

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of South Blooming Grove

FILED  
STATE RECORDS

SEP 19 2024

Local Law No. 1 of the year 2024

DEPARTMENT OF STATE

A local law Chapter 235 - Zoning  
(Insert Title)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Be it enacted by the Village Board of Trustees of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of South Blooming Grove as follows:

Chapter 235 - Zoning

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2024 of the ~~(County)(City)(Town)~~(Village) of South Blooming Grove was duly passed by the Village Board of Trustees on June 24 2024, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

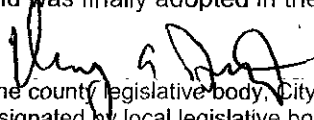
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: September 19, 2024

(Seal)

Local Law Chapter 235 Village of South Blooming Grove

Article II

Terminology

235-4 Definitions

Basement – A story partly underground but having up to half (1/2) of its height above the average grade plane of the ground immediately adjacent to the building and finished grade1234.

If over 50% its another story and may require sprinkler. If questionable a New York State Licensed Land Surveyor shall provide a topographic survey.

Story Above Grade Plane – Any story having a finished surface entirely above grade plane or in which the finished floor next above is:

1. More than six (6) feet above the plane, or
2. More than twelve (12) feet above the finished ground level at any point.

Article III

Zoning Districts on Zoning Map

235-5 District Established

B. (1) Intent of District

Add (e) Residential B District. The purpose of this district is to promote housing opportunities for residential development. The table of bulk requirements has a gross area of 12,000 square feet per lot and a net of 10,000 square feet.

Extent the Residential B District Boundaries to include the two lots shown approved by the Planning Board located at the end of the Arlington Drive Cul-de-sac.

The front, side and rear setbacks are defined by the Planning Board. The use allows an accessory apartment unit.

If the applicant requests a two (2) family unit with zero (0) lot line or a condominium, it must be done by Planning Board after a building permit is issued and before construction begins.

The two (2) family requires a fire wall as per building code, no retrofits are allowed.

(2) Overlay Districts

Remove all overlay districts from the code in this section and throughout the code, including but not limited to Section 235.14.4.A through G and the Overlay District Map.

Replace 235 attachment II

Village of South Blooming Grove Table of Bulk Requirements.

235-4 OPEN SPACE

Add "open to the sky" to the definition of open space and eliminate "and paved areas."

235-14

C. & D. Modify restrictions to principal structure as follows: Rear and front yard setbacks to be modified to 40 feet and side yard set backs to be modified to 15 feet each yard and 30 feet total side yards.

235-14.1

A(4)(a) Revised the language to refer to the definition of open space in Section 235-4 instead of 235-14-1C, and replace conservation areas with open space.

235-14.1

C(3)(n) Include the language "within the Village or the Town"

120-2.A

Include language "within the Village or the Town."

Attachment I: Village of South Blooming Grove Table of General Use Requirements

Add Planning Board Conditional Use Permit for residential single-family detached and attached principal uses in the ORI Zoning District.

Adding to Section 235-45.6. A & B:

An accessory apartment unit may receive a separate certificate of occupancy and be rented independently. Further, an accessory apartment unit may be conveyed individually, provided that (a) such accessory apartment unit has been established as a unit in a condominium or (b) as a Unit in a subdivision that has been approved by the Planning Board and such subdivision map has been filed with the Orange County Clerk's office.

Adding to Section 235-45.6. A(5) and to 235-45.6. B(3):

..either by having 1 entrance facing the front yard and the remaining entrances to the side yards or having all entrances facing the side yards with no entrance to the front yard.

Adding to Section 235-45.6. A(6) and to 235-45.6. B(4):

...unless the accessory apartment units located in cellar has a second means of egress as required by the state code or if such accessory apartment unit is also on another floor.

Zoning  
235 Attachment II  
Village of South Blooming Grove Table of Bulk Requirements

Lot Dimensions	Zoning District			
	Rural Residential	Residence B	Rural Crossroads I & R-M	Office/Research/Industrial
Density	Determined during subdivision process by Planning Board	~12,000 square feet (gross) 10,000 square feet (net)	3,000 square feet	20,000 square feet
Minimum frontage	Determined during subdivision process by Planning Board		30 feet	30 feet
Maximum building coverage	Determined during subdivision Process by Planning Board		50%	20%
<b>Primary Structure</b>				
Minimum front yard setback	Determined during subdivision Process by Planning Board		15 feet	15 feet
Minimum side yard	Determined during subdivision Process by Planning Board		15 feet	50 feet
Minimum rear yard setback	Determined during subdivision Process by Planning Board		20 feet	50 feet
Maximum height (in stories)	2 stories		3 stories	3 stories
Maximum height (in feet)	35 feet		40 feet	40 feet
<b>Accessory Structure</b>				
Minimum side yard	10 feet		10 feet	10 feet
Minimum rear yard setback	10 feet		10 feet	10 feet
Maximum height (in stories)	2 stories		2 stories	2 stories
Maximum height (in feet)	20 feet		20 feet	20 feet

Note:  
Gross = Calculations include area through the center line of the property's (right-of-way) road  
frontage Net = Calculations exclude area through the center line of the property's (right-of-way)  
road frontage

\*If a lot of net 10,000 sq. ft. is to be used for a two (2) family the zero (0) lot line by Planning Board must include a minimum of 5,000 sq. ft.. This must be done after a building permit, and before construction begins a fire wall is required between units. Requests submitted after construction has begun will be denied.