

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Sagaponack on the 17th day of September 2025, adopted the following local law:

LOCAL LAW NO. 1 OF 2025

A LOCAL LAW AMENDING VILLAGE CODE SECTION 245-33(B)(2)(b) REGARDING AN EXCEPTION IN THE GROSS FLOOR AREA CALCULATION FOR CERTAIN ROOFED PORCHES IN THE FRONT YARD.

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF SAGAPONACK AS FOLLOWS:

SECTION 1. PURPOSE.

Excepting certain roofed porches from the Code's gross floor area calculation would incentivize homeowners to include them in their architectural designs. Front-yard porches, particularly those visible from the street, further the Village's goal of promoting a rural and agricultural aesthetic.

SECTION 2. AMENDMENT/ENACTMENT.

Village Code Section 245-33(B)(2)(b) is amended and enacted as follows:

§ 245-33 Minimum and maximum floor area requirements.

B. Maximum floor area.

*new language is underlined.

(2) In determining the maximum permitted floor area ratio, the following shall apply:

(b) Gross floor area shall be that area in square feet of all floor levels of any dwelling measured to the exterior of the outside walls. Gross floor area shall not include:

[1] Unroofed decks, unroofed patios, open terraces, tennis courts, unroofed and unenclosed swimming pools, unroofed and unenclosed porches and basements, cellars and attics.

[2] Any first floor space used for the placement and location of mechanical (heating, ventilation, air conditioning and water pumps) systems, not in excess of 200 square feet, provided that regulatory provisions or local flooding conditions prohibit placement of these systems below the first floor.

[3] ~~Any roofed and unenclosed porches, r~~Roofed garages and other roofed storage areas attached to the dwelling, and any detached roofed accessory buildings and structures except that the total floor area of all the aforesaid attached and detached structures, when added to the gross floor area of the dwelling, shall not exceed 115% of the maximum permitted gross floor area of the dwelling.

[4] Any structure typically consisting of parallel colonnades supporting an open roof of girders and cross rafters or a frame structure typically consisting of posts with a latticework roof, in either case commonly referred to as a pergola, shall not be included in gross floor area calculations if the total lot coverage area for all pergolas on the lot, when measured from their outermost edge is less than or equal to 300 square feet and its height is less than or equal to 10 feet above grade. Any excess in the lot coverage of the total pergolas greater than 300 square feet and any portion of any pergola in excess of 10 feet in height shall be included in gross floor area calculations as if it were a roofed accessory building and subject to the limitations of Subsection B(2)(b)[3] above.

[5] Porches in the front-yard that are roofed, measure no more than 140 square feet, and are unenclosed from the sides with no doors, windows, patio sliders, or any other fenestration. Screening shall be permitted. All other porches that are roofed and unenclosed but do not meet the foregoing criteria shall be subject to the limitations of Subsection B(2)(b)[3] above.

SECTION 3. SEQRA.

This is a Type II action under 6 NYCRR § 617.5(C)(26).

SECTION 4. SEVERABILITY.

Should any part or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State as provided by law.

Dated: September 17, 2025

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF SAGAPONACK
Rosemarie Cary Winchell, CMC
Village Clerk-Treasurer