

PUBLIC NOTICE
VILLAGE OF WESTBURY

NOTICE IS HEREBY GIVEN that a Public Meeting will be held by the Board of Appeals of the Inc. Village of Westbury on Monday, February 28, 2022, at 7:30 P.M., at the Village Hall, 235 Lincoln Place, Westbury, New York. At the meeting, the Board will consider Application 2022-01-02 of Assaf Ran of Westbury Holdings 1 LLC, seeks to erect two proposed dormers in the attic to provide for 2 new studio apartments at the address known as 213 School Street, Westbury, NY, 11590, which is in violation of:

Chapter 248, Article XXVII, Section 248-232B – Nonconforming uses: Continuation; abandonment; restoration; unsafe structures. **(1) Restoration of nonconforming uses.** A lawful use which is rendered nonconforming by the enactment of this code or by reason of any subsequent amendment to this code may be continued, provided that it is not abandoned or destroyed as to 50% or more of the building square footage for all buildings located on the site used for such nonconforming use. If a nonconforming use is abandoned or destroyed as to 50% or more of the building square footage for all buildings located on the site used for such nonconforming use, it may not be resumed. The increase or expansion of a nonconforming use is prohibited. **(2) Restoration of nonconforming structures.** Any lawful building or structure or portion of such building or structure rendered nonconforming by the enactment of this code or by reason of any subsequent amendment to this code, which is damaged or destroyed as to less than 50% as reflected in the square footage of the nonconforming building prior to the damage or destruction, by fire, flood, high winds or other accident or natural causes, may be repaired or rebuilt on the same building footprint and to the same dimensions, including height, provided such repair or rebuilding is completed within 12 months of the date of damage or destruction. The total square footage of such rebuilt structure shall not exceed the total square footage of the building that was damaged or destroyed.

Chapter 248, Article XIV, Section 248-143 Side and rear yards. There shall be side and rear yards, the respective depths of which shall not be less than 10 feet, except where adjoining a residential zoning district, in which case the depth of such yard shall not be less than 20 feet. **(Required 20', Actual 11.9')**

Chapter 248, Article XIV, Section 248-145 Floor area ratio - The floor area ratio of a lot shall not exceed 0.50. **(Allowed .50, Proposed .63), Chapter 248, Article XIV, Section 248-149 Floor Area -** Each dwelling unit, if any, located in a building erected in this district shall provide a minimum clear floor area of the following square footage: **(A studio proposed, Required 500 sq ft, 429 sq ft Proposed)**

Chapter 248, Article XXXI, Section 248-267 (A) All structures and land use hereafter erected, enlarged or extended shall be provided with the amount of off-street automobile parking space and loading and unloading space required by the terms of this article, to meet the needs of persons making use of such structures or land. A permit for the erection, replacement, reconstruction, extension or substantial alteration of a structure or the development of a land use shall not be issued unless off-street automobile parking facilities and, where required, loading, and unloading spaces shall have been laid out in accordance with the appropriate requirements for structures and uses, as set forth in this article. As used herein, parking facilities shall be constructed to include loading and unloading spaces required by this article. **(Required 14 spaces, Proposed 12 spaces)**

Chapter 248, Article XXXI, Section 248-272 A. Each required parking space shall be not less than nine feet wide nor less than 20 feet long, except that not more than 20% of the area devoted to required parking may have stalls for compact cars, and such stalls would have minimum dimensions of eight feet in width and 15 feet in length, provided that such spaces are conspicuously posted by signs indicating that such spaces are for small cars only.

The subject property is located and identified on the Nassau County Tax Map as **Section: 10, Block: 227, Lot(s): 223.** The subject property is located on the westerly side of School Street and 0 feet southerly of Madison Street.