

VILLAGE OF GARDEN CITY
BOARD OF TRUSTEES

Local Law 14-2016

A Local Law to Amend
Chapter 57 of the Village
Code With Respect to
Architectural Review.

BE IT ENACTED, by the Board of Trustees of the Incorporated Village of Garden City,
as follows:

Section 1. Chapter 57 of the Village of Garden City Code, entitled “Architectural Review”, is hereby amended as follows:

§ 57-5.1 Demolition permits.

No permit for the demolition of a residence may be issued except in accordance with the following:

- A. Where a new residence is proposed, the applicant has received all permits and approvals, including approval from the ADRB, for the construction of a new residence on the same property; or
- B. Where no new residence is proposed, the applicant submits a plan to the Building Department for maintenance of the property, which shall include removing foundations to a minimum of one foot below grade, leveling the grades and planting grass, maintaining the grass cover, and keeping the site in a condition that will not result in any adverse visual impact from the vantage point of neighboring properties or any street. The maintenance plan shall be subject to approval by the Building Department and shall further include commitments by the owner of the property to: (1) maintain the property from the time of demolition until the property is redeveloped; (2) safely fill any foundations or other excavations on the site immediately following demolition; and (3) post a letter of credit or cash deposit with the Village in the amount of \$10,000 to ensure completion and maintenance of the landscaping called for under the plan. The letter/deposit shall be given to the Village prior to issuance of the demolition permit and shall be held by the Village for three months after completion of all landscaping is complete, as determined by the Building Department, after which time the letter/deposit shall be released. A maintenance plan created pursuant to this section shall constitute a Type II Action for purposes of SEQRA, provided such plan does not include the creation of impervious lot coverage, retaining walls, or the removal of two or more trees.
- C. In the event the Village determines a property is not or has not been maintained in accordance with an approved maintenance plan, it shall mail a notice to the property owner directing that the condition be remedied. If no remedial action is taken by the property owner within 30 days after mailing of the notice, the Village may enter upon the property

and perform such basic maintenance as is necessary and shall charge the cost of such work, plus any incidental costs or expenses, to the property owner. Reimbursement for the above-referenced costs and expenses shall first be drawn from the letter of credit or deposit held by the Village. After the letter/deposit has been released, or is exhausted, the costs and expenses shall be charged directly to the property owner(s) and shall be reduced to a lien against the property if left unpaid for a period of 30 days after written demand is mailed to the owner's last known address.

§ 57-14 Mailing of notice of demolition.

- A. Every applicant granted approval for a demolition permit pursuant to 57-5.1 shall mail written notice of demolition to the owner(s) of each property within the notification area defined in 57-14(B). No permit for demolition shall be issued until 10 days after mailing of such notice and submission of proof of mailing to the Building Department.
- B. The written notice set forth in 57-14(A) shall be mailed to the record owner(s) of each property which shares a common boundary line with the subject property as well as the owner(s) of all properties located directly across the street from any portion of the front or side yards of the subject property.
- C. The written notice described in 57-14(A) shall include of a description of the location of the subject property; the proposed action; the approval(s) granted, and the anticipated date for commencement of demolition.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State.