

LOCAL LAW NO. OF 2025; A LOCAL LAW AMENDING SECTION 55-14 OF THE SALTAIRE VILLAGE CODE;

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF SALTAIRE AS FOLLOWS:

Section 1.0 Title, Enactment, Effective Date, Purpose.

1.1 Title of Local Law

1.2 Enactment.

1.3 Effective Date.

1.4 Purpose and Intent of Local Law.

2.0 General Provisions

2.1 Amendment of Section 55-14 of the Saltaire Village Code

3.0 Severability and Validity

Section 1.0 Title, Enactment, Effective Date and Purpose.

1.1. Title

This Local Law shall be entitled, "Local Law No. of 2025: Amending Section 55-14 of the Saltaire Village Code."

1.2. Enactment.

Pursuant to Section 10 of the New York State Municipal Home Rule Law, the New York State Village Law and the Village Code of the Village of Saltaire, the Village of Saltaire, County of Suffolk and State of New York, hereby enacts by this Local Law No. of 2025, a Local Law of the Village of Saltaire.

1.3. Effective Date.

This Local Law shall take effect on the filing of the approved Local Law with the Secretary of State of New York, which shall be within twenty (20) days after its approval by the Board of Trustees of the Village of Saltaire.

1.4. Purpose and Intent of Local Law.

The purpose and intent of this local law is to amend Section 55-2 55-14 of the Saltaire Village Code to adopt regulations which will enable the provisions of the Zoning Code to provide for the orderly development of the Village and the application and enforcement of that Code in order to maintain the aesthetic assets and character of the Village and the peaceful and environmentally sensitive enjoyment of their homes and the Village by the residents, pursuant to Article 10 of the New York State Village Law.

2. General Provisions.

2.1 Amendment of Section 55-14 Maximum Enclosed Area and Maximum Lot Occupancy of the Saltaire Village Code

Section 55-14 shall be amended to read as follows:

§ 55-14. **Maximum Enclosed Area and Maximum Lot Occupancy.**

- A. In the lotted areas, the Enclosed Area and Lot Occupancy in the Residence District hereinafter erected or altered shall conform to the following:
- i. The Enclosed Area may not exceed twenty percent (20%) of the Building Plot up to a maximum of one thousand eight hundred (1,800) square feet, such Enclosed Area to include any permitted Swimming Pool roofed by a permanent structure.; and
 - ii. The Lot Occupancy may not exceed thirty percent (30%) of such Building Plot.
 - iii. Notwithstanding (i) above, the Enclosed Area may exceed one thousand eight hundred (1,800) square feet under the following conditions:
 1. The Gross Floor Area does not exceed three thousand six hundred (3,600) square feet
 2. The Enclosed Area does not exceed twenty percent (20%) of the Building Plot
 3. The Lot Occupancy does not exceed thirty percent (30%) of the Building Plot

4. All Enclosed Areas that are in excess of one thousand eight hundred (1,800) square feet, except for an exclusion of a maximum of a 100 square foot storage shed, shall be part and parcel of a single primary structure on the property.
 5. All Enclosed Areas that are in excess of one thousand eight hundred (1,800) square feet as well as the equivalently sized area of the structure used as the off-set for the increase in the Enclosed Area shall have no construction higher than thirteen (13) feet from the finished first floor.
- B. The maximum Lot Occupancy and Enclosed Area for any existing Private Membership Club as defined in this Chapter shall have been established by the legal structures in existence as of January 1, 2015. Such Private Membership Club may continue with the same Lot Occupancy and Enclosed Area as of January 1, 2015 provided that there shall be no further increase in either.
- C. The Lot Occupancy and Enclosed Area for any property in the Business District as defined in this Chapter which shall be newly constructed or substantially improved subsequent to the adoption of this section, shall be the Lot Occupancy and Enclosed Area as approved by the Board of Trustees by resolution approving the new or substantially improved construction.
- D. Unlotted Acreage Areas:
1. In Unlotted Acreage Areas where any residential structure is hereafter erected or altered, the same provisions shall apply as in subsection 55-14(A) above for any Building Plot with land area of nine thousand (9,000) square feet or less.
 2. For any Building Plots with land area of nine thousand and one (9,001) square feet or more, the total Lot Coverage shall not exceed twenty-five percent (25%) of such Building Plot, and not more than sixteen and two-thirds percent (16 2/3%) of the Building Plot up to a maximum of one thousand eight hundred (1,800) square feet may consist of Enclosed Areas, such Enclosed Areas to include any permitted Swimming Pool roofed by a permanent structure. Notwithstanding the foregoing, the Enclosed Area may exceed one thousand eight hundred (1,800) square feet under the following conditions:
 - (a) The Gross Floor Area does not exceed three thousand six hundred (3,600) square feet.
 - (b) The Enclosed Area does not exceed sixteen and two thirds percent (16 2/3%) of the Building Plot
 - (c) The Lot Occupancy does not exceed twenty five percent (25%) of the Building Plot.

(d) All Enclosed Areas that are in excess of one thousand eight hundred (1,800) square feet, except for an exclusion of a maximum of a one hundred (100) square foot storage shed, shall be part and parcel of a single primary structure on the property.

(e) All Enclosed Areas that are in excess of one thousand eight hundred (1,800) square feet as well as the equivalently sized area of the ZONING 1-25-2023 5521 structure used as the offset for the increase in the Enclosed Area shall have no construction higher than thirteen (13) feet from the finished first floor.

E. Hardscape shall be included in Lot Occupancy calculations, except to the extent that the Hardscape is either under the enclosed area of a building, or in a single path no wider than three (3) feet from one point on the property to another.

1. Hardscape exceeding three (3) feet in width not within the setback areas of the property that was legally existing on the property prior to September 10, 2022 shall not be repaired or replaced without the application for and the issuance of a building permit, and the Hardscape shall be included in lot coverage calculations when consideration is given by the Building Inspector for its repair or replacement, as well as for any proposed future expansions of any of the structures on the property.

F. Effective January 10, 2025, any proposed roofs over decks that have not been approved by the Building Inspector, and which are to be used for purposes of creating new Porches, Screened Porches, or a Gazebo on a building parcel, shall conform to the maximum square-footage limits of subsections E1 and E2 herein.

1. For building parcels up to and including four (4) lots in the lotted areas of the Village, or up to and including 6,800 (six thousand eight hundred) square feet in the unlotted areas, a maximum of 150 (one hundred-fifty) square feet of the combined total of all existing plus any proposed Porches, Screened Porches and Gazebos is permitted. The 150 square-foot maximum may be increased by up to the amount of any unused allowable Enclosed Space capacity as prescribed in §55-14, which, if and to the extent used, would thereafter be considered Enclosed Space for that parcel.

2. For building parcels five (5) lots or greater in the lotted areas of the Village, or 6,801 (six thousand eight hundred-one) square feet or greater in the unlotted areas, a maximum of 250 (two hundred-fifty) square feet of the combined total of all existing plus any proposed Porches,

Screened Porches and Gazebos is permitted. The 250 square-foot maximum may be increased by up to the amount of any unused allowable Enclosed Space capacity as prescribed in §55-14, which, if and to the extent used, would thereafter be considered Enclosed Space for that parcel.

3. All roofs over decks, whether existing or approved on or before January 9, 2025, which have created or will create any Porches, Screened Porches or Gazebos above the maximum square-footage limits prescribed in this section, shall be regulated pursuant to §55-19 of this Code.

G. The following structures are deemed excluded from Lot Occupancy calculations in the Residence District:

1. One (1) allowable staircase or entrance ramp used for Building Access not to exceed four (4) feet in width up to the setback line for any primary Dwelling that is not in compliance with the required Base Flood Elevation for that structure at the time that the Building Access ramp or staircase is constructed. The entrance ramp in this circumstance must be perpendicular with the public walk and may not turn or switchback anywhere in the setback area, unless, in the sole opinion of the Building Inspector, there is no feasible alternative for access without such turn or switchback in the setback area.
2. One (1) allowable entrance ramp used for Building Access not to exceed four (4) feet in width up to the setback line and one (1) allowable entrance staircase used for Building Access not to exceed four (4) feet in width up to the setback line for any primary Dwelling that is in compliance with the required Base Flood Elevation at the time that the Building Access ramp and staircase are constructed, except that the width of the ramp maybe increased at the sole discretion of the Building Inspector if such width is found to be necessary for the particular building lot. The entrance ramp and staircase in this circumstance must be perpendicular with the public walk and may not turn or switchback anywhere in the setback area, unless, in the sole opinion of the Building Inspector, there is no feasible alternative for access without such turn or switchback in the setback area.
3. One (1) open platform for parking bikes, of a depth of not to exceed six (6) feet and not exceeding ninety (90) square feet in area.
4. One (1) platform or permanently affixed enclosure in the front yard abutting a Village walk for storage of garbage containers, such platform or enclosure not exceeding twenty-five (25) square feet in area, and must be no further than five (5) feet from the main entrance to the residence.

5. Skirting below the first floor of the structure that protrudes no more than 1 (one) foot beyond the approved first-floor footprint.

6. Skirting below the first floor of the structure that protrudes no more than three (3) feet beyond the approved first-floor footprint, when used exclusively for the purpose of installing solar panels on the skirting

3.0 Severability and Validity

In the event that any portion or portions of this Local Law No. of 2025 shall be determined to be invalid or unenforceable for any reason, the remainder of the Local Law, and its provisions, shall remain in full force and effect.