

Local Law Number __ of 2017

Public Notice

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 17th day of July, 2017, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed amendment to Chapter 350 entitled “Zoning” of the Code of the Village of Tarrytown. A summary of the legislation is available at Village Hall. The complete text of this legislation follows:

A local law to add Chapter 305 of the Code of the Village of Tarrytown entitled Zoning to address the Impact of Eminent Domain Upon the Portions of Lots Remaining in Private Ownership After the Exercise of Eminent Domain

Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows:

Section A: Purpose.

The purpose of this Local Law is to clarify the zoning status of property remaining in private ownership after a portion of a lot has been subject to a taking by eminent domain.

Section B: Add a new section 305-62 (C) which shall read as follows:

305-62 (C) If a portion of a lot has been acquired through eminent domain, and as a result of such acquisition, the remaining portion of the lot has been rendered non-conforming with respect to lot area, setbacks, building coverage, impervious surface coverage, parking, total gross floor area or FAR, such remaining portion of the lot shall be deemed and considered a legal non-conforming lot to the extent of any nonconformity resulting solely from such exercise of eminent domain. Notwithstanding any provision of section 305-62, in connection with any proposed change of use or change of occupancy involving any lot that has had a portion of it acquired through eminent domain (the “Remaining Lot”), for purposes of calculating the Remaining Lot’s conformity with lot area, setbacks, building coverage, impervious surface coverage, parking, total gross floor area or FAR, the Remaining Lot shall be credited as if the lot area acquired through eminent domain remained, except that no structure may be extended or expanded to a location that is further into any required setback than any building existing at the time of the acquisition through eminent domain..

Section C: Supersession of other laws.

All laws, ordinances, rules and regulations of the Village are modified and superseded by this article with respect to their application to parking and enforcement.

Section D: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section E: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.