

ARTICLE I

Section 1.

This Ordinance shall be known and may be cited as "The Building Zone Ordinance of the Town of Huntington."

ARTICLE II DEFINITIONS

Section 1.

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

- (a) Words used in the singular number include the plural and vice versa, and the word "building" includes the word "structure", "lot" includes the word "plot", the word "shall" is always mandatory.
- (b) Accessory Building: A building subordinate to the main building on a lot and used for purposes customarily incidental to those of the main building.
- (c) Single Family Dwelling: A building designed for and occupied exclusively as a home or residence for not more than one family.
- (d) Two Family Dwelling: A building designed for and occupied exclusively as a home or residence for two families.
- (e) Multiple Family Dwelling or Apartment House: A building, not a Single Family Dwelling nor a Two-Family Dwelling, designed and occupied exclusively for dwelling purposes.
- (f) Lot Area: The area of a lot on which a building and its accessories are located; provided that the area shall be measured to the street line only.
- (g) Building Area: The aggregate of the maximum horizontal cross section area of the buildings on a lot, excluding cornices, eaves, gutters or chimneys projecting not more than twenty-four (24) inches, steps, one story open porches, bay windows not extending through more than one story and not projecting more than five (5) feet, balconies and terraces.¹
- (h) Front Yard: The required open space extending along the street line of any street on which the lot abuts.
- (i) Side Yard: The required open space extending along the side lot line from the front yard to the rear yard.

- (j) Rear Yard: The required open space extending along the rear lot line (not a street line) throughout the whole width of the lot.
- (k) Private Garage: A building used for the storage of automobiles owned and used by the owner or tenant of the lot on which it is erected for a purpose accessory to the use of the lot.
- (l) Minor Garage: A building not a Private Garage, one story in height, used for the storage of automobiles (not trucks) and not used for making repairs thereto.
- (m) Public Garage: A building, other than a Private or a Minor Garage, one or more stories in height, used for storage or repair of automobiles.
- (n) Height: The height of a building shall be measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof; provided that chimneys, elevator penthouses, tanks and similar projections shall not be included in the height.
- (o) The "Ground or First Story" is the lowest story entirely above the level of the ground in front of the building.
- (p) A "Two and One-half Story Building" is one where the main eaves are below the mid-height of the third story.
- (q) "The Depth of a Lot" is the mean distance from a street line of the lot to its opposite rear line, measured in the general direction of the side lines of the lot. The "Width of a Lot" is the mean width measured at right angles to its depth.
- (r) A "family" is any number of persons living and cooking together on the premises as a single housekeeping unit.
- (s) "Building Inspector" shall mean the Building Inspector of the Town of Huntington or any person appointed to act as such for the purposes of this Ordinance by the Town Board.
- (t) An "Acre" as applicable to this Ordinance shall refer to the land exclusive of the street area.
- (u) "Lodge" as used in this Ordinance shall mean the club house or club rooms of the local unit of a fraternal order, the majority of the members of which local unit are residents of the Town of Huntington.²

- (v) Farm: For the purpose of this Ordinance a farm is defined as the use of land and buildings, either as a principal or accessory use for the production of vegetative crops such as, but not limited to, grains, field crops, market garden crops, fruits, sod, fibre plants but not including herbaceous or woody nursery stock, greenhouses or florists' establishments. When conducted as an accessory use to a principal residential use, poultry and farm animals; but not furbearing animals, or dairy cattle, dogs or cats raised commercially; may be kept for the exclusive use of the resident.³

ARTICLE III DISTRICTS

Section 1.

For the purpose of this Ordinance the Town of Huntington outside of incorporated villages and cities, is hereby divided into classes of districts, which shall be designated as follows:

- (1) Residence A Districts
- (2) Residence B Districts
- (2a) Residence B-1 Districts
- (2c) Residence B-3 Districts
- (3) Residence C Districts
- (3a) Residence C-1 Districts
- (4) Residence D Districts
- (5) Residence E Districts
- (6) General Business Districts
- (7) Special Business Districts
- (8) Light Industry Districts
- (9) General Industry Districts⁴

Section 2.

The boundaries of said districts shall be shown upon the map, attached to and made a part of this Ordinance, which shall be designated as the "Amended Building Zone Map of the Town of Huntington, Suffolk County, N. Y." The said map and all notations, references and other things shown thereon shall be as much a part of this Ordinance as if matters and things shown by said map were all fully described herein.

Section 3.

The boundaries between districts are, unless otherwise indicated, either the center lines of streets or railroad rights of way, or such lines extended or lines parallel thereto. Where figures are shown on the zoning map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of

feet so indicated. When the location of a district boundary line is not otherwise determined, it shall be determined by the scale of the map measured from a given line. Where the street layout actually on the ground varies from the street layout as shown on the Amended Building Zone Map, the designation shown on the mapped streets shall apply in such a way as to carry out the intent and the purpose of this Ordinance for the particular area in question.

Section 4.

Where a district boundary line divides a lot in a single ownership at the time of the passage of this Ordinance, the Board of Appeals, as hereinafter provided, may permit the less restricted use to extend to the whole or any part of such lot.

Section 5.

Business Districts extend 150 feet back from the street or streets on which they front. Where the rear lot line is more than 150 feet distant from the street line, the Board of Appeals may permit the business use to extend back such additional distance but not over one-half of the distance to the next parallel street or five hundred feet, whichever is the lesser. Where there is no such parallel street the Board of Appeals shall make such reasonable application of the foregoing rule as the circumstances warrant.⁵

Industrial Districts extend 200 feet back from the street or streets on which they front or from lines of a railroad right of way, but not beyond the limits of a business district or district of other classification fronting on an adjacent parallel street. Where an Industrial District is shown on the Amended Building Zone Map and the property lines of an existing industry extend beyond the 200 foot limit or beyond limits indicated on such Map, it is understood that the full area within these existing property lines may be considered as an industrial district, providing this is approved by the Board of Appeals.

Section 6. Land under water — filled land.

Streams, lakes, ponds, salt marshes and portions of Long Island Sound and its various bays and estuaries lying within the boundaries of the Town of Huntington, any of which are not indicated on the Building Zone Map as being in a particular use district, shall be considered as being in the most restricted use district abutting thereon, and such zoning classification shall continue regardless of any filling or draining of such lands.⁶

ARTICLE IV

Section 1. Residence District Uses.

In any Residence District no building or premises shall be used, and no building shall be erected or structurally altered which is arranged, intended or designed to be used, for other than one or more of the uses permitted in the district in which said building or premises is located. The uses permitted in each such residence district shall be as follows:

A. Residence A, B, and B-1 uses.⁷

- (1) Single family dwelling.
- (2) Farm, Nursery, Truck Garden, Country Estate.
- (3) Church, School.
- (4) Golf Course.
- (5) Private club or lodge except a club or lodge the chief activity of which is a service customarily carried on as a business.
- (6) Municipal water supply reservoir, tank or filter bed.
- (7) Town park, playground, athletic field, bathing beach, bath house, boathouse or Town recreational use, none of which uses are maintained or conducted as a commercial project.⁸
- (8) Buildings, antennas and subsidiary structures for an amplitude modulation commercial radio broadcasting station on any plot containing not less than thirty (30) acres, provided, however, that such radio broadcasting station shall be licensed by the F. C. C. primarily to serve the local needs of this community; that not more than three (3) radio antenna towers shall be erected in connection therewith and not more than one (1) building, of a cottage type construction, occupying a maximum area of fifteen hundred (1500) square feet and one (1) story in height.⁹

B. Residence C and D District Uses.

- (1) A use permitted in a residence A, B or B-1 District.
- (2) College, library, public museum, community building.
- (3) When permitted as a special exception by the Board of Appeals, a philanthropic institution, other than a penal or correctional institution. When permitted as a special exception by the Board of Appeals, a hospital or sanitarium, other than for the care of the insane or feeble minded and other than for liquor or drug addicts.¹⁰
- (4) Fire Station.

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- (5) Telephone exchange, provided that no public business office and no repair or storage facilities are maintained.

C. Residence E District Uses.

- (1) A use permitted in a Residence A, B, B-1, C or D District.
- (2) Two family dwelling.
- (3) Multiple family dwelling or apartment house, when laid out and constructed according to the requirements set forth under Article IV Section 1. D (2) hereof.¹¹
- (4) Boarding and lodging houses and hotels when permitted as a special exception by the Board of Appeals.
- (5) Professional offices, either as a principal or an accessory use provided the Board of Appeals shall find:
 - (a) that the nearest portion of the property to be so used is not more than 500 feet from the boundaries of a General Business District;
 - (b) that on-site parking at the rate of not less than 2 spaces for each professional person occupying such offices is provided;
 - (c) that such use, and the building or buildings in which it is to be housed are in character with the neighborhood and hence will not tend to depreciate property values therein;
 - (d) and that the proposed use will not create undue fire and traffic hazards.¹²

D. Residence B-3 Uses.¹³

- (1) All uses permitted in A, B and B-1 Districts.
- (2) Notwithstanding other provisions of this Ordinance restricting the height of buildings and housing density and imposing yard limitations, multiple family dwellings singly or in groups are permitted subject to the following limitations:
 - 1. No lot shall be used for such purpose that contains less than three acres.
 - 2. Total area of all buildings erected on such lot including accessory buildings, if any, shall not exceed 25% of the lot area.
 - 3. No building shall be erected nearer than 50 feet to any street frontage, nor nearer than 35 feet to any lot line other than a street frontage.
 - 4. Buildings shall not exceed two stories nor 35 feet in height.

- Population density shall be limited to not more than sixteen¹⁴ families per acre and buildings shall not be designed nor altered to house more than that number of families.
- 6. Garage space, under cover, shall be provided at the rate of at least one space for each apartment.
- 7. Buildings shall be of "ordinary construction" as defined in the Building Code of the Town of Huntington, or better.
- 8. Adequate service drives and off-street parking shall be provided.
- 9. Before any building permit shall be issued for such multiple family dwellings, a performance bond shall be supplied to the Town of Huntington by the applicant, which bond shall be of a reliable surety company and be approved by the Town Board as to form and amount and conditioned on the completion of the buildings applied for in compliance with all provisions of this Ordinance and of the Building Code of the Town of Huntington.

E. Residence C-1 Uses.¹⁵

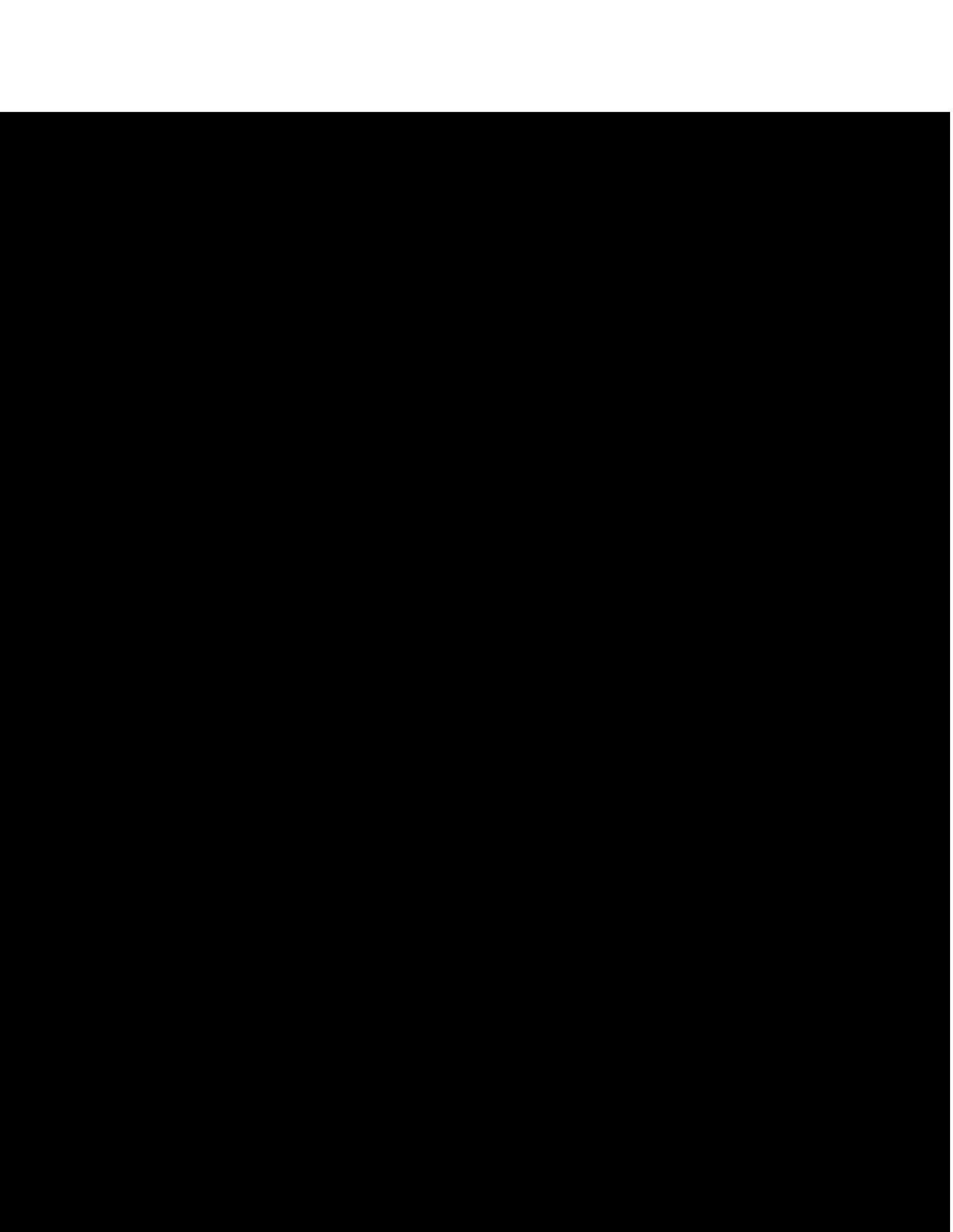
- (1) All uses permitted in Residence C districts.
- (2) Notwithstanding other provisions of this Ordinance restricting the height of buildings and housing density and imposing yard limitations, multiple family dwellings singly or in groups, are permitted subject to the same limitation as are given under Art. IV Sec. 1. D. (2).

F. Except when used wholly or in part for multiple family dwellings, property lying within a "B-3" district shall conform to the requirements of a "B-1" district, and except when used wholly or in part for multiple family dwellings property lying within a "C-1" district shall conform to the requirements of "C" districts, except as otherwise provided in Art. XII of the Building Zone Ordinance.¹⁶

Section 2. Accessory Uses in Residence Districts.

In any residence districts the following uses shall be permitted provided they are accessory to an authorized use:

- (1) The sale at retail of farm, garden or nursery products produced on the premises or of animals raised on the premises, but no stand for the display or sale of such products shall be kept or maintained within thirty (30) feet of any street or highway upon which such property may front except with



the consent of the Board of Appeals under appropriate restrictions and regulations.

- (2) Dwellings for servants or other employees employed on the premises or for non-paying guests.
- (3) Garages, subject to the limitations of subdivision A of Article V.
- (4) An announcement sign, as accessory to the following uses only and subject to the following limitations:
 - (a) In connection with an authorized professional or customary home occupation there may be displayed a small name plate with a simple statement of the profession or of the nature of the occupation.
 - (b) In connection with the sale of farm, garden or nursery products or of animals there may be displayed one sign, not to exceed 12 square feet in area, on each road frontage.
 - (c) In connection with the sale, renting or improvement of real estate there may be displayed one sign, not to exceed 24 square feet in area, on each road frontage.
 - (d) In connection with a church, school, golf course, club, college, library, hotel, museum, community building, hospital or institution there may be displayed one sign, not to exceed 20 square feet in area, on each road frontage.
- (5) A temporary sales office as an accessory to a real estate subdivision or development.
- (6) Office of a physician, surgeon, dentist or other professional person provided such office is located in the dwelling or apartment used by such professional person as a private residence.
- (7) Any customary home occupation provided the same is carried on in the dwelling or apartment occupied as a private residence by the person carrying on such home occupation.
- (8) A restaurant, public dining room or other service customary to a hotel or apartment house, where the same is located in such hotel or apartment house and is incidental to its residential use.
- (9) Any use or building clearly accessory to an authorized use, provided that no use enumerated in Articles VI and VII shall be allowed as an accessory use except those specifically provided for in the preceding paragraphs of this subdivision. No poultry house, yard or barn or stable shall be erected with-

in 65 feet of any street or road except with the approval of the Board of Appeals.¹⁷

Section 3. Height Regulations.

A. Height Limits. No building shall be erected to a height in excess of the following:

- (1) In a Residence A, B, or B-1 district—50 feet.
- (2) In a Residence C or D district—35 feet.
- (3) In a Residence E district—45 feet.

B. Exceptions.

- (1) In any district any portion of a building may be erected to a height in excess of the foregoing limits provided that such portion of such building is set back from all street, lot and required yard lines one foot for each one foot of such additional height.
- (2) The provisions of this section shall not apply to restrict the height of a church spire, tower or belfry, or of a flagpole, monument, chimney or water tank.
- (3) Nothing in these regulations shall apply to prevent the erection above the height limit of a parapet wall or cornice for ornament and without windows extending above such height limit not more than 5 feet.

Section 4. Lot and Yard Regulations—Housing Density.

A. Area of lot.

For buildings hereafter erected, the minimum lot area for each building together with the accessory buildings appurtenant thereto shall be as follows:

- (1) In a residence A district—2 acres.
- (2) In a residence B district—1 acre.
- (2a) In a residence B-1 district—20,000 square feet.
- (3) In a residence C district—10,000 square feet.
- (4) In a residence D district—7500 square feet.
- (5) In a residence E district—5000 square feet, except for apartment houses there shall be a population density of not over 70 families per acre.

B. Width of lot.

For buildings hereafter erected, the minimum average width of lot for each building together with the accessory buildings appurtenant thereto shall be as follows:

- (1) In a residence A district—150 feet.
- (2) In a residence B district—100 feet.

- (2a) In a residence B-1 district—100 feet.
- (3) In a residence C district—100 feet.
- (4) In a residence D district—75 feet.
- (5) In a residence E district—50 feet. Except that for a two-family dwelling, multiple dwelling or apartment house, telephone exchange, hospital or sanitarium, such required minimum width shall be 60 feet.

C. Open Space.

In any district for every building hereafter erected for residence use on the first floor, there shall be an open space equal to at least 60 percent of the area of the lot provided such building is not more than three stories in height and for a building more than three stories in height there shall be one square foot of open space for each two square feet of gross floor area of such building, except floor area of basements or attics not used for residence purposes. Required yards may be included as part of such open space.

D. Courts.

In any district every living or sleeping room in a dwelling or apartment house shall have at least one window opening directly, either upon a street, a front yard, a rear yard, a side yard, or a court. The width and area of such courts shall comply with the requirements of the Building Code of the Town of Huntington, as set forth in Article III Sec. 2, G (c) 1 & 2 thereof. Such court shall be open and unobstructed to the sky except for the ordinary projections of window-sills, belt courses and other ornamental features to the extent of not more than 4 inches.¹⁸

E. Exception.

On any lot with an average width of not less than 40 feet in separate ownership or under contract of purchase at the time of the passage of this Ordinance any use permitted in the district in which said lot is located shall be permitted even though the lot does not conform to the lot area and lot width requirements of this section, and the front, rear, and side yard restrictions of the nearest lot area classification shall apply.

F. Exception.

On any lot with an average width of not less than 40 feet in separate ownership or under contract of purchase at the time of the passage heretofore or hereafter of any amendment to this Ordinance increasing the restrictions as to lot area, lot width, and front, rear and side yard requirements of the district in which such lot is located, any use permitted in said district after such amendment shall be permitted as to such lot even though the lot is too small to permit conformity to the lot area, lot

width, and front, rear and side yard requirements of such amendment, and there shall be applied to such lot the lot area, lot width, and front, rear and side yard requirements of the highest classification that can be applied to such lot consistent with its adaptability to the uses permitted in such district after such amendment.¹⁹

Section 5. Front yards.

A. General.

Along all frontages in residential districts there shall be a front yard of the following minimum depth:

- (1) In a residence A, B, or B-1 district—50 feet.²⁰
- (2) In a residence C district—30 feet.
- (3) In a residence D district—25 feet.
- (4) In a residence E, district—20 feet.

B. Exception.

In a block in a residence C, D or E district in which 25 percent of the frontage on one side of the street is improved with buildings, the front yard of a building hereafter erected shall extend at least to the alignment of existing buildings, provided that no building hereafter erected in such residence district shall have a front yard less than 10 feet in depth or need have a front yard of greater depth than 40 feet.

C. Corner lots.

A corner lot shall have a front yard along its principal frontage of the depth required by the preceding subdivisions of this section. A corner lot shall also have a front yard along its side street frontage of a minimum depth:

- (1) In a residence A, B, or B-1 district—30 feet.
- (2) In a residence C district—20 feet.
- (3) In a residence D or E district—15 feet.

D. Through lots.

A through lot shall have a front yard on each frontage.

E. Permitted structures in front yard.

The space in a front yard shall be open and unobstructed except that in a residence district cornices or eaves on the main building may project not more than 2 feet into the front yard and that on any lot having an area of 2 acres or more, not to exceed 600 square feet of a front yard may be occupied by a gate house not over 20 feet in height.

F. Vision clearance.

On any corner lot on which a front yard is required by this Ordinance no wall, fence or other structure shall be erected and no hedge, tree, shrub or other growth shall be maintained in such location within such required front yard space as to cause danger to traffic by obstructing the view.

Section 6. Rear and Side yards.

A. Rear Yards.

In a residence district every building hereafter erected shall have a rear yard the minimum depth of which shall be as follows:

- (a) In a residence A, B or B-1 district—50 feet.
- (b) In a residence C, D or E district - 25 feet and not less than the height of the building but need not exceed 35 feet in any case.

B. Side Yards.

In a residence district every building hereafter erected shall have a side yard along each lot line, other than a street line or rear line, the minimum width of which shall be as follows:

- (a) In a residence A or B district—25 feet.
- (b) In a residence B-1 district—20 feet.²¹
- (c) In a residence C district—12 feet.
- (d) In a residence D district—7 feet, and the sum of the widths of the side yards shall not be less than 15 feet.
- (e) In a residence E district, including 40 foot lots, described in subdivision E of Section 4, 5 feet, and the sum of the widths of the side yards shall not be less than 13 feet, except in the case of apartment houses when each side yard shall not be less than 10 feet for all buildings 45 feet in height or under.
- (f) On any lot where the street frontage is less than the minimum average width required for the zone in which such lot is located, the side yard requirement shall be reduced by six inches on each side for every foot by which the street frontage is less than such required minimum average width, except that such side yard shall in no case be less than five feet wide in an "E" zone, seven feet wide in a "D" zone, or twelve feet wide in all other residence zones.²²

C. Exceptions.

The space in a side yard or rear yard shall be open and unobstructed except for the ordinary projections of window-sills, belt-courses, cornices and other ornamental features of the ex-

tent of not more than 4 inches, except that if the building is not over 2½ stories in height the cornice or eaves may project not more than 18 inches into such yard. A building and any accessory building erected on the same lot shall for the purpose of side and rear yard requirements be considered as a single building, except as follows: a garage or other accessory building not over 30 feet in height in a residence A, B or B-1 district, not over 20 feet in height in a residence C district and not over 16 feet in height in a residence D or E district, may occupy not to exceed 40 per cent of the rear yard area. Provided, however, that:

- (1) Every garage or other accessory building shall be located at least 65 feet from the front line of the lot in any residence district, and at least the following distances from the rear and side lines of the lot—in a residence A district—20 feet; in a residence B or B-1 district—10 feet; in a residence C, D or E district—2 feet.
- (2) In case of a corner lot having frontage on two streets, every garage and/or accessory building shall be located on the innermost corner of the lot and at least the following distances from the rear and side lines thereof:—In a residence A district—20 feet; in a residence B or B-1 district—15 feet; and in a residence C, D or E district—2 feet; except that, in case of a corner lot 100 feet or more in width, such garage or accessory building may be located not less than 30 feet from that side line of the lot which abuts upon a street.

Section 7. Exceptions.²³

The provisions of section 5 and 6, other than side yard restrictions and regulations therein contained, shall not apply to the following indicated lots in sections of the Map of Huntington Beach as follows:

Section One: Lots 1 to 80 inclusive, 435 to 492 inclusive, 330 to 371 inclusive, 390 to 417 inclusive.

Section Two: Lots 1 to 129 inclusive, 130 to 191 inclusive, 234 to 289 inclusive, 290 to 403 inclusive.

Section Three: Lots 150 to 159 inclusive, 133 to 149 inclusive, 65 to 67 inclusive, 68 to 70 inclusive, 110 to 113 inclusive, 23 to 25 inclusive.

Section Four: Lots 1 to 45 inclusive, 133 to 225 inclusive.

Section Five: Lots 1 to 4 inclusive, 152 to 156 inclusive, 291 to 342 inclusive, 352 to 366 inclusive.

Section Six: Lots 46 to 91 inclusive, 92 to 132 inclusive, 226 to 247 inclusive.

Section Seven: Lots 1 to 94 inclusive, 241 to 286 inclusive.

Section Eight: Lots 160 to 164 inclusive, 95 to 132 inclusive, 199 to 224 inclusive, 267 to 318 inclusive, 165 to 167 inclusive.
 Section Nine: Lots 45 and 46, 47 and 48, 56 and 57, 61 and 62, 63 and 64, 347 and 348, 37 to 39 inclusive, 71 to 73 inclusive, 79 and 80, 92 to 100 inclusive, 120 to 123 inclusive, 145 to 238 inclusive, 250 to 254 inclusive, 118 and 119, 292 to 301 inclusive.
 excepting that no dwelling may be built upon any of said lots above mentioned in locations nearer than thirteen (13) feet to the dwelling built upon the lot adjoining, or less than 5 feet from the lot line.

ARTICLE V

Section 1. Garages, Filling Stations, Storage Tanks and Motor Vehicle Repair Shops.

A. Garages as Accessory Uses in Residence Districts.

- (1) The number of motor vehicle for which space may be provided as accessory to an authorized use in a residence district shall be as follows:
 - (a) In any residence district, 2 motor vehicles; and for each 4000 square feet by which the area of the lot exceeds 4000 square feet, space for one additional motor vehicle may be provided.
 - (b) For a two family or multiple family dwelling or apartment house, garage space may be provided for one motor vehicle for each family for which such dwelling or apartment house is arranged.
- (2) Not in excess of 160 square feet of the floor area for each motor vehicle authorized in the preceding paragraph shall be provided, but floor area so located with respect to walls, doors or permanent obstructions that it cannot be used for the storage of motor vehicles shall not be included.
- (3) Space in a garage accessory to a multiple family dwelling or an apartment house or hotel shall be rented only to occupants of the premises. One or more attendants may be employed. Such attendants may make minor adjustments to cars kept therein and may wash cars, change tires or perform similar services for tenants, provided that such work is done entirely within the building and no machinery of any kind, other than an air pump, is employed.

B. Garages and Automobile Service Stations.²⁴

- (1) Automobile Service Stations.
 In a General Business, Light Industry or General Industry District, and in no others, Automobile Service Stations

may be permitted by the Board of Appeals provided the Board shall find that:

- (a) The use will not cause undue traffic or fire hazards.
- (b) The use will not impair the character of the neighborhood or adversely affect property values.

(2) Garages.

In a General Business, Light Industry or General Industry District a Minor Garage, or a Public Garage may be permitted by the Board of Appeals, provided the Board shall find that:

- (a) The use will not cause undue traffic or fire hazards.
- (b) The use will not cause undue congestion on narrow streets or heavily travelled streets.
- (c) That the proposed building or buildings are reasonably in keeping with the neighborhood and with neighboring structures.

(3) As a condition of granting such permits the Board of Appeals may require such changes in plans in relation to yards, location of pumps and buildings, construction of buildings and location and capacity of storage tanks as it may deem desirable to insure safety, minimize traffic problems and safe guard adjoining property.

C. Motor Vehicle Repair Shops as Accessory Uses in General Business Districts.²⁵

In a General Business District a motor vehicle repair shop shall not be permitted as an accessory use unless the plans for such accessory use, including the kind of work to be done, the type of machinery to be used and methods of operation to be employed shall have been approved by the Board of Appeals. The Board of Appeals shall not approve plans for any such operations that in its judgment will produce excessive noise or endanger public safety.

D. No tanks or other containers for the storage of oil, gasoline or kerosene shall be erected above the ground in any district without the consent of the Board of Appeals.

Section 2. Commercial Poultry, Fur-bearing Animal, Dairy and other Animal Farms; Kennels and Catteries.

- (a) The provisions of this section shall be in addition to any other provisions of these Ordinances applicable to accessory or other buildings and land used for the raising of poultry of any kind, and in any manner, for commercial purposes.

(b) In a residence "B", "B-1", or "C" district, no poultry farm for the raising of fowl, or the sale of eggs or both, fur-bearing animal, dairy and other animal farms, kennels and catteries, for commercial use and profit shall be maintained except upon consent of the Board of Appeals and upon the following conditions:

- (1) The lot shall have a frontage of not less than 100 feet.
- (2) The lot shall contain three acres or more in area.
- (3) No building used in connection with such farm shall be erected within 100 feet of any street or road, or within 10 feet of any side or rear line of the lot.

(c) No commercial poultry, fur-bearing animal, dairy, or other animal farm shall hereafter be established in a Special Business, General Business, General Industry, Residence "D" or Residence "E" district.

Section 3. Summer Camps, etc.

Summer camps, day camps, health farms and similar institutions may be established and operated in a Residence "A", "B" or "B-1" district provided the Board of Appeals shall find:

(a) That the following conditions are met, and that the proposed use will not adversely affect property values in the neighborhood.

1. The plot shall comprise at least 10 acres.
2. Permanent dwelling facilities may be provided solely for the use of the caretaker, and these shall conform fully to the requirements of the Building Code in respect to habitable dwellings.
3. Camp buildings, other than a dwelling for a caretaker, shall comply with the minimum requirements of the Building Code for accessory buildings in residential districts.
4. No building shall be located nearer than 100 feet from any front, rear or side lot line.
5. The approval of the Suffolk County Board of Health must be secured as a prerequisite to the issuance of a Certificate of Occupancy.²⁶

ARTICLE VI BUSINESS DISTRICTS

Section 1. In a General Business District the following regulations shall apply.²⁷

Section 2. A building may be erected, altered or used, and a lot or premises may be used for any of the following purposes and for no other:

- (a) Single family or two family detached dwelling, multiple family dwelling, apartment house when such multiple family dwelling or apartment house is used for commercial purposes on the street or first floor.²⁸
- (b) Club, fraternity house or lodge.
- (c) Hotels, lodging and boarding houses.
- (d) Government, education, religious or philanthropic use, excluding correctional institutions, and including hospital, sanitarium and dormitory of an educational institution.
- (e) Greenhouse, Town recreational use, railway passenger station.²⁹
- (f) Office, bank, financial institution, telephone, telegraph, gas or electric business.
- (g) Store.
- (h) Place of amusement.
- (i) Restaurant, bakery, pastry, candy, confectionery or ice cream shop.³⁰
- (j) Carpenter, cabinet making, furniture or upholstery shop, electrical shop, metal working, blacksmith, tinsmith, plumbing, gas, steam or hot water fitting shop, paint store and paper hanger.
- (k) Laundry, dry cleaning or dyeing; custom tailoring, dress-making, shoemaking and repairing.³¹
- (l) Jewelry, watches, clocks or optical goods and musical, professional or scientific instruments manufacture.
- (m) Newspaper or job printing, bookbinding.
- (n) Undertaking and embalming.
- (o) Minor garage.
- (p) Public garage or an automobile service or gas station, or repair shop when approved by the Board of Appeals.
- (q) Accessory use on the same premises with, and clearly incidental to any of the above permitted uses. Any accessory

building erected in a General Business District shall comply with the front, rear and side yard requirements for accessory buildings in a Residence "E" district, as set forth in Article IV Section C 1 and 2.³²

- (r) Any use of the same general character as any of the uses hereinbefore specifically permitted, when authorized as a special exception by the Board of Appeals as hereinafter provided.
- (s) No use shall be permitted however, in which articles are manufactured, fabricated or assembled except for sale at retail on the premises.³³
- (t) In a General Business District, if a building or premises are used for a single family dwelling or two family dwelling as provided in sub-paragraph (a) above, said building and premises shall comply in all respects to the requirements of Residence "E" districts.³⁴

Section 3.

No building may be erected, altered or used, and no lot or premises may be used, for any trade or business that is noxious or offensive by reason of odor, dust, smoke, gas, vibration or noise. No internal combustion engine shall be used unless objectional noise and vibration be eliminated and it is equipped and supplied with an effective muffler or silencer.³⁵

Section 4. Height.

No building shall exceed six (6) stories in height.

Section 5. Building Area.

In the case of any building erected, altered or used, in whole or in part as a dwelling, the building area shall not exceed seventy percent (70%) of the lot area.

Section 6. Rear Yard.

If a building on a lot is used in whole or in part as a dwelling, there shall be a rear yard, the depth of which shall be at least fifteen (15) feet. In case of such a building over forty (40) feet high, the depth shall be increased five (5) feet for each twelve (12) feet or portion thereof by which the building exceeds forty (40) feet in height.

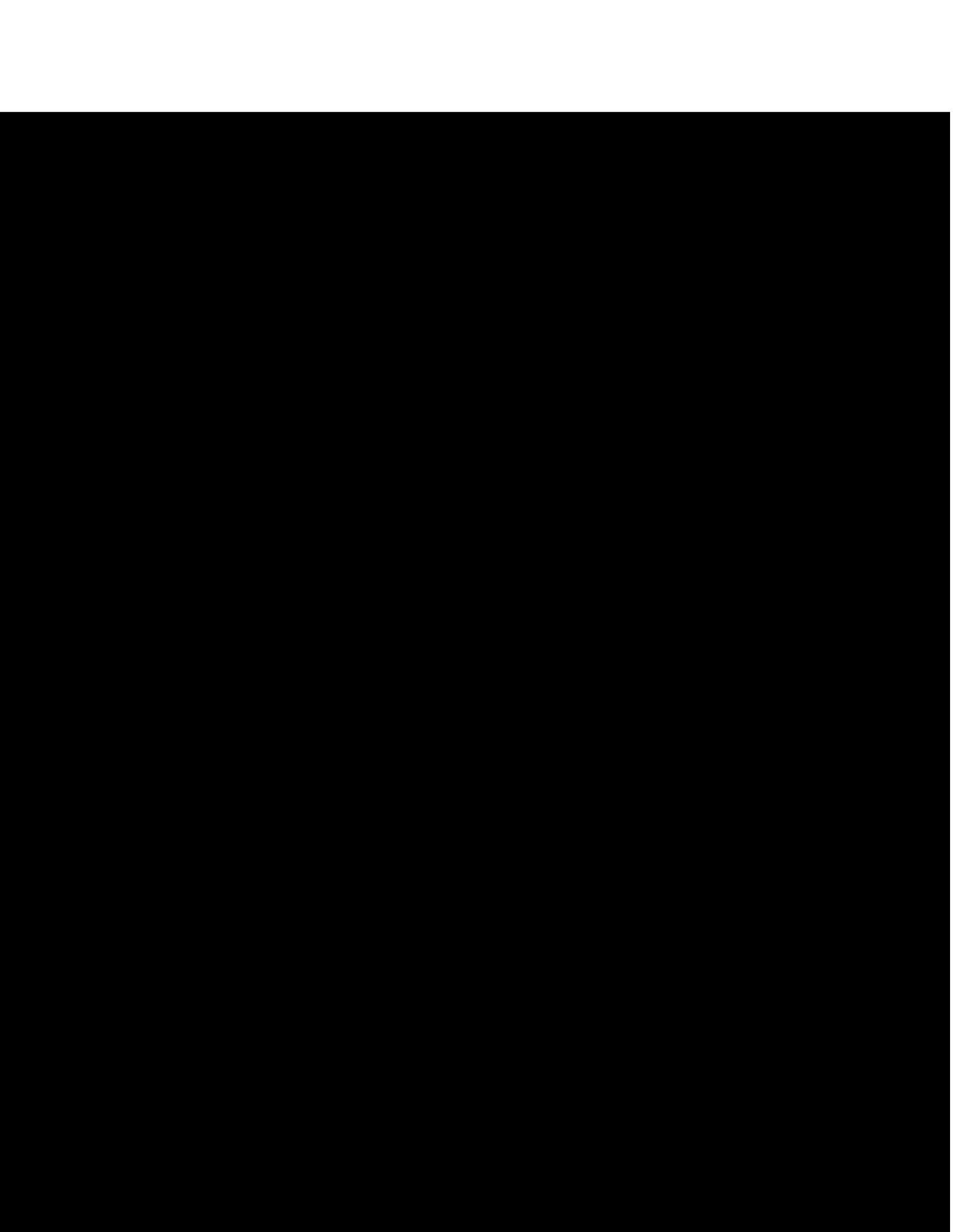
Section 7. Density of Population.

No dwelling shall hereafter be erected or altered to accommodate or make provision for more than seventy (70) families on any

acre of land or more than a proportional number of families on a fractional part of any acre of land.

Section 8. In a Special Business District the following regulations shall apply.³⁶

- A. No building may be erected, altered, or used, nor any lot used for any purpose other than the following:
 - (a) Single family or two family detached dwelling.
 - (b) Club, fraternity house or lodge.
 - (c) Tourist homes, or tea rooms in which seats at tables are provided for all customers.
 - (d) Upholstery, drapery, antique, decorators and gift shops.
 - (e) Florist, greenhouse, nursery and garden accessory shops in connection therewith.³⁷
 - (f) Real estate or professional offices, undertakers, beauty parlors.
 - (g) Accessory use on the same lot with, and of a sort customarily incidental to any of the above permitted uses.
 - (h) Any use of the same general character as any of the above specifically permitted uses, when permitted as a special exception by the Board of Appeals.
 - (i) Any accessory building erected in a Special Business District shall be located at least as far back from the front lot line as the principal building on the lot, at least 2 feet from the rear and side lot lines, and on a corner at least as far back from the side street as the principal building on the lot.³⁸
- B. No building may be erected or used and no lot or premises may be used for any trade or business that is obnoxious or offensive by reason of dust, noise, smoke, gas, vibration, radio interference or odor.
- C. No building, except greenhouses, shall exceed 2½ stories in height or cover more than 2000 sq. ft. of ground area.
- D. No goods or merchandise offered for sale may be displayed out of doors, except for florist and nursery products planted or heeled in on the ground.
- E. The following front, rear and side yard requirements shall be in effect:
 - Front yard 30 feet.
 - Side yard, interior lot, 15 feet.
 - Side yard, corner lot, 30 feet.
 - Rear yard 35 feet.



- F. Buildings may be of frame construction, ordinary construction, semi-fireproof construction or fireproof construction.
- G. Parking and loading space shall be provided and maintained, wholly within the boundaries of the lot, sufficient in area, in the estimation of the Superintendent of Building, to serve adequately the proposed use, and the provision of such parking and loading space shall be a condition of the issuance of a Certificate of Occupancy for the property.
- H. No billboards shall be erected or maintained in any Special Business District. Advertising signs shall be limited to one for each business establishment. No sign shall exceed 24 sq. ft. in area. No self-illuminated signs shall be permitted. Free standing signs shall be set at least 20 feet from the highway line, and set at least 5 feet from the lot side lines.
- I. The following areas are designated as Special Business Districts: An area on the northerly side of East Main Street, Huntington, bounded northerly by a line parallel with the northerly line of East Main Street and 200 feet northerly therefrom measured at right angles thereto; bounded easterly by the westerly line of Washington Drive; and bounded westerly by a line running North 3 degrees 22 minutes 50 seconds West from a point in the northerly line of East Main Street 374.86 feet westerly from the northwesterly corner of East Main Street and Huntington Bay Road; and an area on the southerly side of East Main Street bounded southerly by a line parallel with the southerly line of East Main Street and 200 feet southerly therefrom measured at right angles thereto; bounded westerly by the easterly line of Loma Place; bounded easterly by a line running perpendicular to the southerly line of East Main Street through the point of intersection of the northerly line of East Main Street with the westerly line of Washington Drive.³⁹

ARTICLE VII. INDUSTRIAL DISTRICTS⁴⁰

Section 1. Light Industry Districts.

- (1) In a Light Industry District no building or premises shall be used and no building shall be erected or structurally altered to be used for any other than one or more of the following uses:
 - A. Private garage accessory to a dwelling, nursery, truck garden, farm accessory building.⁴¹

- B. Cold storage plant, creamery, ice cream factory, bottling works, baking plant, food or drink distribution plant, dairy.
- C. Candy, cigar and cigarette manufacture.
- D. Textile manufacture, including knitting, weaving and spinning.
- E. Cloth finishing and clothing manufacture.
- F. Luggage, hand bag, leather goods and findings manufacture.
- G. Publishing, printing and bookbinding.
- H. Toys, games, novelties manufacture.
 - 1. Florists and greenhouses.
- J. Pharmaceutical preparation and cosmetic manufacture.
- K. Optical, photographic, scientific and electronics instrument manufacture.
- L. Lumber yards, furniture and cabinet manufacture, but not general wood working mills.
- M. When permitted as a special exception by the Board of Appeals—laundries, dry cleaning establishment, dyeing.
- N. Retail business establishments conducted as part of a permitted industrial use, or otherwise, when permitted as a special exception by the Board of Appeals.
- O. Any similar industry whose process of manufacture does not in the estimation of the Board of Appeals, emit to the outer air a greater amount of noise, dust, fumes or smoke than those industries permitted by this section, or any other purposes which, in the estimation of the Board of Appeals are not inconsistent with the generally accepted definition of the term "Light Industry", and where, in the estimation of the Board of Appeals the enterprise in question will be beneficial to the town as a whole and to the neighborhood in which it is to be located.
- P. No building shall be used for residential purposes, except that a room or suite or house may be provided for a custodian and his family, clearly as an accessory use to the permitted principal use. Such house shall conform to the requirements of Residence "D" districts in respect to front, rear and side yards.⁴²

(2) Notwithstanding other provisions of the Ordinance, in a Light Industry District, buildings and premises for industrial use shall conform to the following limitations:

- A. No building shall be erected to a height in excess of one story or 35 feet.
- B. The lot area of each individual enterprise shall comprise not less than 3 acres.
- C. Each lot shall have a frontage of at least 100 feet on a street and shall have an average width of not less than 200 feet.
- D. No industrial building or industrial accessory building shall be erected nearer than 50 feet to any street line line or 10 feet to any other property line.
- E. Not more than 60 percent of the lot area may be covered by buildings or structures, including accessory buildings.
- F. Provision must be made by each permitted industry or enterprise for all loading, unloading and employee parking to be accommodated within the premises.
- G. Notwithstanding other height limitations, towers and penthouses to enclose machinery may extend to a height of not more than 50 feet but shall be limited to one for each building or group of buildings constituting a single enterprise, and such towers and pent houses shall be limited to 400 square feet of ground area covered.
- H. No individual power plant, either steam, gasoline or Diesel operated (except emergency equipment), nor any smoke stack more than 55 feet high will be permitted. No process that emits to the outer air noise, dust, fumes or odors will be permitted even though the industry as a whole may be a permitted use.

(3) Plans for all buildings intended for industrial use and to be located in a Light Industry District shall be submitted to the Town Board for their approval, in consultation with the Board of Appeals for Building, as to their structural safety and the effect their presence may have on the neighborhood.

(4) In place of the limitations set forth in ARTICLE VII Section 1. (2) hereof, the following limitations shall apply to the following Light Industry areas:

1. The area along both sides of New York Avenue, Hunt-

ington, bounded by Creek Road and Park Avenue on the north and Prime Avenue on the south.

- A. No building shall be erected to a height of more than one story or 20 feet.
- B. The lot area of each individual enterprise shall comprise not less than one quarter acre.
- C. Each lot shall have a frontage of at least 75 feet on New York Avenue and an average width of not less than 75 feet.
- D. No industrial building or industrial accessory building shall be erected nearer than 35 feet to any street line or 10 feet to any other property line except that buildings presently under construction shall be permitted to be completed in accordance with building permit under which said construction was authorized.
- E. Not more than 60% of the lot may be covered by buildings or structures including accessory buildings.
- F. Provision must be made by each permitted industry or enterprise for all loading, unloading and employee parking within the premises. No part of such parking space shall be within 35 feet of New York Avenue.
- G. Notwithstanding other height limitations, no towers, penthouses, chimneys or tanks may extend to a height of more than 5 feet above the established building height limit of 20 feet.
- H. No individual power plants of any sort (except emergency equipment) may be permitted, and no process that emits to the outer air noise, dust, fumes, smoke or odors will be permitted even through the industry as a whole may be a permitted use.
- J. Except for necessary driveways and foot paths, the entire front yard area shall be suitably landscaped with lawns and shrubbery, and shall be maintained at all times in a suitable manner.⁴³

Section 2. General Industry Districts.

In a General Industry District a building may be erected, altered or used, and a lot or premise may be used for any lawful purpose, except that no person shall erect, alter or use any building or use any premises for any of the following:

(1) Prohibited uses.

- A. Multiple family dwelling, apartment house.
- B. Retail business establishments except those conducted as part of a permitted industrial use or otherwise when permitted as a special exception by the Board of Appeals.
- C. Abattoir.
- D. Gas or chemical works.
- E. Celluloid or plastics manufacture, or any industry whose processes involve the handling of explosive or corrosive materials in bulk.
- F. Disinfectant, creosote, coke or asphalt manufacture or processing.
- G. Processes involving the distillation of bones, coal or wood.
- H. Manufacture of dye stuffs, fire works, glue, size, gelatine, fertilizer, emery cloth, sandpaper, oil, oilcloth, linoleum, matches, paint, rubber, soap, stove polish, floor wax, acids, lampblack, salt.
- I. Fat rendering, stock yards, smelters, ore reduction, tallow, grease, lard manufacture or refining, tanning, curing or storage of leather in bulk.
- J. Tar distillation, tar roofing, and water-proofing manufacture.
- K. Yeast manufacture, wool pulling or scouring.
- L. Any use which may, in the opinion of the Board of Appeals be noxious or offensive by reason of the emission to the outside air of odors, dust, fumes, gas, vibration, fly ash or noise.
- M. Automobile wrecking, baling, storage or treatment of junk, iron, bottles, scrap paper, etc., except when permitted as a Special Exception by the Board of Appeals.⁴⁴

(2) Height Limitation.

- A. In a General Industry District no building shall be erected whose height is in excess of 6 stories or 75 feet.
- B. Provision must be made by each permitted industry or enterprise for all loading, unloading and employee parking to be accommodated within the premises.

- C. No individual power plant, either steam, gasoline or Diesel operated, (except emergency equipment), nor any smoke stack more than 55 feet high will be permitted. No process that emits to the outer air noise, dust, fumes or odors will be permitted even though the industry as a whole may be a permitted use.

Section 3. Residential use in Industrial Districts.

No building shall be used for residential purposes except that a room or suite or dwelling may be provided for a custodian and his family, clearly as an accessory use to the permitted principal use. Such house shall conform to the requirements of Residence "D" districts in respect to front, rear and side yards.⁴⁵

ARTICLE VIII APPLICATIONS AND PERMITS

Section 1.

It shall be the duty of the Building Inspector and he is hereby given the power and authority to enforce the provisions of this Ordinance.

Section 2.

The Building Inspector shall require that the application for a building permit shall contain all the information necessary to enable him to ascertain whether the proposed building complies with the provisions of this Ordinance.

Section 3.

No building permit shall be issued until the Building Inspector has certified that the proposed building or alteration complies with all the provisions of this Ordinance.

Section 4.

It shall be unlawful for any person to commence work for the erection or alteration of any building until a building permit has been duly issued therefor.

Section 5.

No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever, except for the alteration of or addition to a dwelling until a certificate of occupancy shall have been issued

by the Building Inspector stating that the premises or building complies with all the provisions of this Ordinance. No change or extension of use and no alteration shall be made in a nonconforming use or premises without a certificate of occupancy having first been issued by the Building Inspector that such change, extension or alteration is in conformity with the provision of this Ordinance. A certificate of occupancy shall be applied for at the same time that the building permit is applied for and shall be issued within ten days after the erection or alteration of the building shall have been completed.

A record of all certificates shall be kept on file in the office of the Building Inspector and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected. No permit for excavation shall be issued before application has been made for a certificate of occupancy. No building or premises for which a certificate of occupancy is required may be occupied until such certificate shall have been issued.

Section 6.

A fee shall be charged for every permit or certificate of occupancy issued. The amount of such fee shall be determined from time to time by the Town Board.

Section 7.

Each and every permit issued by the Building Inspector under the provisions of this section shall expire and become null and void at the expiration of 90 days from the date of issuance, unless, within such period, the foundation has been built and actual erection and/or construction of the building under such permit shall have been commenced, or unless, within such period, an extension of such permit has been duly obtained from the Building Inspector. The provisions of this paragraph shall apply to any such extension.

ARTICLE IX BOARD OF APPEALS

Section 1.

The Town Board shall appoint a Board of Appeals consisting of five members, as provided by the Town Law.

Section 2.

The Board of Appeals may in a specific case after the refusal of the Building Inspector to issue a building permit^o after public notice

and hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the regulations herein established in harmony with their general purpose and intent as follows:

- A. Grant a permit wherever it is provided in this Ordinance that the approval of the Board of Appeals is required.
- B. Grant a permit for any public utility in any district.
- C. Grant a permit in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this Ordinance.
- D. Permit in any district such modification of the requirements of these regulations as said board may deem necessary to secure an appropriate development of a lot where adjacent to such lot on two or more sides there are buildings that do not conform to these regulations.
- E. Permit such modification of the yard or open space or lot area or lot width regulations as may be necessary to secure an appropriate improvement of a parcel of land where such parcel was separately owned or under separate contract of purchase at the time of the passage of this Ordinance, and is of such restricted area or exceptional topography that it cannot be appropriately improved without such modification.
- F. Permit the erection in a residence district of a single family dwelling on a lot having an area of not less than 4,000 square feet and an average width of not less than 40 feet when said lot is in a plat of a subdivision recorded with the County Clerk at the time of the passage of this Ordinance showing said area divided into lots having a general width of twenty feet or more. Such authorization may also include a reduction of side yard requirements to those of the residence E district.
- G. Permit the reconstruction of a building occupied by a non-conforming use, or permit the extension of a non-conforming use throughout the building occupied for such use at the time of the passage of this Ordinance.
- H. Determine and establish the true location of district boundaries in any disputed case.
- I. Hear and decide appeals where it is alleged there is error in any requirement, decision or determination made by the Building Inspector in the enforcement of this Ordinance.

J. Permit, in a General Industry District, automobile wrecking, baling, storage or treatment of junk, bottles, scrap paper, etc., provided that the Board shall find:

1. That the operation is in the public interest and a desirable adjunct to the continued prosperity of the community.
2. That no part of the land on which the operation is to be conducted lies within 200 feet of any existing residence.
3. That suitable safeguards against traffic and fire hazards are provided, and that the entire premises will be surrounded by a solid masonry wall or board fence at least 8 feet high.⁴⁷

Section 3.

The Board of Appeals shall make rules as to the manner of filing appeals or applications for special exceptions, or variances from the terms of this Ordinance and any other matter requiring action by said board.

Section 4.

Upon the filing with the Board of Appeals of an appeal or of an application for special exception or variance from the terms of this Ordinance, and upon deposit and payment of the cost of advertising and mailing notice as hereinafter required, the Board of Appeals shall fix a time and place for a public hearing thereon and shall give notice thereof as follows:

- (a) By publishing a notice thereof once a week for two (2) weeks in a newspaper of general circulation published in the town.
- (b) By mailing a notice thereof to the town clerk and to the Supervisor of the Town, and the owners of all adjoining property.
- (c) By mailing a notice thereof to every resident and association of residents of the town in the area affected as determined in Article IX, Section 3, that shall have registered its name and address for this purpose with the Board of Appeals.

Section 5.

The notices required by Section 4 shall state the location of the buildings or lot and the general nature of the question involved.

Section 6. Standards.

The Board of Appeals shall not grant a permit for any special exception unless it shall first determine that:

- A. It is reasonably necessary for the public health or general welfare and interest.
- B. It is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities.
- C. Neighborhood character and surrounding property values are reasonably safeguarded.
- D. Use will not cause undue traffic congestion or create a traffic hazard.⁴⁸

ARTICLE X. ADVERTISING SIGNS OR BILLBOARDS⁴⁹

Section 1.

No advertising sign or billboard shall be erected in any residence of Business District except as hereinafter provided in Section 8 of this Article.

Section 2.

No billboard shall be erected in an Industrial District:

- (a) Within one hundred (100) feet of the intersection of a highway with another highway or within one hundred (100) feet of any curve, corner, angle or turn of any highway.
- (b) Within two hundred (200) feet of any official traffic signs.
- (c) Within one hundred (100) feet of the outside edge of the right of way of any public road.
- (d) Within three hundred (300) feet of a cemetery, public park, school, playground, church or railroad station.
- (e) At a point where it would obstruct or interfere with the clear view of a train upon an intersecting railway or of another vehicle on the same or intersecting highway or at a point where it will interfere with safety.
- (f) Within three hundred (300) feet of a place of historical interest.
- (g) Exceeds 25 feet in length or 12 feet in height, or is within 100 feet of any other billboard.

- (ii) Unless all portions of the base line of the structure are at least 18 inches and not more than 3 feet above the surface of the ground upon which said structure is erected.

Section 3.

No advertising sign shall be hereafter erected in any district, except marquees and signs designating a theatre or hotel, unless:

- (1) It is a facial sign or a vertical sign not over six (6) feet in height, and in either case, does not extend out more than 18 inches over a public sidewalk or street, or
- (2) It is a "V" shaped sign, the center point of which does not extend out more than eighteen (18) inches over a public highway or street.

Section 4.

No advertising sign or billboard shall be painted, erected or maintained on the roof of any building, or affixed to or painted or erected upon stones, trees, or other natural objects.

Section 5.

No advertising sign or billboard, except signs permitted by Article IV, Section 2 (4), and signs having an area of one square foot or less of a public utility necessary or convenient for the direction, information of safety of the public, shall be hereafter erected in any district, unless a permit therefor has been obtained from the Building Inspector upon application to him in writing, and payment of a fee of Two Dollars (\$2.00). Forms of application shall be provided by the Building Inspector. It shall be the duty of the Building Inspector, upon the filing of such application to investigate the circumstances thereof before issuing the permit.

Section 6.

Advertising signs now erected or maintained in a Business or an Industrial District, and advertising the nature of the business conducted on the premises and/or the articles sold therein, which do not comply with Sections 2, 3 and 4 of this Article X, may nevertheless be temporarily kept and maintained by the owner thereof, provided he shall, within thirty (30) days after this amendment becomes effective, obtain from the Building Inspector, a permit to maintain such sign. Such permit shall be granted for a period terminating June 30, 1944. Each such permit shall be issued only upon written application to the Building Inspector, on a form provided by him, and on satisfactory proof that the sign is in good state of repair and safely constructed and erected, and on payment of a fee of Five Dollars (\$5.00). This section shall not apply to

non-facial signs which do not extend more than one (1) foot over a public sidewalk or street or erected prior to January 1, 1942.

Section 7.

Any advertising sign or billboard which shall violate the regulations of the Ordinance is hereby declared to be a public nuisance and if now erected in a Residential District, shall be removed or made to conform by the owner, tenant or lessee of the land within six months after the passage of this Ordinance, unless such time is extended by the Board of Appeals upon application therefor.

Section 8.

The following advertising signs are permitted:

- (a) In all districts, signs permitted by Article IV, Section 2, Subdivision (4), and signs having an area of one (1) square foot or less of a public utility necessary or convenient for the direction, information of safety of the public.
- (b) In Business or Industrial Districts, signs for which a permit has been granted, as provided by Section 5, advertising at the place of business the owner of and/or the nature of the business conducted thereon and/or the articles sold therein provided that such signs comply with Sections 3 and 4 of this Article X, and provided further that there shall not be more than two (2) such signs referring to each separately conducted business on any one street front affixed to any one building or parcel of land.
- (c) Danger or cautionary notices relating to the premises: advertisements or notices required by law or in any legal proceedings or put up by public authority.
- (d) Notices of any railroad or other transportation or transmission company necessary for the direction or information or safety of the public or announcing the name of any station or office of such company, or signs or advertisements or advertising devices maintained and displayed on or in any car of a corporation subject to the provisions of the public service commission law.
- (e) Any sign, if intended for permanent use, containing six square feet or less — and if intended for temporary use not exceeding thirty days containing 36 square feet or less — and bearing an announcement by a fire district, incorporated fire company, chamber of commerce, church, library, museum, ecclesiastical, educational, charitable or historical

society and advertising its meetings, buildings or attractions, whether maintained at public or private expense.

- (f) Any sign maintained by the Town of Huntington for directional purposes and containing not exceeding 18 square feet, relating to any museum, educational, charitable or historical society, library, church, chamber of commerce, hotel or other local activity or attraction.
- (g) Any sign now existing, constructed and maintained in connection with a theatre or hotel, although not complying with Sections 3 and 4 of this Article X, provided the person responsible for the maintenance thereof files with the Building Inspector within two weeks after this amendment becomes effective and annually thereafter, satisfactory written proof on a form to be provided by the Building Inspector, that such sign is being maintained in good condition and safely constructed and erected, and pays to the Building Inspector a fee of Five Dollars (\$5.00) annually.
- (h) In Business or Industrial District, a non-facial sign erected prior to January 1, 1942, which does not extend more than 1 (one) foot over a public sidewalk or street, and signs painted on awnings or glass windows or interior signs.

Section 9.

The Building Inspector may remove any advertising sign or billboard which shall violate any provision of this Ordinance. Before doing so he shall notify the owner, tenant or lessee of the land upon which such sign or billboard is erected, personally or by mail if such person cannot with reasonable diligence be found, of his intention to remove said sign or billboard. If such owner, tenant or lessee shall thereupon and within ten days serve upon the Building Inspector objection in writing to such removal, the said sign or billboard shall not be removed until forty days after the service of said objections.

Section 10, Definitions.

The term "advertising sign" or "sign" as used in this Ordinance means any outdoor advertising sign, advertising medium, structure, device or anything which advertises or calls attention to any business conducted on, or to articles sold on the premises, to which the sign is affixed, but shall not include signs painted on awnings, glass windows or attached to the interior of any building. The term "facial sign" shall mean a sign whose base line is substantially parallel to the street or curb line and the back of which is flat against the structure to which it is affixed.

The term "vertical sign" shall mean a sign whose edge is parallel to the face of the structure to which it is affixed, and whose face is at right angles thereto.

The term "billboard" as used in this Ordinance shall mean any outdoor advertising sign, advertising medium, structure, device, or anything which advertises or calls attention to any business not conducted on or to articles not sold on the premises, to which the sign is affixed.

Section 11. Marquees, theatre and hotel signs.

No marquees or sign constructed and maintained in connection with a theatre or hotel shall be hereafter erected which extends more than eighteen (18) inches over a public sidewalk or street, except by special permission of the Zoning Board of Appeals.

Section 12.

No permit issued under this Article X shall be construed or used as evidence of the safety of any advertising sign, billboard or marquee device described therein or relieve the owner or advertiser from liability for negligence in the erection or maintenance thereof.

ARTICLE XI AMENDMENTS

Section 1.

The Town Board may from time to time amend, supplement, change, modify or repeal (hereinafter referred to as "amend") this Ordinance, including the Building Zone Map, by proceeding in the following manner:

Section 2.

The Town Board by resolution adopted at a stated meeting shall fix the time and place of a public hearing on the proposed amendment and cause notice thereof to be given as follows:

- (a) By publishing a notice thereof, as required by law.
- (b) By posting a printed copy of such notice on the sign board maintained by the Town Clerk pursuant to subdivision 6 of Sec. 30 of the Town Law.
- (c) The notices shall state the general nature of the proposed amendment.⁶⁰

Section 3.

Should a property owner desire to "amend" this Ordinance including the map or the regulations pertaining thereto, the Board of

Appeals, on the written request of the Town Board or the property owner, shall determine the area affected by such desired amendment. Whenever the owners of fifty per centum (50%) or more of the area so determined and fifty per centum (50%) of the total number of owners in such affected area shall present to the Town Board a petition duly signed and acknowledged requesting such amendment, the Town Board shall call a public hearing thereon and cause notice thereof to be given in the manner prescribed in Section 2 of this article.

Section 4.

At a public hearing full opportunity to be heard shall be given to any citizen and all parties in interest.

Section 5.

The Town Board shall not be required to call a public hearing unless the cost of advertising and posting such notice, as determined by the Town Board, shall have first been deposited with the Town Clerk.

ARTICLE XII GENERAL PROVISIONS

Section 1.

No building shall exceed eighty-five feet in height, except towers and/or antennas for an amplitude modulation broadcasting station.⁵¹

Section 2.

No lot area shall be so reduced that the dimensions of any of the open spaces shall be smaller than herein prescribed.

Section 3.

In any district no public garage for more than three (3) motor vehicles and no gasoline vending station shall be erected within two hundred (200) feet of the lot line of any premises used for a school, public library, church, hospital or orphanage, except with the approval of the Board of Appeals after a public hearing thereon. In any district, no theater, motion picture theater, pool or billiard room, bowling alley or roller skating rink shall be erected within two hundred (200) feet of the lot line of any premises owned and occupied on or before the effective date of this Ordinance by a school having at least seventy-five (75) full-time students, a public library, church, hospital or orphanage, except with the approval of the Board of Appeals after a public hearing thereon.⁵²

Section 4.

On any corner lot, no wall, fence, or other structure shall be erected or altered, and no hedge, tree, shrub or other growth shall be maintained, which may cause danger to traffic on a street by obscuring the view.

Section 5. Non-conforming Uses.

The lawful use of land or a building or structure existing at the time of passage of this Ordinance may be continued, although such use does not conform with the provisions of this Ordinance, and such use may be extended throughout the building or structure, but not the land, lawfully acquired previous to the said date, except that billboards and other advertising media may not be continued to be used more than six months, if in a Residence District, after this Ordinance, as hereby amended, takes effect except with permission of the Board of Appeals. A non-conforming use may be changed to a use of higher classification according to the provisions of this Ordinance. Whenever a district shall hereafter be changed, any then existing non-conforming use in such changed district may be continued or changed to a use of a similar or higher classification, provided all other regulations governing the new use are complied with. Whenever a non-conforming use of a building has been discontinued or changed to a higher classification or to a conforming use, such use shall not thereafter be changed to a use of a lower classification. No building which has been damaged by fire or other cause shall be repaired, altered or rebuilt for any other non-conforming use, and such building when repaired, altered or rebuilt, shall not exceed the original building in height or lot area covered.

Section 6. Validity.

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the Ordinance as a whole or any other part thereof.

Section 7. Interpretation, Purpose and Conflict.

In interpreting and applying the provisions of this Ordinance they shall be held to be the minimum requirements for the promotion of the health, safety, morals or the general welfare of the public. It is not intended by this Ordinance to interfere with or abrogate or annul any town Building Code or any rules and regulations adopted or issued thereunder, or the rules and regulations of the Board of Health of the Town of Huntington, and not in conflict with any of the provisions of this Ordinance; provided, however, that where this Ordinance imposes a great restriction upon the use of build-

ings or premises or upon the height of the building, or requires larger open spaces than are imposed or required by such Ordinances, rules and regulations, the provisions of this Ordinance shall control.

Section 8. Remedies.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance or of any regulation made pursuant thereto, in addition to other remedies provided by law any appropriate action or proceeding, whether by legal process or otherwise, may be instituted or taken to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises.

Section 9. Penalties.

For any and every violation of the Provisions of this Ordinance the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, building contractor or any other person who knowingly commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist, shall be liable on conviction thereof to a fine or penalty not exceeding twenty-five dollars (\$25.00) for each and every offense, and whenever such persons shall have been notified by the Inspector or by the service of a summons in a prosecution or in any other way that he is committing such violation of this Ordinance, each day that he shall continue such violation after such notification shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

Section 10.

This Ordinance shall become effective immediately.

ADDENDA I

Changes of a Special Nature

(In conjunction with certain amendment to the Building Zone Ordinance the Town Board passed two resolutions or amendments which did not change the text of the Ordinance yet went further than a mere change in classification of property. These changes are here printed in full. The dates given are the dates on which the resolutions were passed and the resolutions will be found in the Town Board minutes of those dates.)

(1) June 30, 1937

BE IT FURTHER RESOLVED AND ORDAINED that each and every of the lots and plots hereinafter set forth situate in "Shorewood" at Centerport in the Town of Huntington, County of Suffolk, New York, be excepted from the provisions of Article IV, Section 4, Subdivision B (paragraph 5) so as to permit each and every of said lots and plots to be built upon as they now exist and in accordance with their present respective widths as shown by Map No. 1080 filed in the Office of the Clerk of the County of Suffolk on May 25, 1932, Map No. 816 filed in the Office of the Clerk of the County of Suffolk on September 10, 1926, Map No. 88 filed in the Office of the Clerk of the County of Suffolk on September 9, 1927 and Map No. 197 filed in the Office of the Clerk of the County of Suffolk on December 11, 1928:

On Map 1080, filed in Suffolk County Clerk's Office on May 25, 1932:

47, 48, 83, 86, 89, 90, 96, 98, 109, 110, 114B, 128, 136, 140, 150, 153, 164, 165, 167, 169, 171, 180, 181, 183, to 189 inclusive, 193, 195 to 198 inclusive, 202, 211 to 216 inclusive, 218, 220, 222, 225, 247, 250 to 252 inclusive, 254, 256, 259, 265, 277, 291, 292, 295A, 296, 298 to 300 inclusive, 307A, 310.

On Map 816, filed in Suffolk County Clerk's Office on September 10, 1926:

1 to 4 inclusive, 8 to 15 inclusive, 18 to 21 inclusive, 24, 25, SE 1-2 of 30, 31, 33.

On Map 88, filed in Suffolk County Clerk's Office on September 9, 1927:

Block A

6 to 8 inclusive, 10 to 19 inclusive, 24 to 26 inclusive, 28, 29.

- Block B
1, 6 to 8 inclusive, 17 to 25 inclusive, 30.
- Block C
2, 5, 8 to 17 inclusive, 20 to 26 inclusive.
- Block D
1 to 4 inclusive, 6 to 8 inclusive, 12 to 27 inclusive.
- Block E
3 to 5 inclusive, 9, 10.
- Block F
1 to 7 inclusive, 9, 11.

On Map 197, filed in Suffolk County Clerk's Office on December 11, 1928:

- Block A
14, 22, 41, 42.
- Block C
1, 2, 4, 6 to 11 inclusive.
- Block D
2 to 8 inclusive, 13 to 15 inclusive, 18, 19.
- Block E
9 to 13 inclusive, 15 to 17 inclusive, 22, 23.
- Block F
1 to 10 inclusive, 12 to 30 inclusive, 32.
- Block G
1, 3, 4, 8 to 12 inclusive, 14 to 28 inclusive.
- Block H
1 to 25 inclusive.

(*) September 23, 1947
BE IT RESOLVED that the Town Board of the Town of Huntington does hereby amend the Building Zone Ordinance and Building Zone Map of the Town of Huntington in the following manner:

By changing from Res. "E" to Res. "D" all that property lying within the boundaries of the filed maps of "Denton Hills," bounded on the north by Washington Drive and Centerport Road, on the east by the filed map on "Shorewood," on the south by Route 25-A, on the west by land of or formerly Vellor and Washington Drive, EXCEPT THAT ALL LOTS WITHIN THIS AREA THAT ARE UNBUILT UPON AT THE EFFECTIVE DATE OF THIS AMENDMENT SHALL BE EXEMPTED FROM THE AREA, WIDTH AND SIDE YARD REQUIREMENTS OF RES. "D" ZONE BUT SHALL CONTINUE TO COMPLY WITH THE AREA, WIDTH AND SIDE YARD REQUIREMENTS OF RES. "E" ZONE.

By changing from Res. "D" and "C" to Res. "B" an area bounded on the north by Long Island Sound; on the east by the Smithtown town line; on the south by Middleville Rd.; and on the west by a line 150 feet east of Fort Salonga Rd. (Route 25A), an existing Res. "E" area and the Northport and Asharoken Beach Village boundaries, except that all Res. "E" areas and "Business" areas lying within said boundaries shall be exempt from such proposed change and shall remain as at present constituted and EXCEPT THAT ALL LOTS ON FILED MAPS WITHIN THE AREA, WHICH FAIL TO COMPLY WITH THE REQUIREMENTS OF RES. "B" ZONE AS TO AREA, WIDTH, SHALL BE EXEMPT FROM SUCH REQUIREMENTS, BUT SHALL BE SUBJECT TO THE REQUIREMENTS OF RES. "C" ZONE AS AT PRESENT and except that the area east of Bread and Cheese Hollow Road between Brookfield Road and Fort Salonga Road shall be exempt from such proposed change and shall remain as at present constituted.

(3) June 10, 1947

BE IT RESOLVED that the Town Board of the Town of Huntington does hereby amend the Building Zone Ordinance and Building Zone Map of the Town of Huntington in the following manner:

By changing from Res. "E" to Res. "D" all land lying within the boundaries of the filed map of "Shorewood Sec. 1 to 4" inclusive, EXCEPT THAT ALL LOTS WITHIN THIS AREA THAT ARE UNBUILT UPON ON THE EFFECTIVE DATE OF THIS AMENDMENT SHALL BE EXEMPTED FROM THE AREA, WIDTH AND SIDE YARD REQUIREMENTS OF SAID RES. "D" ZONE, BUT SHALL CONTINUE TO COMPLY WITH THE AREA, WIDTH AND SIDE YARD REQUIREMENTS OF RES. "E" ZONE.

ADDENDA II

Changes in Classification Only

In addition to the above, various changes in property classification have been made. All such changes which occurred prior to April 27, 1948 have been incorporated in the revised map which was adopted as part of and as an amendment to this Ordinance on that date. The dates of the changes are here given for reference:

- June 30, 1937
- July 21, 1937
- September 8, 1937
- May 25, 1938

December 21, 1938	February 27, 1945
May 3, 1939	August 14, 1945
February 9, 1940	March 26, 1946
May 3, 1940	May 14, 1946
July 16, 1940	July 15, 1946
July 8, 1941	April 29, 1947
August 26, 1941	June 10, 1947
November 10, 1942	September 23, 1947
December 21, 1943	April 27, 1948

Subsequent to the publication of the Revised Amended Building Zone Map changes in classification were made on the following dates:

September 28, 1948	March 13, 1951
April 12, 1949	September 11, 1951
March 28, 1950	November 13, 1951
May 9, 1950	June 17, 1952
August 8, 1950	June 17, 1952
October 10, 1950	July 1, 1952
October 24, 1950	October 14, 1952

ADDENDA III

Changes by Planning Board

Pursuant to delegated power from the Town Board under Section 281 of the Town Law the Planning Board has made the following changes and modifications in connection with the approval of subdivision maps:

Res. B to Res. B-1	Map of Broadfields
Res. C to Res. B-1	Map of Wychwood
Res. E to Res. B	Map of Landview
Res. E to Res. B-1	Map of Intervale
Res. C to Res. D	Map of Huntington Beach Section 10
Res. D & Res. C to Res. B-1	Map of Pembroke

March 16, 1949 Map of Rollingwood Section 2

RESOLVED that the map Map of Rollingwood Section 2 is approved including the zoning modifications in respect to plot size as shown on the Preliminary Map.

March 23, 1949 Map of Eastbrook

RESOLVED that the Map of Eastbrook is approved on a basis of 17 plots, as shown on the Final Map of Eastbrook, and the zoning regulations are modified to conform to this plot layout in respect to plot sizes only.

July 14, 1949 Maps of Rollingwood Section 3 & 4

RESOLVED that the zoning requirements of the area within the Map of Rollingwood Section 3 be modified to permit the establishment of a neighborhood shopping center in accordance with the plans for same which are attached to the map in the Planning Board files.

RESOLVED that the zoning requirements within the area of the Map of Rollingwood Section 4 be modified to permit the minimum size plots along the western edge of said map to be those shown on the Final Map of Rollingwood Section 4.

October 19, 1949 Map of Sound Shore Bluffs

RESOLVED that the zoning of the area within the boundaries of said map be modified, pursuant to Section 281 of the Town Law, in the following manner:

Minimum size of plots shall be reduced from one acre to the sizes and dimensions shown on the Final Map of said subdivision.

No plot may be further reduced by sale, gift or other means, and no building permit shall be issued unless the dimensions of the plot in question correspond to those shown on said map.

The front yard requirements shall be modified as follows:

- Plots 1- 19 inclusive shall be 50 feet
- Plots 20- 37 inclusive shall be 40 feet
- Plots 38- 48 inclusive shall be 40 feet
- Plots 49- 56 inclusive shall be 35 feet
- Plots 57- 64 inclusive shall be 50 feet
- Plots 65- 81 inclusive shall be 25 feet
- Plots 82-107 inclusive shall be 35 feet
- Plots 108-110 inclusive shall be 30 feet
- Plots 111-114 inclusive shall be 50 feet
- Plots 115-150 inclusive shall be 40 feet

The side yard requirements for interior lots shall be not less

than 12 feet except Lots No. 66-81 inclusive which shall be not less than 7 feet.

The side yard requirements for corner lots shall be not less than 20 feet on the side street frontage.

Rear yard requirements shall remain 50 feet.

Detached garages and other accessory buildings shall be located not less than 65 feet back from the front line of any lot and on corner lots shall be set back from the side street not less than 30 feet. Such garages and accessory buildings shall be located not less than 12 feet from the side and rear lot lines, except on Lots No. 66-81 inclusive, where garages and other accessory buildings shall be not less than 7 feet from side and rear lot lines.

Feb. 15, 1950 Map of Country Club Heights Sec. 8

RESOLVED that the zoning requirements of Res. "A" district be modified to permit plots of less than 2 acres having less than 150 feet average width, as shown, with all other "B" district requirements to be in force, in that portion of the map lying within the Res. "A" district.

May 17, 1950 Map of Winoka Village Section 1

RESOLVED that within this Res. "C-1" district there may be established a neighborhood shopping center provided it conforms in all respects to the following regulations:

1. No building may be erected except within the area designated on said map as 'Building Area'.
2. All buildings shall be of 'ordinary construction' or better, and shall not exceed one story in height.
3. Service drive and parking area shall be constructed and maintained as shown on said map.
4. No exterior neon or other illuminated sign, nor any roof signs or parapet signs shall be erected anywhere within the area or upon any building to be erected therein. No billboards or advertising signs of the free standing type shall be erected anywhere within the above described area, other than one such sign, not over 72 sq. ft. in area designating the shopping center.
5. No garages or gasoline stations nor any amusement enterprises such as theatres, bowling alleys, pool rooms, or the like shall be established or maintained within the area and no retail liquor stores or establishments for the sale of liquor for consumption on the premises shall be established or maintained therein.

6. No accessory building of any sort shall be erected within the area nor shall any living quarters be erected or maintained within or above any building.

7. The following uses and none other, shall be permitted within the buildings to be erected within the "Building Area" as shown on said map, and no uses other than parking and service drives shall be permitted in any other part of the above described area:

Permitted uses:

1. Food, drug, hardware, house furnishings, candy, stationery and periodicals, clothing, fabrics, decorator's goods, furniture, bakery, jewelry, musical instruments, paint and wallpaper stores.
2. Barber shops and beauty parlors, tea rooms and gift shops, professional offices.
3. Laundry and dry cleaning pick-up stations but not processing plants.

June 21, 1950 Map of Clayton Park

RESOLVED that the zoning regulations applicable to the area within Clayton Park are hereby modified to permit plots of less than 10,000 sq. ft. and less than 100 feet average width, as shown, all other regulations applicable to the area to remain in full force and effect.

Feb. 15, 1950 Map of Oakfield Section 2

RESOLVED that the zoning regulations applicable to the area within the map of Oakfield Section 2 be modified to permit the establishment of a neighborhood shopping center, as shown, with the following restrictions:

1. No building shall hereafter be erected in said shopping center except within the area designated on the map as "Building Area"
2. No accessory buildings of any kind shall be permitted in said "Building Area."
3. No building in said area shall be more than one story in height.
4. No use shall be permitted in said shopping center or in any of the buildings erected therein except those Business or Commercial uses listed under Article VI Section 2 (g), (i), (j), and (k) of the Building Zone Ordinance

July 9, 1952 Map of Oakfield Sec. 2

RESOLVED that notwithstanding the above provisions relative

to residential use, this resolution is hereby amended to permit residential use for the proprietor of a business establishment and his family within the area, provided said residential quarters comply in all respects to the requirements of the Building Code for residential uses in General Business Districts, and provided the plot on which the structure is to be built contains at least 5000 square feet.

May 24, 1950 Map of Friendship Homes Sec. 1.

RESOLVED that the zoning regulations applicable to the 200 foot strip along the west side of Manor Road be modified to permit four plots, as shown on the map, to be laid out, said plots being subject to no further reduction in area, and all other requirements of Res. "B" district to remain in force in the 200 foot strip referred to above.

July 9, 1952 Map of Westlands

RESOLVED that the zoning regulations applicable to the area within the boundaries of said map of Westlands be modified in the following respects:

1. The minimum size of residential plots within the boundaries of said map shall be 6500 sq. ft. and the minimum average width 65 feet. No plot shall be subsequently divided or otherwise reduced so that smaller or narrower plots result.
2. The area on said map designated as 'Reserved Area' shall not be built upon but shall be deeded to a membership association of the residents of the development and thereafter equipped and maintained by said association, as a community recreation area. Should no such association able and willing to accept said area under such condition be formed within a period of five years from the date of the approval of the final section of said map of Westlands, then the developer may divide said area into not more than three plots and build thereon for sale.
3. The area presently zoned for General Business on the east side of West Hills Road, from a point 500 feet north of Jericho Turnpike to the northerly boundary of the subdivision shall be changed to Res. "E" classification.
4. The area lying north and east of the existing General Business District fronting on the east side of West Hills Road and the north side of W. Jericho Turnpike shall be added to said General Business District to form an approximate rectangle the northerly boundary of which shall be a line 500 feet north of W. Jericho Turnpike, and the easterly boundary of which shall be a line 500 feet east of West Hills Road, (after widening).

Within said General Business District thus created and designated as Plot C on said map, the maximum coverage of land with buildings, including permitted accessory buildings but not including covered parking spaces or parking sheds, shall be 60,000 sq. ft.

5. The area presently zoned for General Business on the north and west of the intersection of W. Jericho Turnpike and West Hills Road, shall be increased in depth by adding to it the area presently zoned Res. "E" lying to the north thereof, and the northerly boundary of the General Business District thus created shall be established as a line parallel to W. Jericho Turnpike and 500 feet north thereof, extending from West Hills Road to Jones Lane. Within said General Business District thus created the maximum coverage of land with buildings, including permitted accessory buildings but not including covered parking spaces or parking sheds, shall be 50,000 sq. ft. Said area shall be designated on the map as Plot D.
6. Within any General Business District on said map, designated as plots A, B, C or D, any use permitted by the Zoning Ordinance of the Town of Huntington in a General Business District shall be permitted except:
 - any residential use
 - metal working, tinsmith, gas, steam or hot water fitting shop; laundry and dry cleaning plants, (but not pick-up stations),
 - gasoline service stations (except as accessory to automobile showrooms)
 - any business in which goods for sale are displayed out of doors
 - any use in which materials are assembled and processed or manufactured for sale at retail elsewhere, or for wholesale sale.
7. Prior to the issuance of any permit for any building or structure of whatever kind on plots C and D, as shown on said map, a plot plan satisfactory to the Building Inspector and the Planning Board shall be submitted. Such plan shall show clearly the exact location of each building or structure, all entrances and exits therefrom, grades, parking arrangements, service areas and landscaped areas, suitable set-backs from all abutting streets and lot liens.

Nov. 15, 1950 Map of Birch Hill Estates

RESOLVED that the zoning regulations applicable to this Res. "B-1" district be modified in the following respects:

1. Plots 1 and 10, as shown, to be 1/2 acre in area or larger.
2. Plots 2 to 8 incl. to have minimum frontages of 80 feet.

3. Plots 9, 11, 12, 13 and 14 to be as shown.
4. Side yard requirements of plots 2 to 14 incl., except plot 10, to be reduced to 8 feet on one side and to 10 feet on the other.
5. Front and rear yard requirements to be reduced to 35 feet for all plots except 1 and 10.

Feb. 20, 1952 Map of Birch Hill Estates

(The above stated resolution was amended under this date as follows:)

RESOLVED that lot No. 14 may be reduced by sale to the owner of the adjacent described property west thereof of sufficient land to permit the erection of a garage attached to the existing dwelling on said described property, with a side yard of 8 feet adjacent to lot No. 14.

March 21, 1951 Map of Pondview Sec. 1

RESOLVED that the zoning regulations applicable to the area within this map, zoned Res. "C" and "B-1", be modified to permit plots having less than 100 feet average width, as shown, and to make the side yard requirements of Res. "C" district apply to the entire area within the map.

Oct. 7, 1951 Map of Naquatack Sec. 1

RESOLVED that the zoning regulations applicable to the area within this map be modified to permit plots of less than 2 acres, as shown, said plots being subject to no further reduction in area, and none of the remaining plots to be reduced in any manner to less than 2 acres.

Oct. 17, 1951 Map of East Wilton Estates

RESOLVED that the zoning regulations applicable to that part of this map lying east of Crosby Place be modified to permit said area to be divided into four one acre plots, all other requirements of Res. "A" district to remain in full force and effect.

Jan. 30, 1952 Map of Forest Home

RESOLVED that the zoning regulations applicable to the property within the boundaries of this map be modified to permit plots of less than 1 acre but not less than 20,000 sq. ft. and to make the side yard requirements of Res. "B-1" district apply within the area on this map.

March 19, 1952 Map of Fawn Hills Sec. 1

RESOLVED that the zoning requirements applicable to the area within this map be modified as follows:

1. No plot in the development shall contain less than 10,000 sq. ft.

2. Front yard requirement shall be 30 feet, interior side yard 15 feet and corner side yard 25 feet. Rear yard shall be 25 feet, all minimum dimensions.

May 14, 1952 Map of Holst Terrace

RESOLVED that the zoning regulations applicable to the property within the boundaries of this map be modified to permit four of the five plots shown to be less than 1 acre in area, but not less than 0.906 acres in extent.

June 18, 1952 Map of Deanin Homes

RESOLVED that the zoning regulations applicable to the property within the boundaries of this map be modified as follows:

1. Depth of "General Business" district east of Longfellow Dr. be increased to 400 feet as shown.
2. Depth of "General Business" district west of Longfellow Dr. be increased in depth to 215 feet at its easterly end, as shown.
3. Building areas and set, back lines to be established in said "General Business" districts as shown.

June 18, 1952 Map of Kentwood

RESOLVED that the zoning regulations applicable to the property within the boundaries of this map be modified to permit lots of less than 100 feet average width and 10,000 sq. ft. area, but not less than 85 feet average width and 9300 sq. ft. area, to the maximum number of 30, as shown.

June 18, 1952 Map of Hartland

RESOLVED that the zoning regulations applicable to the property within the boundaries of this map be modified as follows:

1. Depth of "General Business" district on west side of Walt Whitman Road be increased to 200 feet, except as hereinafter provided.
2. Northerly 250 feet of existing "General Business" district on west side of Walt Whitman Road shall be changed to Res. "D".
3. Before the granting of any permit for any structure in the aforesaid "General Business" district, a plot plan showing satisfactory off-street parking arrangements, adequate and safe entrances and exits from said parking field, and adequate screen planting around said "General Business" district shall be filed with and approved by the Planning Board and the Building Inspector.
4. Area in southeast corner of property shown on Preliminary Map as Storm Water Basin may be used for employee parking, provided same is not required for drainage, and provided same is adequately graded and surfaced.

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- ⁷ Amended Nov. 13, 1951
- ⁸ Added June 17, 1952
- ⁹ Added Sept. 11, 1951
- ¹⁰ Art. VII completely rewritten Sept. 23, 1947
- ¹¹ Amended June 17, 1952
- ¹² Added June 17, 1952
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- ¹⁸ Added Nov. 13, 1951
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- ²¹ Amended April 3, 1951
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