

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 Wednesday, February 28, 2024, at 6:30 p.m. to consider the following:

#Z-07-24, 23 Pine Lane, J. Feuerstein (H.P. Curtis, Architect)

An application to maintain front wood deck, basement interior alterations, and HVAC units 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:

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

The west side yard has a setback of 4.35 feet, and the sum of the two side yards is 4.71 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 lot coverage is 35.17%

§ 80-60 Supplementary area and height provisions.

D. 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:

(5) Electrical heating, ventilating or air conditioning (HVAC) units (only if screened with dense evergreen plantings or solid fencing), and any other electrical mechanical system, or surface water heating system, shall be permitted to project no more than four feet into any side yard or six feet into any rear yard, but not nearer than three feet from any property line.

The HVAC units are 4 inches from the west property boundary.

§ 80-82 Alterations.

Any alteration to a nonconforming use, building or structure that would decrease 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 nonconforming use or building.

Cost of construction = \$64,200 (as per §13-10 of Village Code)

Values: Current Land = \$261,000 Current Improvement = \$563,000 (as per Nassau County Land Records Viewer Summary Report, 12/20/2023)

This property is known on the Land and Tax Maps of Nassau County as Section 28, Block 15, Lot 8. It is located in the Village's Residence C zoning district. It is also known as 23 Pine Lane, Bayville, New York.

BY ORDER OF THE ZONING BOARD OF APPEALS

Maria Alfano-Hardy, Village Clerk-Treasurer

February 9, 2024