

**PUBLIC HEARING NOTICE**  
**INCORPORATED VILLAGE OF BAYVILLE**  
**ZONING BOARD OF APPEALS**

**NOTICE IS HEREBY GIVEN** 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, New York 11709 on Tuesday, April 25, 2023, at 7:20 p.m. to consider the following:

**#Z-07-23, 421 Bayville Avenue, L. & D. Veber (Weppner Architects)**

An application to make basement and first floor structural repairs, construct first floor additions (18 square feet and 18 square feet), enlarge first floor deck (280 square feet total), construct second floor additions (292 square feet and 255 square feet), demolish existing detached garage (350 square feet), and construct new detached garage (500 square feet) requiring the following variances:

§ 80-21 Yard requirements.

A. There shall be front, rear, and side yards on each plot of not less than the following depth or width:

(2) Rear yard: 25 feet.

The proposed rear yard setback is 0 feet. (Deck extends beyond property boundary)

(3) Side yard: eight feet, provided that the sum of the two side yards shall not be less than 20 feet.

The proposed western side yard setback is 1.5 feet. The proposed eastern side yard setback is 2.6 feet to the primary dwelling. The proposed sum of the two side yards is 4.1 feet.

§ 80-22 Bulk regulations.

B. Lot coverage. The building area shall not exceed 25% of the first 7,500 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 proposed lot coverage is 45.3%

C. The floor area ratio shall not exceed 0.40

The proposed floor area ratio is 0.586

§ 80-24 Detached garages, accessory buildings, and structures.

A. Each detached garage, accessory building, and structure, unless expressly provided to the contrary elsewhere in this 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 proposed detached garage is located 1.6 feet from the eastern property boundary.

D. 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 is located 18.2 feet from the street line.

§ 80-61 Fences

D. Permitted fences serving as a boundary enclosing any rear yard shall not exceed six feet in height. Permitted fences serving as a side or front yard boundary shall not exceed four feet in height along the side lot line starting at the point that aligns with the rear yard setback line and continues toward, and along, the front lot line.

The proposed side yard fencing is 6 feet in height.

§ 80-67.2 Zoning requirements applicable to retaining walls.

B. Each retaining wall, any portion of which lies above the grade of an abutting lot or public street or other road or right-of-way, shall be set back from the nearest property line one foot of horizontal distance for each foot of retaining wall height.

The proposed retaining walls on the eastern and western property boundaries are 1.5 feet above grade and are set back zero feet from the property boundaries.

§ 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 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 17, Lot 13. It is located in the Village's Residence C zoning district. It is also known as 421 Bayville Avenue, Bayville, New York.

***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**

**Maria Alfano-Hardy, Village Clerk-Treasurer**

**April 15, 2023**