

The Village of Plandome

Incorporated 1911



Revisions to Proposed Changes to Plandome Building And Zoning Codes

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Objectives of the proposed Zoning changes

- The Village is experiencing a rise in the number of new homes that seek to maximize gross floor area, leading to very large single-family homes that overwhelm existing structures, and are not consistent with the overall character of the Village.
- The existing Zoning code includes formulas that are complex to calculate and difficult to administer.
- Certain definitions and language in the Zoning code are unclear in light of current market conditions and need to be updated and changed.
- In light of resident feedback and suggestions at the May 14, 2018 and June 12, 2018 Hearings, we have modified the proposed Zoning code changes from our initial proposals.

Summary of proposed changes

- Adjust the maximum gross floor area in each district to make them consistent with the generally prevailing home sizes by creating two maximum GFAs caps: one for large properties in each district, and a second for average-size properties
- Implement two floor-area ratios (FAR) in Districts A, B, and C and one FAR in District D in place of the current three ratios, with the top tier FAR slightly lower than the current top tier FAR and the second tier FAR in between the bottom and middle ratios
- Revise definitions in Zoning Code for Attics, Basements, Cellars, Flat Roofs, Peaked Roofs, Nonvegetative Surfaces, Accessory Structures, and Walls and retaining Walls
- Revise and simplify formulas for calculation of height-setback ratios and Nonvegetative Surfaces
- Change practices for notification of neighbors of Zoning appeals and other building changes
- Explicit references to New York State building codes for the definition of residential attics

Some points to remember

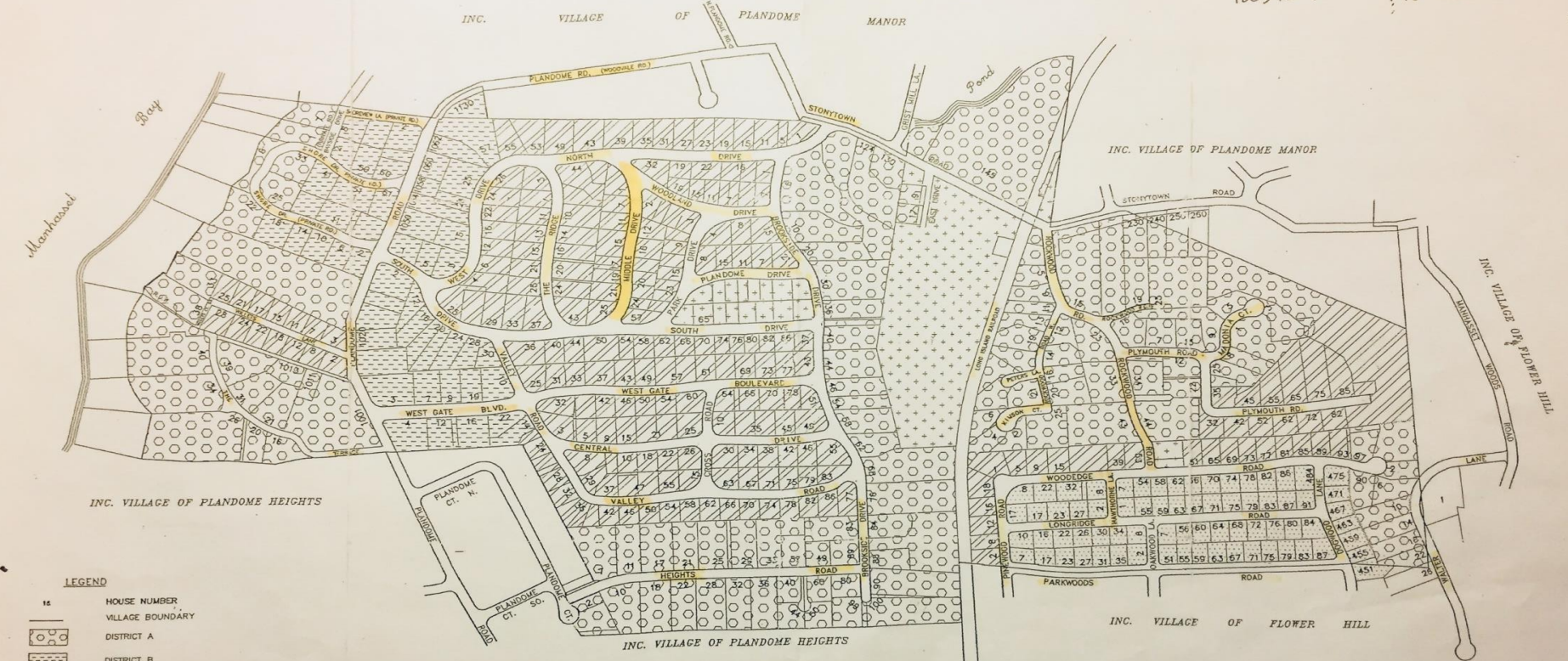
- The proposed changes to the Zoning code will only apply to new construction (whether through extensive renovation to an existing home, replacement of an existing home with a new one, or a new home on a lot that had not been developed before).
- Existing homes that may not comply with the new Zoning code changes will be “grandfathered” or deemed to be in compliance. This status will still apply if the home is destroyed by fire or other disaster, so long as the rebuilt home is not radically dissimilar to the pre-existing house.
- Homeowners who wish to make changes to their property that may exceed what is specified in the Zoning code can appeal to the Zoning Board of Appeal for an exemption.

Some key definitions

- Plandome Zoning Districts – Four areas of Plandome, determined by location and lot size
- Gross Floor Area – Floor area of a residence, measured in square feet, including all floors and garages. The caps on GFAs are most relevant to larger properties.
- Floor Area Ratio (FAR) – Gross Floor Area divided into total lot size measured in square feet. The maximums on FAR are most relevant to average and smaller properties.
- Nonvegetative surface – the portion of a lot occupied by the home, garage, driveways, sidewalks, porches, or other construction

ZONING MAP OF THE INC. VILLAGE OF PLANDOME NASSAU COUNTY, NEW YORK

Table 1 175-15



Current formulas for maximum Floor Area Ratio and maximum Gross Floor Area

District	Lot size (Square feet)	Maximum FAR	Maximum GFA (sq. feet)	FAR calculation formula
A	Up to 20,000	.31	6,200	
	More than 20,000 and less than 39,999	Use formula	--	$\frac{7,400 - .06(L)}{19,999}$
	39,999 and up	.25	10,000	
B	Up to 16,000	.32	5,120	
	More than 16,000 and less than 31,999	Use formula	--	$\frac{5,920 - .05(L)}{15,999}$
	31,999 and up	.27	8,640	
C	Up to 12,000	.34	4,080	
	More than 12,000 and less than 23,999	Use formula	--	$\frac{4,560 - .04(L)}{11,999}$
	23,999 and up	.30	7,200	
D	Up to 10,000	.35	3,500	
	More than 10,000 and less than 19,999	Use formula	--	$\frac{3,900 - .04(L)}{9,999}$
	19,999 and up	.31	6,200	

Revised formulas for maximum Floor Area Ratio and maximum Gross Floor Area

§ 175-15. Regulation of lot area and dimensional requirements for all districts.

Replace Tables II, III and IV with the following:

Table II
Maximum Floor Area Ratio (FAR)
Maximum Gross Floor Area (GFA)

District	Lot size (Square feet)	Maximum FAR	Maximum GFA (sq. feet)
A	Up to 35,000	.29	8,000
	35,000 and above	.23	9,000
B	Up to 25,000	.32	7,000
	25,000 and above	.25	8,000
C	Up to 20,000	.33	6,000
	20,000 and above	.28	7,000
D	Up to 10,000	.34	4,000
	10,000 and above	.34	5,000

Slides 20 to 27 in the appendix compare these proposed maximums with the current maximums in the Zoning Code in relationship to the current distribution of properties and house sizes in each district.

Changes to definitions

Amend the following definitions to read as shown here. Substantive changes highlighted

ATTIC

The space in a multi-story principal building between the top uppermost floor construction or ceiling joists and the underside of the roof sheathing, which space shall not be designed or used for human occupancy.

ATTIC, HABITABLE

A finished or unfinished area, not considered a story, including but not limited to all of the following requirements:

1. The occupiable floor area is not less than 70 square feet;
2. The occupiable floor area has a ceiling height of 7'6" or greater;
3. The occupiable space is enclosed by the roof assembly above, knee walls (if applicable) on the sides and the floor-ceiling assembly below.

BASEMENT

A story in a building that is partly below grade having a vertical dimension of more than three feet between the underside floor joists first above and the mean ground level that adjoins the foundation walls of the building. (See also "cellar".)

CELLAR

Any space in a building having a vertical dimension of three feet or less between the underside floor joists first above and the mean ground level that adjoins the foundation walls of the building. (See also "basement".)

Changes to definitions (continued)

Amend the following definitions to read as shown here. Substantive changes highlighted

BUILDING HEIGHT

The vertical distance measured from the mean ground level along the foundation of the building, ~~In the case of flat roofs it is measured to the highest point of the roof. In the case of peaked roofs, it is measured to a point halfway between the eaves and the peak of the highest gable.~~

FLAT ROOF

A roof with less than a five-on-twelve-pitch (five-inch vertical rise for every 12 inches of horizontal distance) or more, ~~or having a flat horizontal area exceeding 25% of the total horizontal floor area that it covers.~~

PEAKED ROOF

A roof with a five-on-twelve pitch (five-inch vertical rise for every 12 inches of horizontal distance) or more, ~~and having no flat horizontal area exceeding 25% of the total horizontal floor area that it covers.~~

MAXIMUM NONVEGETATIVE SURFACE AREA

The maximum portion of ~~the open area in a front yard or rear yard (excluding area occupied by accessory buildings) that may be covered by a nonvegetative surface.~~

ACCESSORY STRUCTURES [Section 175-23.2]

For attached garages having entrances facing the side or rear yard, the entryway shall have a minimum setback of ~~30~~ 25 feet from the facing lot line.

Changes to height-setback ratios

No changes to overall height-setback ratios of 1.2 unit of height per 1 unit of sideyard setback

No changes to minimum sideyard setbacks of 26 feet on one side and 20 feet on the other

§ 175-13. Height-setback ratio requirements.

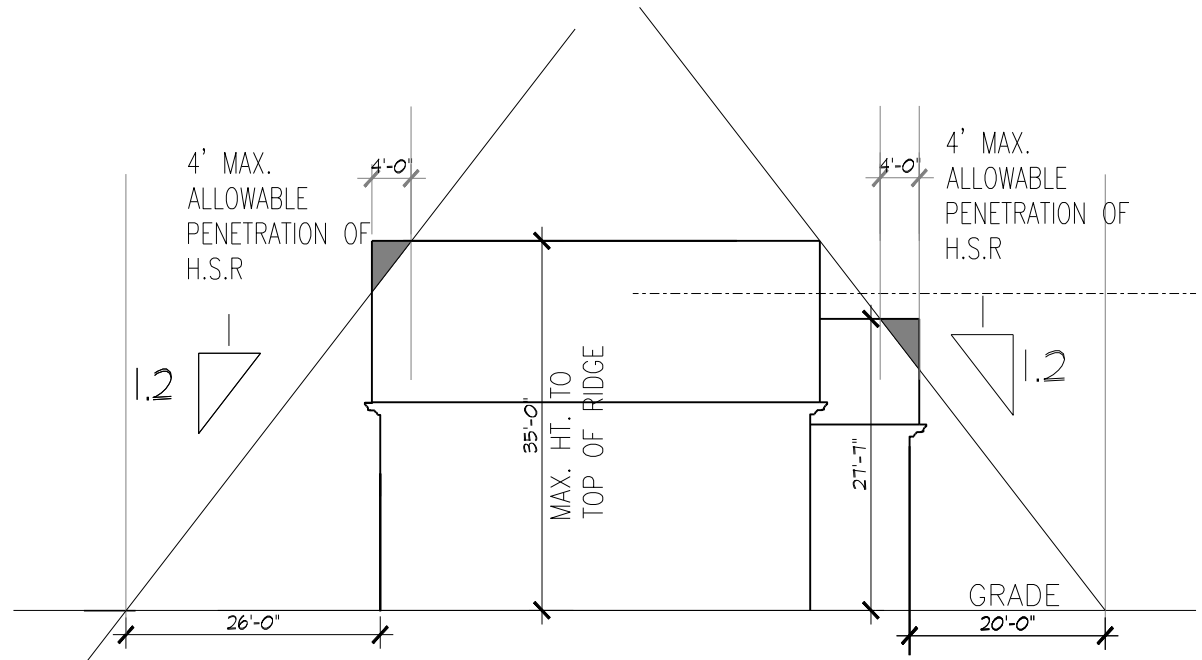
Add paragraph c.

(Note: par b. and c. describe exceptions provided.)

a. No change

b. No change

c. For peaked roofs, any portion of a gable end that penetrates the height set-back inclined plane up to 4 feet horizontally along the ridge line.



EXAMPLE— SIDE YARD WITH PROPOSED RIDGE HEIGHT OF 35'

Changes to projections

§ 175-20. Projections.

Amend paragraph A. and B. as indicated here, and add paragraph C.:

No principal building or part thereof shall project into a required front yard or required side yard except:

- A. Cornices, eaves, gutters, chimneys or flues, and suspended bay or bow type windows up to 60 inches in width, none of which shall project more than 18 inches; or
- B. Windowsills or other ornamental features, none of which shall project more than 4 inches; or
- C. Steps not exceeding 96 inches wide, none of which shall project more than 36 inches.

Changes to definitions of accessory structure

§ 175-23. Accessory Structure and Building Use and Area Regulations.

Repeal the provisions in Paragraph B. by deleting it in its entirety.

~~B. Any structure within two feet of a principal building shall be considered part of the principal building for all purposes of this Code, including setbacks, except walks, and that portion of a driveway necessary for the actual ingress and egress to the property and/or garage.~~

§ 175-23.2. Accessory structure and building area regulations.

Amend Paragraph I to read as follows:

I. For attached garages having entrances facing the side or rear yard, the entryway shall have a minimum set back of 25 feet from the facing lot line.

Add the following paragraph J.

J. Air conditioner compressors and emergency generators may be installed adjacent to the principal building in the side or rear yard provided it occupies a space no larger than 6 feet horizontally along the wall, extending no more than 4 feet away from the wall, and rising no more than 5 feet high above the ground including noise dampening coverage.

Changes to walls and retaining walls

§ 175-26. Walls and retaining walls.

To be consistent with the regulations in the General code, chapter 125 Regrading and Excavation of Lots, amend C. (1) to read as follows:

C. A wall may be constructed:

(1) in a front yard only if its height at no point exceeds two feet within 12 feet of the lot line or four feet if it is more than 12 feet from the lot line.

Changes to dimensional requirements

§ 175-15. Regulation of lot area and dimensional requirements for all districts.

Amend table I as follows:

Table I
Lot Area and Dimensional Requirements

Maximum Building Height	District A	District B	District C	District D
Principal peaked roof	35	35	35	35
Accessory building peaked roof	16	16	16	16

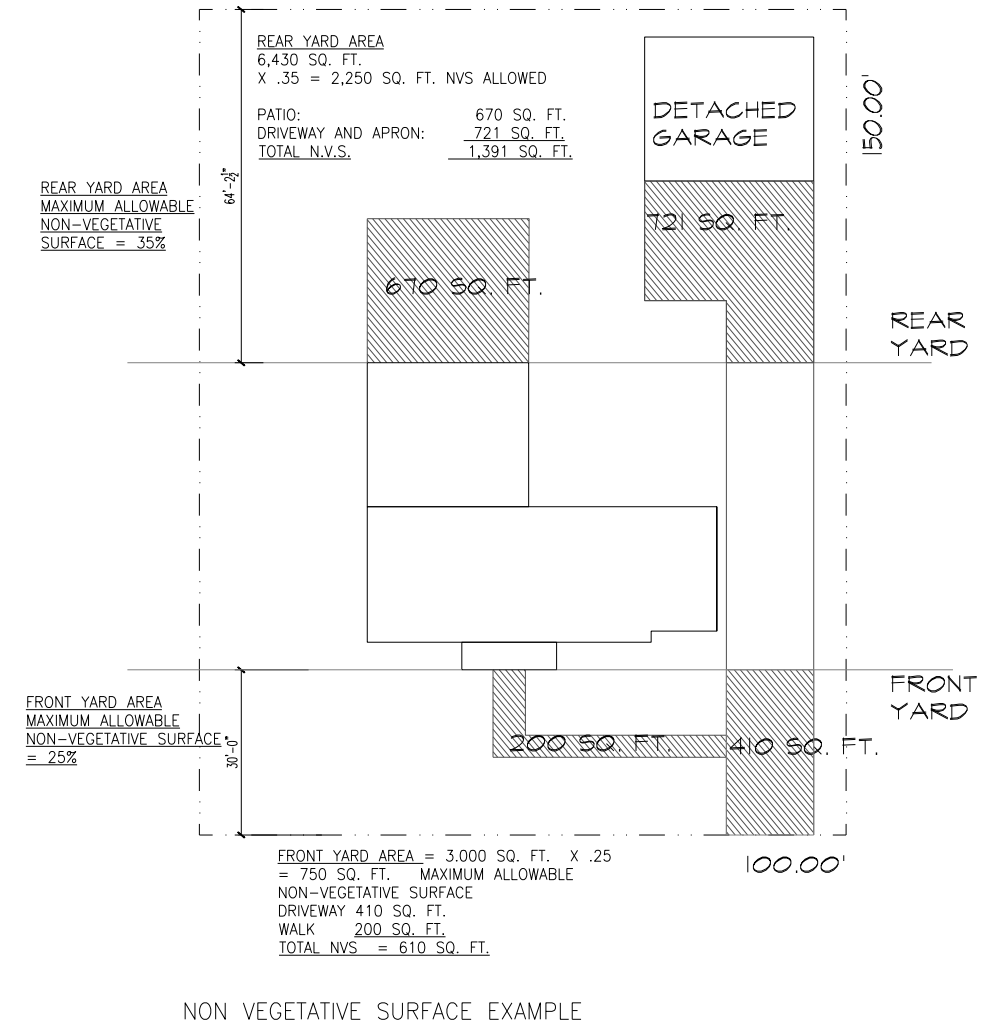
Changes to nonvegetative surfaces

Table III

Maximum Nonvegetative Surface Area

In all zoning districts, not more than the following yard percentages shall be covered by nonvegetative surface:

Front Yards of Interior Lots	Rear Yards of Interior Lots	Front Yards of Corner Lots	Rear/Side Yards of Corner lots
25%	40%	Not to exceed 25% in 1 front yard and not to exceed 20% in all front yards	40%

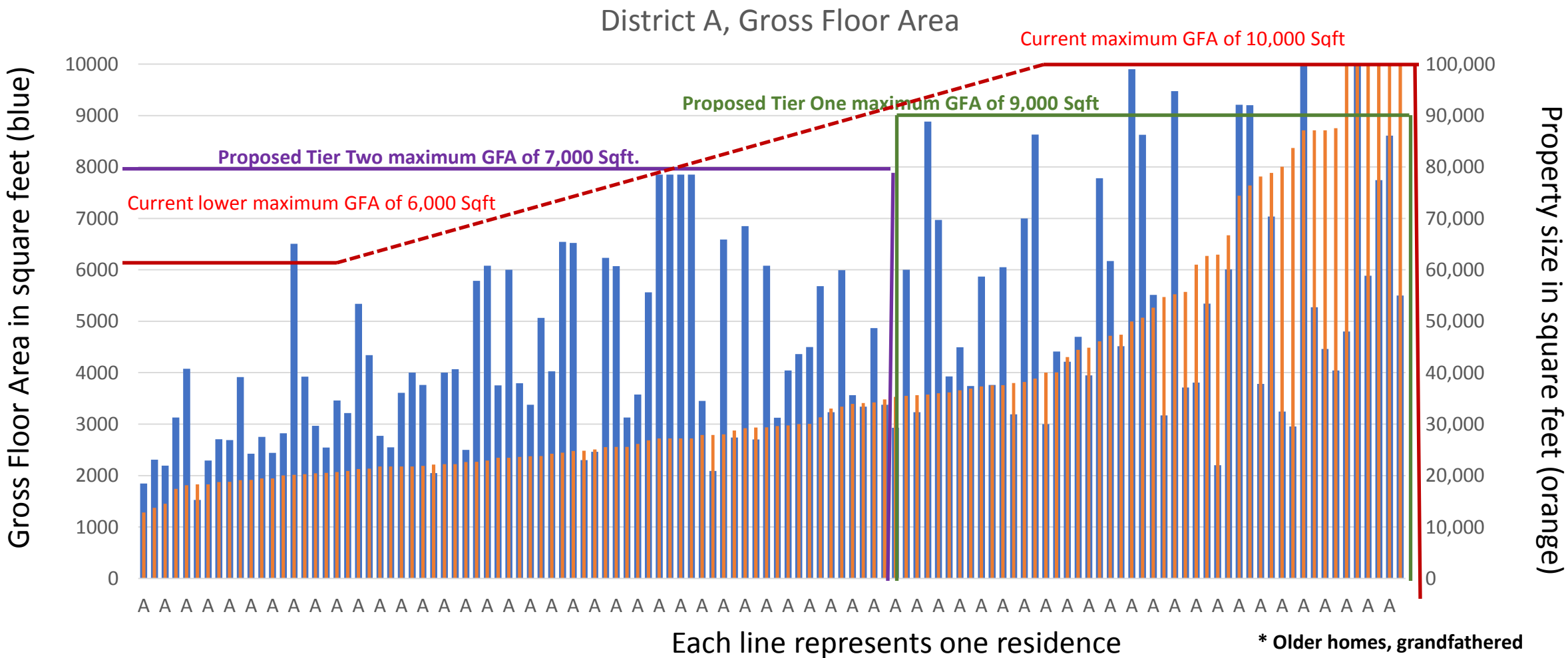


Notification of neighbors

- In procedures and applications for DRB and ZBA, add language that neighbors on either side of the residence and the three houses across the street should be notified of the application

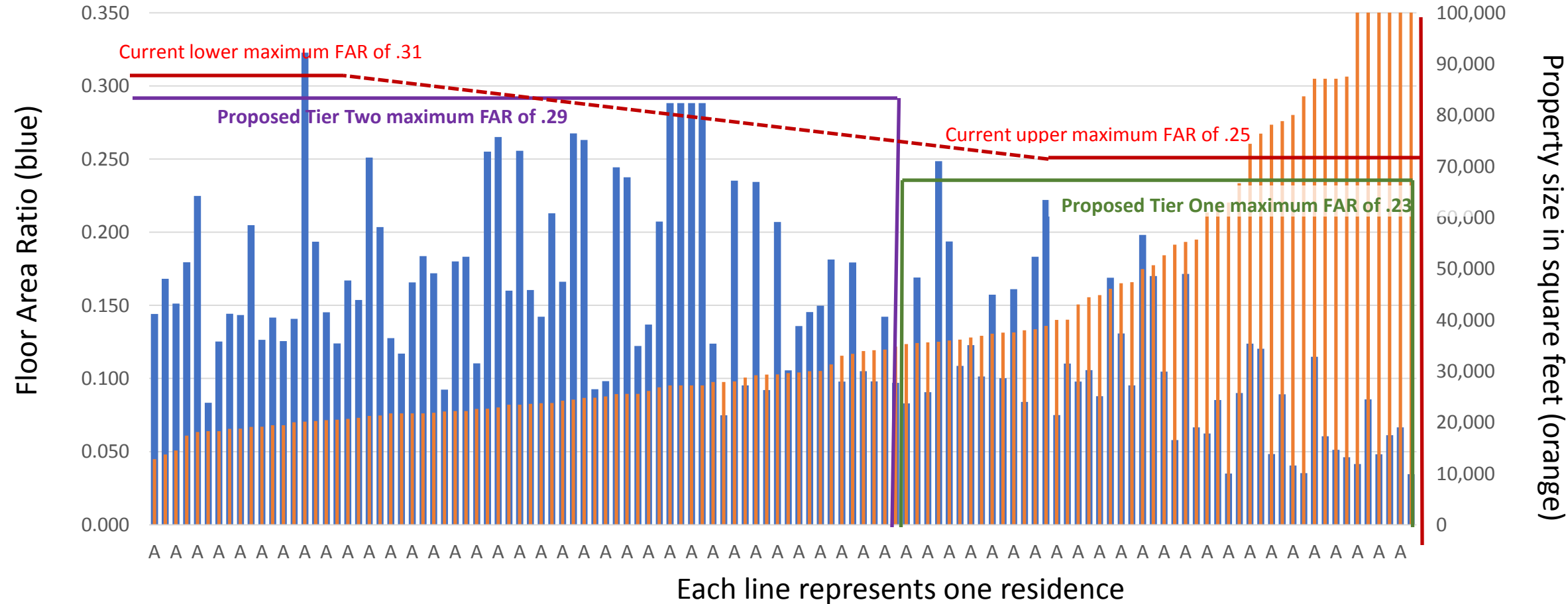
Proposed Changes to Plandome Building And Zoning Codes Appendices

District A: Gross Floor Areas of 118 individual properties



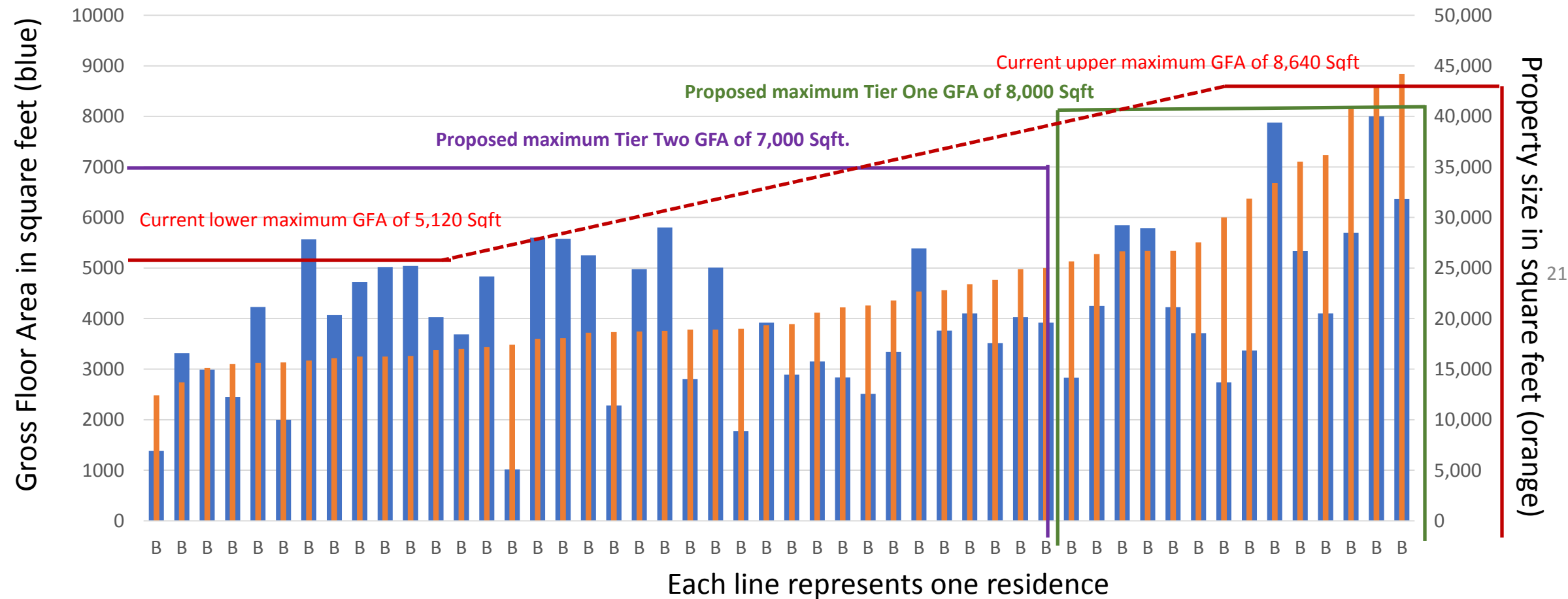
District A: Floor Area Ratio of 118 individual properties

District A, Floor Area Ratios



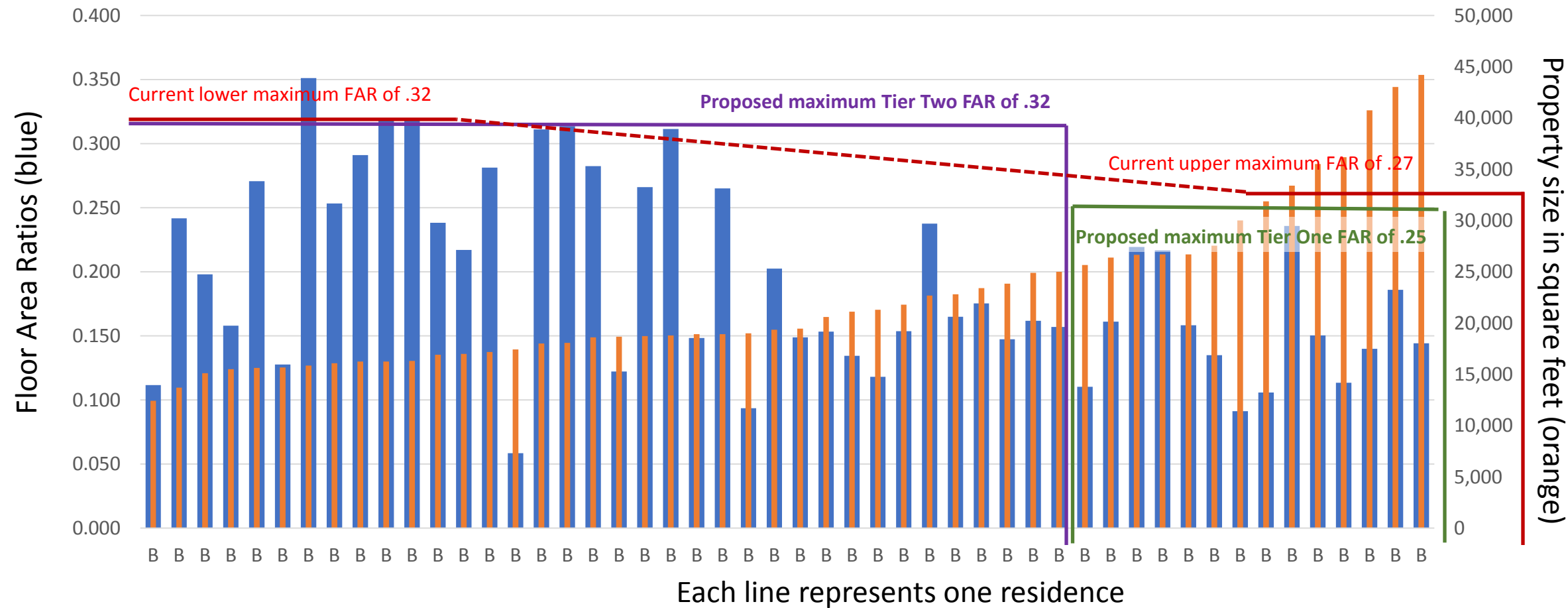
District B: Gross Floor Areas of 51 individual properties

District B, Gross Floor Area



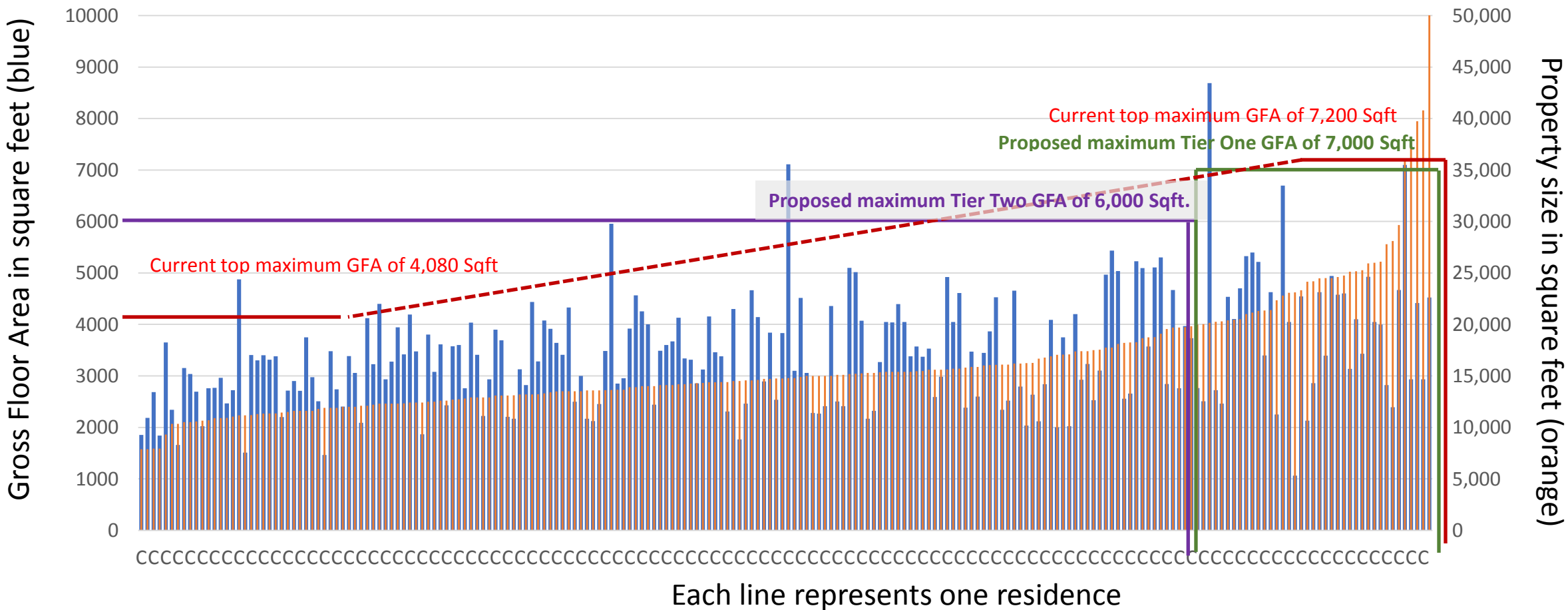
District B: Floor Area Ratios of 51 individual properties

District B, Floor Area Ratios



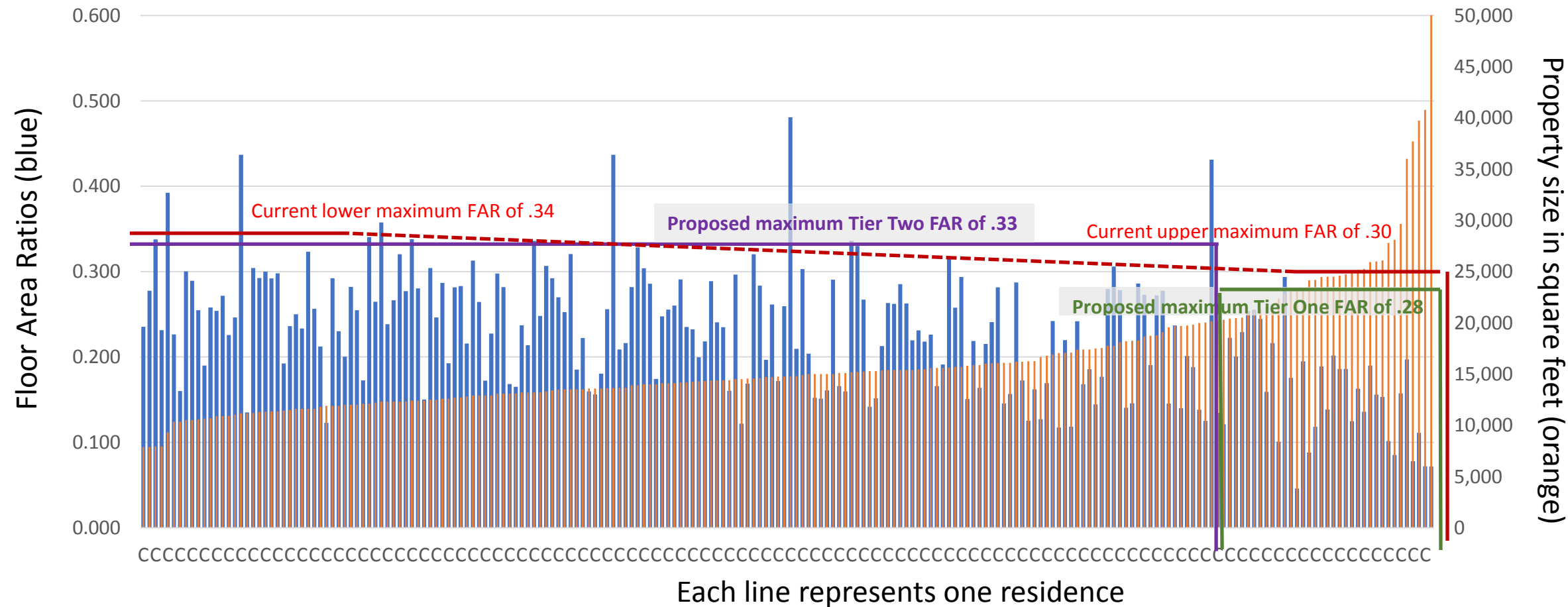
District C: Gross Floor Areas of 212 individual properties

District C, Gross Floor Area

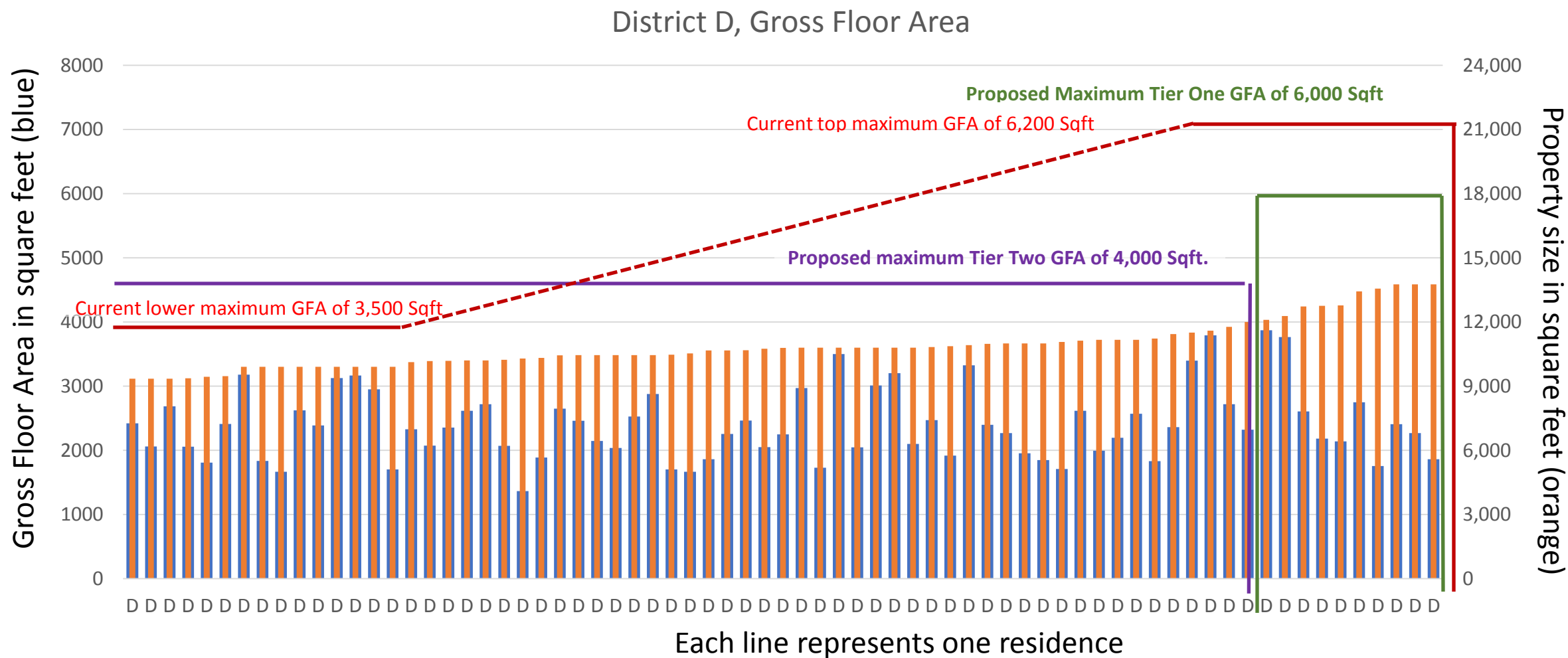


District C: Floor Area Ratios of 212 individual properties

District C, Floor Area Ratios



District D: Gross Floor Areas of 71 individual residences



District D: Floor Area Ratios of 71 individual properties

