

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of Roslyn Harbor

FILED  
STATE RECORDS

APR 20 2015

DEPARTMENT OF STATE

Local Law No. 1 of the year 2015

A local law which will amend Chapter 275, "Zoning," Section 275-4, "Definitions,"  
(Insert Title)  
and Table 2, "Schedule of Dimensional Regulations," of the Code of the  
Village of Roslyn Harbor.

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of Roslyn Harbor

as follows:

**INCORPORATED VILLAGE OF ROSLYN HARBOR**  
**LOCAL LAW 1-2015**  
**"AMENDMENT TO CHAPTER 275, ZONING"**

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Roslyn Harbor as follows:

**SECTION I.** Amend Section 275-4, "*Definitions*," in part, to read as follows:

**ARTICLE II**  
Word Usage and Definitions

**§275-4. Definitions**

As used in this chapter, the following terms shall have the meaning indicated:

**HEIGHT OF BUILDING** – The vertical distance measured from original existing grade to the level of the highest point of the roof. Original "existing grade" is defined to be the average ground elevation of land around the exterior walls of the building or structure prior to construction." For building lots, where the building site has a grade change in excess of 10 feet in elevation, the Applicant may petition the Planning Board in Site Review to determine the original existing grade for measurement of building height, taking into consideration the site topography and conditions, aesthetics and the impact on the neighboring dwellings, properties and the community at large. If the roof pitch is 5 over 12, or less, it shall be classified as a flat roof for purpose of measuring building height. (See Illustration Nos. 15 and 16)

**SECTION II.** Amend "*Zoning, Section 275 Attachment 2 Table 2 - Schedule of Dimensional Regulations*," to require a maximum building height for buildings

- (a) with a roof pitch greater than 5 over 12 – 35 feet in the Preserve PP, Residence AA, Residence A, and the Business AA; 32 feet in Residence B, and 30 feet in Residence C;
- (b) with a roof pitch of 5 over 12 or less (flat roof), 28 feet in the Preserve PP, Residence AA, and Residence A, 25 feet in Residence B, Residence C, and Business AA Zoning District as shown on the attached amended Table 2.

**SECTION III.** The local law shall take effect upon the filing with the Department of State.

Table 2 - Schedule of Dimensional Regulations

	District					
	Preserve PP	Residence AA	Residence A	Residence B	Residence C	Business AA
<b>PRINCIPAL USES</b>						
<b>Minimum Requirements</b>						
• Lot area (square feet)	217,800	87,120	43,560	21,780	8,000	43,560
• Lot width (feet)	300	150	150	125	80	150
• Lot depth (feet)	500	200	200	175	100	200
• Front yard (feet)	75	50	50	40	25	50
• Side yard: one (feet)	50	25	25	15	10	25
• Side yard: both (feet)	100	50	50	40	25	50
• Rear yard (feet)	75	35	35	30	25	35
• Lot frontage (feet)	250	140	140	115	70	140
• Habitable floor area (square feet)	2,000	1,800	1,600	1,400	1,200	None
<b>Maximum Requirements</b>						
• Height (stories/feet)	2 1/2/35	2 1/2/35	2 1/2/35	2 1/2/32	2 1/2/30	2/35
• Height (flat roof)	28	28	28	25	25	25
• Building coverage (%)	5	10	15	20	25	30
• Lot coverage (%)	10	15	25	30	35	70
• Floor area ratio	See § 275-12					0.4
• Height/setback ratio	See § 275-13					None
<b>ACCESSORY USES</b>						
<b>Minimum Requirements</b>						
• Rear yard setback (feet)	25	10	10	5	3	10
• Side yard setback (feet)	25	15	15	10	5	15
• Distance from principal building (feet)	30	20	20	20	15	20
<b>Maximum Requirements</b>						
• Height (feet)*	25	25	25	20	20	20
• Coverage of rear yard (%)	10	20	20	20	20	60*

**NOTES:**

\* The permitted height of boundary fences and walls is provided in §275-18C.

\* See §275-19C.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 20 15 of the ~~(County)(City)(Town)~~ (Village) of Roslyn Harbor was duly passed by the Board of Trustees on April 13, 20 15, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_, and was (approved)(not approved) \_\_\_\_\_ (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_, in accordance with the applicable provisions of law.~~  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_, and was (approved)(not approved) \_\_\_\_\_ (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_, in accordance with the applicable provisions of law.

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_, and was (approved)(not approved) \_\_\_\_\_ (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_.~~ Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_ became operative.~~

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the ~~qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law and was finally adopted in the manner indicated in paragraph 1 above.

*Valerie Onorato*

Clerk of the ~~county~~ legislative body, ~~City of~~ Village Clerk officer designated by local legislative body, Valerie Onorato

Date: 4-13-15

(Seal)