

# Local Law Filing

41 STATE STREET, ALBANY, NY 12231

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

## Village of Minoa

Local Law No. One (1) of the year 2008.

**A local law amending Chapter 160 of the Village of Minoa Municipal Code relative to Zoning.**

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

### **Section One (1). PURPOSE AND INTENT.**

This local law provides for an amended Zoning Map to amend the zoning classification of a certain district parcel as classified in the Zoning Map, entitled "Zoning Map of the Village of Minoa" and dated May 2002, adopted in connection with the adoption of Local Law No. Two (2) of 2002, and the adoption of a new zoning district entitled "Residential B-1."

**Section Two (2).** Section 160-5 of the Code of the Village of Minoa shall be deleted in its entirety and replaced with the following language:

The boundaries of the districts listed in §160-4 are fixed and defined as shown on a map entitled "Zoning Map of the Village of Minoa" ("Zoning Map"). A true copy of the Zoning Map is attached as "Amended Zoning Map" and which Amended Zoning Map replaces the Zoning Map adopted at the time of adoption of Local Law No. Two of 2002 effective as of the effective date of such Local Law No. Two (2) of 2002.

**Section Three (3).** Section 160-3(B) of the Code of the Village of Minoa shall be amended to delete all of the term "Lot Width" and its definition that follows, and replace it with the following language:

"Lot Width – The distance between the boundaries of a lot measured at their points of intersection with the street right-of-way line, except in Residential B-1 zoning districts. In Residential B-1 zoning districts lot width is the distance between the boundaries of a lot measured at their points of intersection with a line establishing the required front yard as defined under §§160-3 and 160-10(A)."

**Section Four (4).** Section 160-4 of the Code of the Village of Minoa shall be deleted in its entirety and replaced with the following language:

For the purpose of promoting the health, safety, morals and the general welfare of the community, the Village of Minoa is hereby divided into the following zoning districts:

Residential A  
Residential A-1  
Residential B

Residential B-1  
Open Land  
Commercial  
Industrial

**Section Five (5).** A new Section 160-10(A) entitled “Regulations for Residential B-1 Districts” shall be added to the Code of the Village of Minoa and enacted as follows:

A. Uses permitted. The following uses and no others are permitted in Residential B-1 Districts:

(1) All uses permitted in Residential A Districts upon conditions specified for such districts, except as otherwise prescribed in this section.

B. Special permit uses. The following uses may be permitted upon approval of the Board of Appeals, subject to procedures set forth in this chapter:

(1) All the special permit uses permitted in Residential A Districts upon conditions specified for such districts, except as otherwise prescribed in this section.

C. Accessory Uses. Accessory uses are as follows:

(1) All the accessory uses permitted in Residential A Districts upon conditions specified for such districts, except for horse stables, or as otherwise prescribed in this section.

D. Additional Regulations. The following additional regulations shall apply in Residential B-1 Districts:

(1) Building height limit. No structure, other than a church or school, shall be erected or altered to a height in excess of 35 feet.

(2) Required lot area. Where there are both a public water and sewer system, the minimum lot area for a single-family dwelling shall be 6,000 square feet and the minimum lot width shall be 50 feet. Where there is a public water system but no sewer system, the minimum lot area for a single-family dwelling shall be 9,000 square feet and the minimum lot width shall be 70 feet.

(3) Required area of dwelling. The minimum building area of a single-family dwelling shall be 720 square feet.

(4) Yards required.

Each lot shall have front, side and rear yards not less than the following depths or widths:

[1] Front yard depth: 20 feet.

[2] Each side yard width: 5 feet.

[3] Rear yard depth: 20 feet

(5) Storage prohibited. Machinery, equipment, motor vehicles commonly used in a business, or unregistered motor vehicles shall not be stored out of doors.

(6) No lot shall be occupied by any structure(s) which together equals more than 40% of the total lot area.

**Section Six (6). ILLEGALITY/SEVERABILITY.**

If any part of this local law or the application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation or the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances. Further, in adjudging such invalid provision, the court shall endeavor to modify same to a provision which is not invalid and which best achieves the intent of the invalid provision.

**Section Seven (7). EFFECTIVE DATE.**

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.

(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 2008 of the ~~(County)(City)(Town)(Village)~~ of Minoa was duly passed by the Village Board of Trustees of the Village of Minoa on January 21, 2008 in accordance with the applicable provisions of law.

~~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 19\_\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 19\_\_, and was (approved)(not approved)(repassed

~~\_\_\_\_\_ (Name of legislative Body) disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_, 199\_~~  
~~(Elective Chief Executive Officer\*)~~

~~in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No \_\_\_\_\_ of 199\_ of the ~~(County)(City)(Town)(Village)~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 19\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_. Such local law was \_\_\_\_\_

*(Elective Chief Executive Officer\*)*

~~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 \_\_\_\_\_ 19\_\_, 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 19\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_, and was (approved)(not approved)(repassed after  
*(Name of Legislative Body)*

disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_ Such local law was subject to  
*(Elected Chief Executive Officer\*)*

~~permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_, in accordance with the applicable provisions of law.~~

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

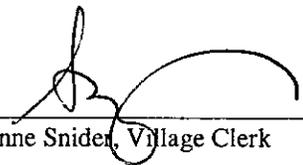
I hereby certify that the local law annexed hereto, designated as local law No \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_, 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 19\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_, 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 one (1) above.

  
\_\_\_\_\_  
Suzanne Snider, Village Clerk  
Date: January 25, 2008

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF ONONDAGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature  
Steven J. Primo

Attorney for the Village

Title

County

City of Minoa

~~Town~~ Village

Date: 1/24, 2008

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide 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.