

Local Law No. of 2017

A Local Law Amending Chapter 196
(Zoning) Of The Village Code
In Relation To Accessory Structures in Residential Districts

Section 1. §196-2B is hereby amended by deleting the definitions of “Living Quarters Space” and “One –Family Main Residence Dwelling” in their entirety and by adding the following three definitions, each of which shall be inserted so as to appear in correct alphabetical order:

HOME OFFICE

An office in a one-family dwelling or, when expressly permitted by this chapter, a building accessory to a one-family dwelling, used exclusively by the occupants of such dwelling for purposes that do not involve customers, clients, patients, or vendors coming to the premises, do not involve on-site advertising, do not involve any employees on the premises other than such occupants, and do not involve on-site distribution or storage of inventory.

LIVING QUARTERS

Space used or useable for eating, cooking, sleeping or other living activities typically conducted in a living room, den or similar space in a residence, sink, toilet and bath facilities, and associated hallways, stairways and other connecting areas.

ONE-FAMILY DWELLING

A single building having living quarters used exclusively for residential purposes by a single family, as herein defined. A one-family dwelling may have a home office. A one-family dwelling may have only one kitchen and no other room with cooking facilities. When parts of a structure are connected by a breezeway or similar area, such parts shall be considered a single building only if the breezeway or similar area is roofed and fully enclosed on the sides and its width is at least one-half of its length.

Section 2. §196-13A shall be amended as follows:

- (a) By deleting the words “main residence” in paragraph (1).

- (b) By modifying paragraph (6) so that subparagraphs (a) through (c) thereof read in their entirety as set forth below and by adding a new subparagraph (d) also set forth below:

“(a) Such garage may be either a detached garage or a garage attached to the principal building.

“(b) If such garage is a detached garage or does not meet all the criteria in (c) below), such garage shall not exceed 10 feet in height if it has a flat or shed roof and shall not exceed 20 feet in height if it has a pitched roof. Any second story constructed over such garage may be used only for storage and, if such garage is accessory to a one-family dwelling and provided all requirements applicable to habitable space in the New York State Code are met, a single-room home office or a single fitness and exercise room for the personal use of the occupants of such single family dwelling. A garage may have a sink and a toilet on the first floor only but no other use as living quarters except as expressly permitted by this paragraph.

“(c) If such garage is attached to a one-family dwelling and part of a single building, such garage may have a second story used for living quarters (other than cooking) provided all of the following provisions are complied with:

[1] Such garage shall be attached on at least one wall to heated living quarters.

[2] There shall be no exterior access to the second story over the garage.

[3] Main access to the second story over the garage shall be by way of interior access designed and located so as to be an integral part of the living quarters space in the dwelling. A secondary access may be provided from inside the garage.

[4] Such main access to the second story over the garage may be by way of access from second-floor living quarters space over the main part of the dwelling or by way of a stairway from first-floor living quarters space to the second story over the garage.

“(d) No garage shall have an overall ground area exceeding 1,200 square feet or have more than three vehicle bays with an exterior garage door.”

Section 3. §196-13B shall be amended as follows:

- (a) By deleting the words “main residence” in its introductory language.
- (b) By adding the words “or storage shed” immediately after “toolhouse” in subparagraph (1) and by adding the following sentence at the end of such subparagraph: “A toolhouse or storage shed shall not have any contiguous roofed area, shall not be connected to any other structure, and shall not contain any living quarters.”
- (c) By adding the following sentence at the end of subparagraph (2): “A greenhouse shall not have any contiguous roofed area, shall not be connected to any other structure, and shall not contain any living quarters.”
- (d) By deleting all the language after “area” in subparagraph (4) and by adding in place thereof the following:

“in all Residence Districts other than the A-8 Residence District and not exceeding 500 square feet in floor area in the A-8 Residence District, not exceeding 16’ in height, and containing not more than one room other than a bathroom, and without heat, air conditioning, cooking or sleeping facilities. Such a pool house may have a contiguous roofed or covered area open on at least three sides having a ground area not exceeding the maximum permitted floor area of the pool house.”

- (e) By adding a comma followed by the words “pickle ball court” immediately after “tennis court” in subparagraph (5).
- (f) By adding after the word “area” in subparagraph (8) the following: “in the A-8 Residence District or 250 square feet in floor area in all other Residence Districts.”
- (g) By adding after “pergola” in subparagraph (9) the following: “the length or width of which does not exceed 50 feet.”
- (h) By adding after subparagraph (11) the following new subparagraphs numbered (12) through (17) and renumbering the existing subparagraph (12) as subparagraph (18):

“(12) Unroofed decks, patios, terraces, walkways and steps with associated railings and walls that comply with Section 196-13F.

“(13) Outdoor fireplaces, kitchens and barbecues and associated chimneys not exceeding 10 feet in height.

“(14) Outdoor private bocce court or outdoor private sport court having a playing surface that does not exceed 1,500 square feet. Such courts shall be flush to the ground.

“(15) Children’s play equipment, including but not limited to a swing set, a jungle gym and a tree house. A tree house shall not exceed 8 feet in length or width or 6 feet in height, and other play equipment shall not exceed 16 feet in length or width or 12 feet in height.

“(16) Generator for the furnishing of emergency power, mechanical pool equipment, HVAC equipment, solar panels, fuel tanks and other reasonably necessary mechanical equipment.

“(17) Artificial ponds and associated equipment provided that they are located in such a manner that equipment is not audible beyond any property line.”

Section 4. §196-13D is hereby amended by deleting all of the existing text thereof and substituting in its place the word “Reserved.”

Section 5. §196-13F is hereby amended (a) in the first sentence by adding a comma and the word “walkways” after “terraces” and the words “and associated railings and walls” after the word “steps” and (b) ”by adding the following three sentences to the end thereof:

“A walkway to a body of water need not comply with the setback requirement applicable to such body of water. Elevated walkways to a body of water shall be constructed in a manner designed to minimize adverse visual impact. In order to minimize such impact, the Board of Trustees may from time to time by resolution establish and amend written design specifications applicable to such elevated walkways. “

Section 6. §196-13H is hereby amended so as to read in its entirety as follows:

“An accessory building shall not contain or be used as living quarters except to the limited extent expressly permitted in Section 196-13A(6) pertaining to

garages and except to the limited extent expressly permitted in Section 196-13B(4) pertaining to pool houses.”

Section 7. §196-13K shall be amended (a) by adding after the word “court” in the first sentence a comma followed by the words “paddle tennis court or pickle ball court” and (b) by deleting the word “tennis” each of the two times it is used in the second sentence.

Section 8. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.