

**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 28, 2018 at 7:30 p.m. to consider the following application:

**#Z-4-18, McCann Residence, (Kurkowski, Arch) Revised:**

**Application to construct a side deck requiring the following variances:**

**§80-20A(1)** No building or structure shall be erected on any lot within the Residence C District that has less than 75 feet of street frontage. The existing street frontage is 60 feet.

**§80-20A(3)** No building or structure shall be erected on any lot within the Residence C District that has less than 7500 square feet of lot area. The existing lot area is 4800 square feet.

**§80-21A** There shall be front, rear and side yards on each plot of not less than the following depth or width:

**§80-21A(1)** There shall be front yard with not less than 25 feet. The proposed front yard is 6.8 feet.

**§80-21A(2)** There shall be a rear yard with not less than 25 feet. The proposed rear yard is 12.7 feet.

**§80-21A(3)** There shall be a side yard of 8 feet provided the sum of the two side yards shall not be less than 20 feet. The proposed side yards are 3 feet and 19.5 feet

**§80-22B** The building area shall not exceed 25% of the first 7500 square feet of lot area and 12.5% of that portion of the lot area, if any, in excess of 7,500 square feet. The minimum allowed lot coverage is 1200 square feet and the proposed lot coverage is 1653 square feet or 34 %.

**§80-60D** Permitted projections or encroachments. Setbacks of buildings and sizes of yards, wherever required in this chapter and except as otherwise specifically provided herein, shall be the distance from the lot line to the nearest exterior finished wall of the building, which shall include the foundation wall of any attached garage, open or enclosed porch, and all other projections, except that the following shall be permitted, notwithstanding their encroachment into a minimum required setback:

1) Window wells extending not more than four feet from the main foundation wall, and unenclosed entrance steps extending not more than four feet from the main foundation wall.

2) Chimneys that project into required side and rear yards by not more than 24 inches, and that are not more than six feet in width.

3) Eaves, gutters or downspouts that project not more than 18 inches into any yard.

4) Bay and bow windows that project not more than 24 inches into any required front or rear yard; that are installed in a rough opening not more than 10 feet in width, not higher than one story; that are installed only on the first floor above grade; and for which window sills shall be a minimum of 18 inches above the finished floor; provided, however, that bay and bow windows, even if they satisfy each such condition, shall not be permitted encroachments into any side yards.

5) To the extent that any building or structure lawfully encroaches into a required minimum yard due to either the grant of a variance with respect thereto granted by the Board of Appeals, or as a preexisting, nonconforming building or structure, none of the foregoing encroachments shall be permitted in such diminished yard unless a variance is granted therefor by the Board of Appeals.

There are (2) existing AC compressors in the right side yard and they diminish the right side yard to 4.1 feet and are a non-permitted encroachment.

The unenclosed entrance steps diminish the front yard to 6.8 feet and are a non-permitted encroachment.

**§80-82** 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 role for the Village. Nothing herein is intended or shall be deemed to preclude the maintenance and good repair of any nonconforming use or building.

This property is known on the Land and Tax Maps of Nassau County as Section 28, Block 4, Lot 15 in the Residential C District. It is also known as 19 July Avenue, Bayville, NY.

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**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 28, 2018 at 7:45 p.m. to consider the following application:

**#Z-6-18, Dortenzio Residence (Bladykas & Panetta):**

**Application to demolish an existing one-story cottage with enclosed front porch, and to construct a new 1 ½ story residence with dormer requiring the following variances:**

- §80-20A(1) No building or structure shall be erected on any lot within the Residence C District that has less than 75 feet of street frontage. The existing street frontage is 40 feet.
- §80-20A(3) No building or structure shall be erected on any lot within the Residence C District that has less than 7500 square feet of lot area. The existing lot area is 3200 square feet.
- §80-21A There shall be front, rear and side yards on each plot of not less than the following depth or width:
  - §80-21A(1) There shall be front yard with not less than 25 feet. The proposed front yard is 17.3 feet.
  - §80-21A(3) There shall be a side yard of 8 feet provided the sum of the two side yards shall not be less than 20 feet. The proposed side yards are 5 feet and 11 feet
- §80-22D Minimum floor area. Each dwelling shall have a minimum ground floor area of 1,000 square feet. The proposed ground floor area is 756 sq. feet.
- §80-82 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 role for the Village. Nothing herein is intended or shall be deemed to preclude the maintenance and good repair of any nonconforming use or building.

This property is known on the Land and Tax Maps of Nassau County as Section 28, Block 29, Lot 23 in the Residential C District. It is also known as 5 June Avenue, Bayville, NY.

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*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 16, 2018**