

**VILLAGE OF MONROE**  
**AMENDMENT TO CHAPTER 200, ZONING, TO REGULATE PREEXISTING**  
**NONCONFORMING BULK**

BE IT ENACTED by the Board of Trustees of the Village of Monroe, Orange County,  
New York, as follows:

**Section 1.** Legislative Intent and Purposes.

The Village Board finds that modifications, alterations, or construction that increases nonconformity with the Village's bulk regulations negatively impacts the existing character of Village neighborhoods.

**Section 2.** Authority.

This local law is enacted by the Village Board of Trustees of the Village of Monroe pursuant to its authority to adopt local laws contained in the New York State Constitution and Section 10 of the Municipal Home Rule Law.

**Section 3.** Chapter 200 ("Zoning")

Paragraph A, titled, "Residential buildings or structures," of § 200-64, titled, "Buildings, structures or lots with nonconforming bulk," of Article XIII, titled, "Nonconforming Uses, and Nonconforming Buildings," of Chapter 200, "Zoning," of the Village of Monroe Code is hereby amended by deleting it in its entirety and replacing it with the following:

- A. An increase in degree of noncompliance or the creation of a new noncompliance with the district regulations and bulk table provisions within the meaning of this article shall include all of the following:
  - a. The lateral extension of a noncomplying portion of a building for a distance greater than presently exists, even where the distance of that building from the property line remains the same. Thus, for example, the owner of a building that does not comply with the applicable side yard requirement may not, without obtaining a variance, build an extension on the side of his or her building, running toward either the front or the rear of the existing side footprint, even if it comes no closer to the property line than the existing building.
  - b. An upward expansion of a building, even at the same dimension as an existing setback noncompliance (because such an expansion increases the mass or volume of the noncompliance).
  - c. The in-filling of open-air space (such as a porch) at the same dimension as an existing setback noncompliance (because such an expansion increases the mass or volume of the noncompliance).

- d. The extension of an existing noncomplying building closer to a property line than bulk rules require (but less than the currently existing nonconformity) where the portion of the building to be so extended is currently in compliance with bulk requirements and is a different portion of the building than where the current noncompliance exists.

**Section 4. SUPERSEDING PROVISION.**

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

**Section 5. SEVERABILITY.**

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

**Section 6. EFFECTIVE DATE.**

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.