

## LOCAL LAW AMENDING

### APPENDIX A: ZONING

A LOCAL LAW to amend Appendix A:  
Zoning of the Code of the Village of  
Tuckahoe

BE IT ENACTED, by the Board of Trustees of the Village of Tuckahoe, as follows:

Section 1. Appendix A: Zoning, of the Code of the Village of Tuckahoe is hereby amended as follows:

#### Article III Definitions

§3-1.14: Floor Area – The sum of the gross horizontal areas of the several floors of the building or buildings on a lot measured from the exterior faces of exterior walls or from the center line party walls separating two buildings, excluding:

- a) Roof areas;
- b) In one family dwellings ~~Cellar and basement areas used only for living space, storage or for the operating and maintenance of the dwelling building; in all other buildings~~ cellar and basement areas used only for storage or for the operating and maintenance of the building; and
- c) Any areas devoted only to accessory off-street parking or loading.

#### §3-1-17: Height

- ~~b) For one and two family dwellings, the vertical distance from the average level of the finished grade along the wall or walls of the building facing the street to the highest level of the roof surface of roofs the slope of which is not more than one inch vertical to one foot horizontal or the mean point between the eaves and the highest point of the roof if the roof is of any other type.~~
- b) A reference plan representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building and a point six (6) feet from the building.

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#### Article IV District Regulations

§4-1.4. Yards. Except as otherwise permitted or required, the following yards shall be provided on each lot:

§4-1.4.1. Front Yard. There shall be a front yard along each street line with a depth of not less than 25 feet; provided, however, that for any lot that is created after July 1, 1999, there shall be a front yard along each street line with a depth of not less than 35 feet.

§4-1.4.2. Side Yard. There shall be a side yard along each lot line with a width of not less than 15 feet; provided, however, that any lot that is created after July 1, 1999, shall have a side yard along each lot line with a width of not less than 20 feet. In the case of corner lots, both side yards shall not be less than 25 feet wide, except that the Planning Board may adopt less restrictive side yard regulations based on the build-to line along the street.

§4-1.4.3. Rear Yard. There shall be a rear yard with a depth of not less than 30 feet; provided, however, that for any lot that is created after July 1, 1999, there shall be a front yard along each street line with a depth of not less than 40 feet.

§4-1.4.4. Exceptions to Yard Requirements. Cornices or cantilevered roofs may project not more than two feet into a required yard. Belt courses, window sills and other ornamental features may project not more than six inches into a required yard. Paved terraces, steps and walks (other than such as are needed for access to the buildings on the lot) shall not project within 15 feet of a street line or four feet of a property line.

§4-1.4.5. Location of Accessory Buildings on the Lot. In addition to complying with all other provisions of this chapter, no accessory building shall project nearer to the street on which the principal building fronts than such principal building, except that, should topographic conditions be such that practical difficulties would be caused by this requirement with respect to the location of garages, the Zoning Board of Appeals may authorize the erection of such garages within not less than 10 feet of the street line where the natural slope of the ground within 25 feet of such line is between 12% and 20% and within not less than five feet of the street line where such slope within 25 feet of such line exceeds 20%.

§4-1.4.6. Buffer. There shall be a five-foot-wide landscaped buffer located within the required side and rear yards where these yards abut a property line. Such five-foot-wide buffer shall not contain impermeable or impervious surfaces for parking or driveways and shall be maintained as open space with natural materials such as grass, plants, and/or shrubbery.

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#### §4-2 Residence A-5 District

§4-2.4. Yards. Except as otherwise permitted or required, the following yards shall be provided on each lot:

§4-2.4.1. Front Yard. There shall be a front yard along each street line with a depth of not less than 25 feet; provided, however, that for any lot that is created after July 1, 1999, there shall be a front yard along each street line with a depth of not less than 35 feet.

§4-2.4.2. Side Yard. There shall be a side yard along each lot line with a width of not less than nine feet; provided, however, that for any lot that is created after July 1, 1999, there shall be a side yard along each lot line with a width of not less than 20 feet. In the case of corner lots, both side yards shall not be less than 25 feet wide, except that the Planning Board may adopt less restrictive side yard regulations based on the build-to-line along the street.

§4-2.4.3. Rear Yard. There shall be a rear yard with a depth of not less than 25 feet; provided, however, that for any lot that is created after July 1, 1999, there shall be a front yard along each street line with a depth of not less than 35 feet.

§4-2.4.4. Exceptions to Yard Requirements. Cornices or cantilevered roofs may project not more than two feet into a required yard. Belt courses, window sills and other ornamental features may project not more than six inches into a required yard. Paved terraces, steps and walks (other than such as are needed for access to the buildings on the lot) shall not project within 15 feet of a street line or four feet of a property line.

§4-2.4.5. Location of Accessory Buildings on the Lot. In addition to complying with all other provisions of this chapter, no accessory building shall project nearer to the street on which the principal building fronts than such principal building, except that, should topographic conditions be such that practical difficulties would be caused by this requirement with respect to the location of garages, the Zoning Board of Appeals may authorize the erection of such garages within not less than 10 feet of the street line where the natural slope of the ground within 25 feet of such line is between 12% and 20% and within not less than five feet of the street line where such slope within 25 feet of such line exceeds 20%.

§4-2.4.6. Buffer. There shall be a five-foot-wide landscaped buffer located within the required side and rear yards where these yards abut a property line. Such five-foot-wide buffer shall not contain impermeable or impervious surfaces for parking or driveways and shall be maintained as open space with natural materials such as grass, plants, and/or shrubbery.

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## Article V Supplemental Regulations and Nonconforming Buildings and Uses

### 5-1.2. Off-Street Parking.

- a) At least two parking spaces for the parking or garaging of passenger vehicles shall be provided and maintained on private premises for each dwelling unit in any building which is hereafter erected for residence or apartment purposes or which is converted to such use.

- b) All parking spaces provided pursuant to this section may be in the open or in private garages, or both, provided that no such parking spaces in the open shall be in a front yard nor in tiers with the exception of one or two family dwelling units, and provided that any such parking spaces in the open in excess of four in number shall be effectively screened with trees, shrubs or fencing, as required by the Street Commissioner of the Village, from the view of adjacent residential or apartment lots or streets.
- c) All parking spaces provided pursuant to this section shall be paved, oiled or covered with gravel, shall be suitably drained, shall be maintained in good condition, shall have adequate means of ingress and egress and shall have an interior circulation system that is adequate to provide safe accessibility.
- d) All parking spaces provided pursuant to this section shall be provided and maintained on the same lot with the building or premises for which such spaces are provided, except that, if so permitted by the Zoning Board of Appeals, all or a part of such parking spaces may be provided and maintained on another lot or lots owned or controlled by the owner of such building, provided that such parking spaces are within a reasonable distance of the main entrance of such building, and provided that such parking spaces are in the same or a less restricted district.
- e) Parking spaces shall not be considered as provided pursuant to this section unless reasonable precautions are taken to assure that such parking spaces are used only by persons who are at the time residing in or visiting the building for which such parking spaces are provided.
- f) Parking spaces required by this section shall be maintained, in accordance with the provisions of this section, as long as such buildings are used for residential or apartment purposes.