

**INCORPORATED VILLAGE OF AMITYVILLE: PROPOSED LOCAL LAW #4 OF YEAR 2016**

A local law to amend Chapter 183 - Zoning, of the Code of the Village of Amityville (CVA), §183-148 thereof, which regulates the Height of Elevated Dwellings in Areas of Special Flood Hazard.

BE IT ENACTED by the Board of Trustees of the Inc. Village of Amityville as follows:

**Section 1. Intent.**

The Board of Trustees finds that the public health, safety and welfare require that the zoning height restrictions for existing dwellings in the flood zone be modified permanently to facilitate the elevation of dwellings which suffered flood damage in Hurricane Sandy or subsequent storms. The Board further finds that allowing said dwellings to be elevated so that the lowest floor shall not be less than two (2') feet, nor more than three (3') feet, above base flood elevation without requiring a height variance will provide the necessary safety margin to prevent future flooding while minimizing the visual impact to surrounding residents.

**Section 2. §183-148. Height of Elevated Dwellings in Areas of Special Flood Hazard.**

Notwithstanding any provision in this Chapter 183 to the contrary, a dwelling in existence on October 29, 2012 located in an area of special flood hazard may be elevated so that its lowest floor (including basement) is not less than two (2') feet nor more than three (3') feet above base flood elevation, without obtaining a height variance from the Zoning Board of Appeals, regardless of the actual height of said dwelling measured from top of curb or crown of road, whichever is applicable. This provision is limited to the main dwelling on any property and shall not apply if the exterior footprint of said dwelling has been altered or the height has been increased, other than by elevating such dwelling as authorized herein, on or after October 29, 2012. In all other cases the height limitations set forth in the respective zoning districts shall apply to all buildings and structures therein.

**Section 3. Effective Date.**

This local law shall take effect immediately upon adoption, subject to filing with the Secretary of State.

BOARD OF TRUSTEES  
APPROVED ✓ 3/14/16 DENIED \_\_\_\_\_

FOR BCT AGENDA  
DATE 2/22/16

public hearing 3/14