

PUBLIC HEARING NOTICE  
PROPOSED AMENDMENT TO ZONING CODE, CHAPTER 331  
RE: WATER VIEW OVERLAY ZONE

NOTICE is hereby given that the Council of the City of New Rochelle, New York, will hold a Public Hearing pursuant to Chapter 331 of the Code of the City of New Rochelle, Section 237-m of the General Municipal Law of the State of New York, and Sections 277.61 and 277.71 of the County Administrative Code, on Tuesday, June 12, 2018, at 7:00 P. M., in the Council Chamber, City Hall, 515 North Avenue, New Rochelle, New York, on a proposed amendment to the City's Zoning Code, Chapter 331, as follows:

ORDINANCE AMENDING SECTION 331-84, WATER VIEW  
OVERLAY ZONE, OF CHAPTER 331, ZONING, OF THE CODE  
OF THE CITY OF NEW ROCHELLE.

WHEREAS, the purpose of the Water View Overlay Zone is to minimize the impact of development on water views enjoyed by the public on adjacent rights-of-way and by adjacent and upland property owners, including winter water views; and

WHEREAS, the Department of Development proposes amending the Water View Overlay Zone to incorporate parameters pertaining to possible changes to roof lines, accessory roof structures and/or equipment added on to the roof of a structure in the mapped zone; now, therefore,

BE IT ORDAINED by the City of New Rochelle:

The Code of the City of New Rochelle, Section 331-84, Water View Overlay Zone, of Chapter 331, Zoning, is hereby amended as follows:

§ 331-84. Water View Overlay Zone.

A. Purpose. The purpose of the Water View Overlay Zone is to minimize the impact of development on water views enjoyed by the public on adjacent rights-of-way and by adjacent and upland property owners, including winter water views. The Water View Overlay Zone imposes dimensional requirements that may be more restrictive than the underlying zoning on sites where water views, including winter water views, are enjoyed by the public on adjacent rights-of-way and by adjacent and upland property owners.

B. Applicability. Any building permit application to construct a new building [or]; to replace or to expand an existing building [or]; to construct any accessory building; to construct any accessory structure or add equipment onto the roof of a building or structure in the mapped Water View Overlay Zone shall require the prior granting of a special permit by the Planning Board, pursuant to the special permit procedures and standards set forth in §§ 331-88 and 331-89 of this chapter and submission of the proof required under this section, except the following shall not require the granting of a special permit:

(1) Replacement of a portion or all of an existing building within its existing footprint, exclusive of any unenclosed porches, decks and terraces, as permitted by the underlying zoning, provided none of such replacement creates a height of building in excess of the building's highest [existing] roof ridgeline.

(2) Expansion or replacement of an existing building toward a side lot line, including a side lot line along a street, as permitted by the underlying zoning, which construction does not extend closer to such side lot line than the nearest point of the existing building to such side lot line, provided none of such construction creates a height of building in excess of the building's [highest] existing roof ridge line.

(3) Expansion or replacement of an existing building toward a front or rear lot line, as permitted by the underlying zoning, provided none of such construction creates a height of building in excess of the building's [highest] existing roof ridge line. buildings or structures with flat roofs building height shall be taken from the top of the rafters of the flat roof or roofs.

(4) Construction alongside an existing building of an unscreened patio or deck no higher than three feet in height above the existing underlying ground level.

(5) Construction on an existing or proposed building of an open rooftop deck with Open Railings or illuminated posts no higher than 3 1/2 feet in height above such deck, provided the surface of the deck does not create a height of building in excess of six inches above the building's [highest] existing roof ridgeline. No vegetation, barbeques or other cooking equipment shall be allowed on any such open rooftop deck.

Matter [bracketed] deleted.

Matter underlined added.

All persons interested are invited to attend said Public Hearing or submit written communications to the Interim City Clerk at or before the Public Hearing.

By order of the City Council dated May 12, 2018, pursuant to Resolution No. 102.

OMAR T. SMALL, INTERIM CITY CLERK