

Legal Notices

HEARING NOTICE INCORPORATED VILLAGE OF BAYVILLE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Incorporated Village of Bayville will hold a Public Hearing at the Village Hall, 34 School Street, Bayville, Nassau County, New York, on Wednesday, March 27, 2019 at 7:30 p.m. to consider the following application:

#Z-1-19, Nastasi Residence

(Oyster Bay Drafting):

Application to renovate an existing home with rear addition, garage, proposed pool that requires the following variances:

Sec 80-21 Yard Requirements

(A) Lot Requirements: There shall be front, rear and side yard on each plot of not less than the following depth or width:

- (1) Front Yard: the minimum front yard is 25 feet; the existing front yard setback is 11.3 feet
- (2) Rear Yard: the minimum rear yard is 25 feet; the existing rear yard setback is 16.5 feet.
- (3) Side Yard: the minimum side yard is eight feet, provided that the sum of the two side yards shall not be less than 20 feet. The proposed side yard setback is 6.67 feet.

Sec 80-82 Alterations

Any alteration to a nonconforming use, building or structure that would change the building's or structure's front setback, side yard or rear yard, shall not be permitted hereunder unless an application for variance is made to the Board of Appeals and such application is granted by the Board of Appeals. In any such application, the applicant shall demonstrate to the satisfaction of the Board of Appeals that the cost of all alterations proposed to be made to such building or structure, in the aggregate, will not exceed 50% of the adjusted market value of the affected parcel, as reflected in the then-current assessment roll for the Village. Nothing herein is intended or shall be deemed to preclude the maintenance and good repair of any non-conforming use or building.

Sec 80-24 Detached garages, accessory buildings and structures

A. Each detached garage, accessory building and structure, unless expressly provided to the contrary elsewhere in the chapter, shall be located at least three feet from the rear property line and each side property line, and at least five feet from the primary building on the lot. The existing shed setback is 0 feet.

B. Each detached garage, accessory building and structure shall be located at least 70 feet from any street line; provided, however, that with respect to any corner lot, any accessory building, structure or detached garage shall be located only on the corner of the lot farthest removed from the abutting streets, and at least Three feet from the two nearest property lines, and so that the two nearest property lines do not abut any street. The proposed detached garage setbacks are 40.73 feet and 59 feet (corner property.)

Sec 80-60 Supplementary area and height provisions

C. Flat roofs are prohibited in all districts. The second floor balcony above the kitchen and porch has a flat roof.

This property is known on the Land and Tax Maps of Nassau County as Section 28, Block 9, Lot 35 in the Residential C District. It is also known as 18 East Shore Drive, Bayville, NY.

#Z-2-19, Ricatto Residence

(Oyster Bay Drafting):

Application to construct a new second story rear addition and stairs, proposed front portico, side deck, and proposed pool requiring the following variances:

Sec 80-21 Yard Requirements

(A) There shall be front, rear and side yard on each plot not less than the following depth or width:

- (2) Rear Yard: the minimum rear yard is 25 feet; the proposed rear yard setback is 16.6 feet.
- (B) On corner plots, a front yard of at least 25 feet shall be required on each street:

Front Yard: Fifth Street: proposed as 10.9 feet

Front Yard: First Avenue: proposed as 9.3 feet

Sec 80-22 Bulk Regulations

(B) Lot Coverage: the building area shall not exceed 25 % of the first 7500 square feet of lot area and 12.5% of that portion, if any, in excess of 7500 square feet; the proposed lot coverage is 31.3%

(C) The Floor Area Ratio shall not exceed 0.40, the proposed FAR is 0.4709.

Sec 80-82 Alterations

Any alteration to a nonconforming use, building or structure that would change the building's or structure's front setback, side yard or rear yard, shall not be permitted hereunder unless an application for variance is made to the Board of Appeals and such application is granted by the Board of Appeals. In any such application, the applicant shall demonstrate to the satisfaction of the Board of Appeals that the cost of all alterations proposed to be made to such building or structure, in the aggregate, will not exceed 50% of the adjusted market value of the affected parcel, as reflected in the then-current assessment roll for the Village. Nothing herein is intended or shall be deemed to preclude the maintenance and good repair of any non-conforming use or building.

This property is known on the Land and Tax Maps of Nassau County as Section 28, Block 40, Lot 158 in the Residential C District. It is also known as 5 Fifth Street, Bayville, NY.

Persons who may suffer from a disability, which would prevent them from participating in said hearing, should notify Maria Alfano-Hardy, Village Clerk-Treasurer, at (516) 628-1439 in sufficient time to permit such arrangements to be made to enable such persons to participate in said hearing.

BY ORDER OF THE
ZONING BOARD OF APPEALS
Georgia Giaccone, Clerk

March 7, 2019

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