

Sea Cliff Couple Files Racial Bias Suit

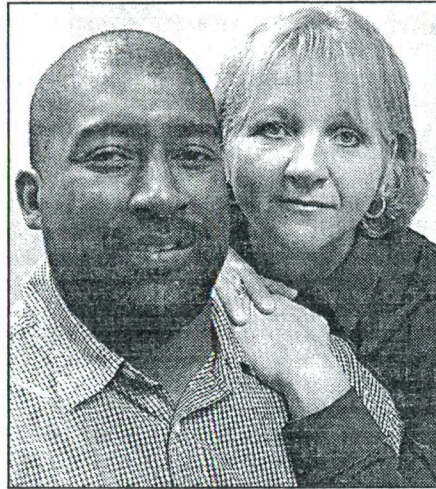


Photo by Howard Schnapp

Philip Knox and his wife, Diane

By Sid Cassese
STAFF WRITER

An interracial couple has charged the Village of Sea Cliff with racial housing discrimination in a \$9-million suit filed last week in the U.S. District Court in Central Islip.

Philip Knox, a black, fourth-generation resident of the 5,066-population village, and his wife, Diane, who is white, said their application to expand their house received "unequal, unnecessarily harsh and stringent" scrutiny, they were denied procedural due process and the rejection advanced a village policy "to deny zoning permits and applications based on race and color . . ."

Village officials denied the charges yesterday. "The zoning board [of appeals] tried to help Mr. Knox, to reach an agreement on something that didn't deviate so

much from the zoning codes," said Village Attorney Richard Siegel. "The [Sea Cliff] zoning board does not consider applications on that [racial] basis at all."

On Feb. 23 of last year, the Knoxes, who have been married 13 years and have four children ages 4 to 12, applied to add a second story to their single-family, three-bedroom house, they said. A day later, the village building department denied the request.

On March 12, Knox, a 46-year-old local businessman, went before the village Architectural Review Board, which told him his application must be reviewed by the zoning board. The board set a hearing for March 27.

Knox — one of 85 black village residents, according to the 2000 census — was told to appear at the architectural board, which later reserved its decision,

pending a review by the zoning board.

In late May, according to the papers filed by Knox's lawyer Frederick K. Brewington of Hempstead, the zoning board said the proposed height of the project had to be reduced "despite the proposed height being in conformance with the zoning code of Sea Cliff."

Knox said that after he learned that some white residents had been approved by the board for similar expansions despite exceeding the 30-foot height maximum, he wrote to the board on Sept. 9, 2001, demanding an explanation that he never got, according to court documents.

Instead, the application by the Knoxes was denied June 18, 2002. In its decision, the zoning board cited the "magnitude of the deviations;" the small size of the property, and "the detriment to nearby properties."