

§ 275-18 **Supplementary requirements for certain uses in residential districts.**

A. Decks.

- (1) A deck shall have no enclosure other than the sides of the principal building to which it is attached; provided, however, that a deck may have a railing of open construction not over four feet in height, with at least 1/2 of the area thereof open.
- (2) A deck which is more than three feet in height above the average finished grade of the building to which it is attached shall meet the minimum setback requirements for principal buildings. All other decks shall be no closer than three feet to a side property line nor closer than five feet to a rear property line.
- (3) A deck shall not be located in the front yard, except in accordance with § 275-15L, and may not cover more than 20% of one side or rear yard.

B. Doghouses or structures accommodating pets. See Chapter 92. **[Amended 6-9-2016 by L.L. No. 2-2016]**

C. Fences and walls.

- (1) All fences or walls and their appurtenances shall be located inside all lot line. No boundary fence or wall shall exceed a height of six feet, except for fences and walls along property lines bordering Bryant Avenue, Glen Cove Avenue, Glenwood Road and Scudders Lane, which shall not exceed eight feet in height. **[Amended 5-12-2016 by L.L. No. 1-2016]**
- (2) Electrically charged fences, barbed wire fences and other fences constructed of sharp materials shall not be permitted.
- (3) No solid fence or wall shall be erected along any property line bordering any street except for the following streets: Bryant Avenue, Glen Cove Avenue, Glenwood Road and Scudders Lane, which may be solid and up to eight feet in height. **[Amended 7-14-2008 by L.L. No. 2-2008]**
- (4) No wall, fence, or other structure shall be erected or altered and no hedge, tree, shrub or other growth shall be planted or maintained on any lot which may obscure the view on a street or at the intersection of streets endangering lives or property of the users thereof.
- (5) All fences shall exhibit the finished, unbroken or nonpost side toward the adjoining property. No supports, posts or bracing shall be placed on the side of the fence facing adjoining property.
- (6) For all fences and walls existing on June 1, 2016, the provisions of this section only apply if the existing fence or wall is being replaced in excess of 50% of its length. **[Added 5-12-2016 by L.L. No. 1-2016]**

D. Garage and yard sales. Garage and yard sales shall be permitted not more than once in any one calendar year per residential property and shall be limited to items not specifically purchased for resale. Said sales may only involve property from the occupant of the specific property.

E. Guest cottages.

- (1) Guest cottages, consisting of a residential unit no larger than 500 square feet or 10% of the gross floor

area of the principal dwelling, whichever is smaller, and comprising no more than one room other than a bathroom shall be permitted for occupancy only by nonpaying guests of residents of the principal residence on the lot.

- (2) Such cottages shall adhere to all other requirements for accessory structures in the district.
- (3) Such a cottage shall have a residential appearance and shall have pitched roof and facade materials which match those of the principal residence.

F. Piers, docks and boathouses.

- (1) Boathouses and covered moorages shall not exceed a height of 10 feet above high tide, nor shall the aggregate floor area of such structures exceed 500 square feet of the rear yard.
- (2) The maximum length that a pier may extend into the water shall not exceed 50 feet beyond the high tide line, and a pier shall not exceed six feet in width.
- (3) A pier shall be attached to the shore between the minimum side yard setback lines projected into the water body.

G. Parking of vehicles on a residential lot. **[Amended f11-9-2009 by L.L. No. 2-2009; 2-24-2021 by L.L. No. 2-2021]**

- (1) All improved residential lots must provide for a designated parking area that will accommodate a minimum of two vehicles, one of which must be within a designated enclosed garage.
- (2) Off-street parking for any vehicle shall only be allowed in an enclosed garage, or on a designated parking area that has been approved by the Building Inspector and Village Architectural Consultant.
- (3) Parking of any vehicle on a residential lot, in other than a designated parking area, shall be prohibited, unless authorized by the Board of Trustees.
- (4) The storage or overnight parking of a boat, boat trailer, recreational vehicle, unregistered vehicle or commercial registered vehicle on a lot in the Village is prohibited, unless it is in an enclosed garage, or in an area approved by the Board of Trustees.
- (5) A designated parking area shall be appropriately designed, located, sized and screened to minimize the overall impacts, including lighting, noise and visual appearance on the neighboring properties and be compatible with the neighborhood and the Village. The designated parking area plan shall be reviewed and approved by the Building Inspector and Village Architectural Consultant, unless the plan is subject to site plan review and then by the Planning Board.
- (6) All required screening shall be maintained by the owner and if it dies or is diseased will be promptly replaced by the owner with equivalent planting or screening.
- (7) A designated parking area shall have the following minimum setbacks:
 - (a) Front yard.

[1] In the Village's Residence AA and A Zoning Districts: 10 feet.

[2] In the Village's Residence B and C Zoning Districts: four feet.

(b) Side yard.

[1] In the Village's Residence AA and A Zoning Districts: 10 feet.

[2] In the Village's Residence B and C Zoning Districts: four feet.

H. Radio and TV antennas.

(1) Radio and TV antennas may be attached to principal buildings as architectural projections and may project into the required side or rear yard a maximum of two feet.

(2) Freestanding antennas shall require their own foundation and shall meet all required rear and side yard setback and height standards for principal buildings.

I. Residential signs. The following signs shall be permitted: **[Amended by 12-7-2000 by L.L. No. 3-2000]**

(1) Nonilluminated trespass and traffic signs, provided that no such sign shall exceed nine square feet in area.

(2) A nonilluminated informational or directional sign or historic marker erected by a public agency and any similar sign located within a public park or playground and erected and maintained therein by the public agency having jurisdiction over such park or playground, provided that no such sign shall exceed nine square feet in area.

(3) Directional, directory or announcement signs erected and maintained by the Village in connection with a public or semipublic building or attraction and municipal signs necessary to the public welfare of the Village, after approval by the Board of Trustees.

(4) Noncommercial signs, provided that:

(a) No such sign shall exceed four square feet in area.

(b) The sign shall be set back a minimum of 20 feet from the nearest road.

(c) No sign may be erected on a public street or right-of-way or on private property near the intersection of any street so as to obstruct or impair free and clear vision of motorists or of any sign displayed by a public entity for traffic instructions or directions or other public information.

(5) A temporary nonilluminated real estate sign or signboard used in connection with the sale, lease or rental of the land or property on which the sign is displayed, provided that:

(a) No such sign or signboard shall exceed two square feet in area;

- (b) Total height shall not exceed five feet from the grade to the highest point of the sign or sign board structure;
 - (c) No lot shall have more than one real estate sign;
 - (d) The sign may not contain the name of the realtor or broker or otherwise use wording which directs attention to a business, commodity or service conducted on or off the land or property on which the sign is displayed;
 - (e) The sign shall be on a white background;
 - (f) The sign shall be set back a minimum of 20 feet from the nearest road;
 - (g) No sign shall be erected on a public street or right-of-way or on private property near the intersection of any street so as to obstruct or impair free and clear vision of motorists or of any sign displayed by a public entity for traffic instructions or directions or other public information;
 - (h) No balloons, garlands, ribbons, or similar items shall be attached or affixed to any sign or signboard; and
 - (i) No sign or any part thereof may be in motion by any means, including fluttering or rotating.
- (6) Nonconforming residential signs existing as of the effective date of this chapter may remain for 90 days, at which time any sign on property or land shall be brought into full conformance with this chapter.
- (7) The following regulations shall apply to signs hereafter erected, altered or repaired in all residential districts, the fee for which shall be in accordance with that established in Article XIII of this chapter. No permit shall be required for any of the following residential signs which may be displayed in any district:
- (a) A nonilluminated nameplate for a home professional office not exceeding two square feet in area bearing only the name of the occupant or professional person residing on the land or property on which the sign is displayed and indicating such person's profession.
 - (b) A nonilluminated informational or directional sign or historic marker erected by a public agency and any similar sign located within a public park or playground.
 - (c) Directional, directory or announcement signs erected and maintained by the Village in connection with a public or semipublic building or attraction and municipal signs necessary to the public welfare of the Village.
 - (d) Permitted noncommercial signs not exceeding four square feet in area.
- J. Storage of recreational vehicles, campers, boats and motor vehicle trailers
- (1) Only one recreational vehicle, camper, boat, boat trailer or motor vehicle trailer shall be stored on an improved lot and shall be owned by the owner or occupant of the dwelling or the lot. An enclosed garage of sufficient size to accommodate such a vehicle shall be provided. The recreational vehicle,

camper, boat, boat trailer or motor vehicle trailer shall be stored in the enclosed garage at all times.

- (2) Such a vehicle shall be stored with the wheels attached thereto or shall not be used for permanent or transient habitation when so stored.

K. Storage sheds and greenhouses.

- (1) The maximum size of a greenhouse shall be 100 square feet for each 10,000 square feet of lot area, or a proportion thereof, but in all cases may be at least 100 square feet in size.
- (2) No more than one storage shed or greenhouse shall be permitted.
- (3) No storage shed or greenhouse shall exceed a height of eight feet nor be located any closer to a property line than five feet.
- (4) Applicants are encouraged to match the color and roofing material of storage sheds with that of the principal building on the lot.
- (5) Any storage shed or greenhouse which is attached to a principal building or structure shall be considered part of the principal building or structure for the purpose of measuring minimum required setbacks.
- (6) Such structure shall not be used for the conduct of any business located on or off the subject property nor storage for any commercial enterprise or business on or off the subject property.

L. Swimming pools and bathhouses. Such structure shall not be used for the conduct of any business located on or off the subject property nor storage for any commercial enterprise or business on or off the subject property. **[Amended 6-9-2016 by L.L. No. 4-2016]**

- (1) A private swimming pool may be located in the rear yard, or side yard, except that a pool shall not be located in the minimum required side yard as measured from the inside wall surface of in-ground pools and from the exterior edge of a deck for aboveground and partially aboveground pools.
- (2) Adjacent to every front, side, and rear lot line contiguous to the yard areas containing the pool, there shall be a protective solid screen for a height of not less than four feet, so as to provide an effective visual screen along such property lines. The requirement of a visual screen shall be satisfied by the installation of either a solid fence or a planting strip not less than four feet wide and laid out with suitable plant material which will attain and be maintained at a height of not less than four feet.
- (3) Outdoor pools shall be constructed in compliance with the regulations of the Nassau County Health Department and other applicable rules and regulations. For in-ground or partial in-ground pools, the portion of the premises upon which a swimming pool is located shall be entirely enclosed with an approved, quality, chain link wire, wooden or other fence of not less than four feet in height. For aboveground pools without decks, a ladder of the hinged type shall be provided with locking devices such that, when the pool is not in use, the ladder will be locked in the "up" position. For aboveground pools having decks, a gate and fence at least three feet high above the level of the deck shall be installed. Aboveground pools shall not be required to have any additional fencing.

- (4) Every gate or other opening in the fence enclosing any swimming pool shall be kept securely closed and locked at all times when such pool is not in use. All gates shall be equipped with a spring or such similar device to automatically close the gate after use. The gate shall be equipped with a latch which will automatically engage when the gate closes. The latch release shall be located at least four feet above adjacent ground level.

Notwithstanding the provisions of Chapter 1, Section 1-4 of the Code, a violation of the provisions of this sub-section shall be considered a continuing violation each day until remedied based upon a determination made by the building official. **[Added 5-26-2021 by L.L. No. 4-2021]**

- (5) Notwithstanding the provision of Subsection L (1) above, no portion of a swimming pool shall be less than 20 feet from any property line.
 - (6) All swimming pools shall be provided an acceptable means of draining water. Proper disposal of backwash and all pool water shall be required to drain to an acceptable wastewater disposal system as approved by the Building Inspector.
 - (7) No loudspeaking or amplifying device shall be permitted that will project sound beyond the boundary of the property or lot where any pool is located.
 - (8) No lighting or spotlighting shall be permitted that will project light rays beyond the bounds of the property or lot.
 - (9) A bathhouse or cabana, swimming pool mechanical and electrical systems and pool accessories, including slides and diving boards serving a swimming pool, shall be permitted, provided they meet the setback and other dimensional requirements for accessory uses and structures in the district in which they are located.
 - (10) No outdoor swimming pool shall be enclosed by plastic, canvas or other similar material or temporary structure in any fashion. For purposes of this section, a swimming pool cover no greater than two feet above the surface of the water shall not be deemed to be an enclosure or temporary structure.
 - (11) Swimming pool equipment shall be screened to the extent reasonable and practicable as required by the Building Inspector, to reduce and minimize the adverse impacts of operation noise and visibility of the unit from surrounding properties. The required screening shall thereafter be maintained by the property owner. **[Added 2-12-2019 by L.L. No. 3-2019]**
- M. On-site living quarters for employees of private recreational clubs. A building or structure or portion thereof customarily incidental and subordinate to the buildings or structures of a private recreational club may be used as living quarters for the purpose of providing housing for employees of the club provided that such housing facilities comply with the provisions of this chapter, including Article VI. **[Added 3-21-2007 by L.L. No. 3-2007]**

N. Accessory electrical generator equipment. **[Added 5-14-2012 by L.L. No. 2-2012]**

- (1) For the purposes of this section, accessory electrical generator equipment shall include an electric generator unit that is designed to be used for providing temporary electrical service to a dwelling and its

component elements.

- (2) Accessory electrical generator equipment may be installed and maintained in any residential district of the Village, provided it is:
 - (a) Not located in the front yard.
 - (b) Complies with the minimum side and rear setback requirements for a dwelling, except the Building Inspector may allow a lesser setback based upon practical difficulty presented by the site and provided it does not further adversely impact neighboring properties. Under no circumstances shall accessory electrical generator equipment have a setback less than the required side and rear yard for an accessory structure.
 - (c) Equipped with and thereafter maintained with an adequate sound attenuation enclosure and/or panels to have it be in compliance with operational noise levels as shall be established by resolution of the Board of Trustees.
 - (d) Screened to the extent reasonable and practicable as required by the Building Inspector, to reduce and minimize the adverse impacts of operational noise and visibility of the unit from surrounding properties. The required screening shall thereafter be maintained by the homeowner.
- (3) If accessory electrical generator equipment requires periodic testing, it shall be scheduled during the weekday, between the hours of 10:00 a.m. and 3:00 p.m.
- (4) If requested by the Building Inspector, the property owner shall submit to the Village an inspection report, prepared by an independent certified sound testing firm, certifying that the accessory electrical generator equipment is in current compliance with Village noise regulations and levels.
- O. Heating, ventilation, air conditioning and electrical panels. All exterior equipment for heating, ventilation, air conditioning and electrical panels that are installed to service a building or structure shall be screened to the extent reasonable and practicable as required by the Building Inspector, to reduce and minimize the adverse impacts of operation noise and visibility of the unit from surrounding properties. The required screening shall thereafter be maintained by the property owner. **[Added 2-12-2019 by L.L. No. 3-2019]**
- P. Driveways. For all properties in the Village, only one driveway access opening shall be permitted, unless authorized by the Planning Board for only safety considerations. **[Added 12-14-2020 by L.L. No. 3-2020]**

