



# TOWN OF ISLIP

## DEPARTMENT OF BUILDING & ENGINEERING

### Zoning Denial & Variance Request

DATE: 12/7/11	SCTM:491-4-46
NAME:Walter Kempf	ZONING DISTRICT:"BAA"
ADDRESS:224 Northfield Rd. Haup.	TELEPHONE (home)561-9273
	Work/Attny #:
PHYSICAL LOCATION:East side of Seabay Walk 63.83' north of maple Ct. Kismet	

	REQUIRED	PROPOSED			
Lot Width			Total Square Footage		
Lot Square Footage			Total S.F. of Property		
			25% of Property		
<b>SETBACKS -</b>			Total F.A.R. of Property		
Front Yard					
Corner/Through-lot			<b>FAR Breakdown</b>	□	%
Side Yard			Screened Porch		
Total Side Yard			Existing Dwelling		
Rear Yard			First Floor		
<b>SETBACKS-Accessory</b>			Second Floor		
Front Yard			Basement		
Corner/Through-lot			Detached Garage		
Side Yard			Sheds		
Rear Yard			Other		

Permission to construct 2<sup>nd</sup> story decks having a front yd. setback of 20.9' instead of the req. 25', side yd. setback of 10.4' instead of the req. 15' and FAR of ~~40%~~ <sup>44.4%</sup> instead of the req. 30%.

*44.4% FAR*

*FAR provided by Design Prof.*

Inspector Signature: *Alto Borochi*

Applicant/Attny: *[Signature]*

# Town of Islip - Building Division - FAR

Date: _____ Name: _____ Address: _____ _____ _____ Tel (H): _____ Tel (W): _____ Rep Tel: _____	SCTM: _____ Zoning Dist: _____ Permit #: _____ Physical Location: _____ _____ _____
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Existing (All Dimensions from Structure Exterior)

Proposed

	Sq. Ft.:	%FAR:
<b>Total Lot Area:</b>	6000	
<b>Existing Main Structure:</b>		
First Floor:	263	14.38
Second Floor:	263	14.38
Attic Space w/4'6" Headroom or More:		
<b>Basement/Cellar*:</b>		
% Above Grade:		
Ceiling Height:		
Square Footage:		
First Floor:	263	14.38
Second Floor:	263	14.38
Attic 4'6" headroom:		
<b>Basement/Cellar*:</b>		
1. % Above Grade:		
2. Ceiling Height:		
3. Square Footage:		
<b>Detached Structure:</b>		
Garage:	2	
Shed 1:	48	0.8
Shed 2:		
Shed 3:		
Gazebo:		
<b>Other Structures:</b>		
Include roofed over patios and decks:		
All Decks on FI over 4' wide:	266	14.4
Deck Height:	12'	
Other: _____		
<b>Total:</b>	2640	
<b>Excess FAR?:</b>	14.4%	
<b>FAR Variance Required?:</b>	Yes	

**\* Please Note these Definitions:**

**CELLAR** - The lowest level of a structure when there is less than 50% of the lowest level above average grade. For the purposes of determining the percent below grade, the cellar shall be measured from the first-floor elevation (F.F.El.) to the cellar floor. A cellar shall be counted as gross floor area as required under the definition of gross floor area. A cellar shall not be used for permanent habitable space activities, including sleeping and cooking.

**BASEMENT** - The lowest level of a structure when there is more than 50% of the lowest level above average grade. For the purposes of determining the percent above grade, the basement shall be measured from the first floor elevation (F.F.El.) to the basement floor. A basement shall be counted as gross floor area.

**GROSS FLOOR AREA (GFA)** - The total floor area of a structure as measured from the exterior faces of the walls. Gross floor area shall include accessory buildings/structures, basements, above-grade floors, interior balconies, mezzanines, storage space, floor space utilized for mechanical equipment with structural headroom of seven feet six inches or more, and ground-level covered or enclosed porches, patios and decks. Gross floor area shall include the area under a gable, hip, gambrel or similar type roof, where there exists a floor-to-ceiling height of four feet six inches or more. Residential cellars shall not be included in gross floor area. All cellars, basements, storage space or occupied space shall be included when calculating gross floor area for nonresidential uses. Decks, excluding those located on Fire Island, shall not be included in gross floor area, provided that they are accessory to a permitted principal use and are not roofed over, covered or enclosed. Covered residential front yard porches not exceeding six (6) feet in width, and area underneath any residential cantilever not exceeding 24 inches shall also not be included in Gross Floor Area.



