

**TOWN OF GENOA**  
LOCAL LAW No. 1 of the year 1988

Set Back & Lot Area Law for the Town of Genoa

Be it enacted by the Town Board of the Town of Genoa as follows:

ARTICLE I

Section 1: Short Title

This law shall be known as the "Set Back & Lot Area Law for the Town of Genoa".

Section 2: Enactment Clause

Enacted pursuant of the authority conferred by Article 2 of the Municipal Home Rule Law.

Section 3: Purpose

It is the purpose of this Law to promote the health, safety, and the general welfare of the Town; to secure safety from fire, to provide adequate light and air; to prevent the overcrowding of land; to avoid concentration of population and to insure the purity of ground water.

ARTICLE II

Section 4: Definitions

Building: Any structure having a roof supported by columns or by walls intended for the shelter, housing or enclosure of persons, animals or chattel.

Right-of-Way: Land reserved for use as a street, alley, or for other public purpose.

Set-back or building line: The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way.

Lot: Parcel of land occupied, or designed to be occupied by one building and the accessory buildings or uses customarily incident to it, including such open spaces as are arranged and designed to be used in connection with such buildings. A lot may or may not be the land shown as a lot on a duly recorded plot.

Lot: width of: The main width measured at right angles to its depth.

Public Street: A Town highway, County highway or a State highway, but not a Town highway which at the time of the application for permit described herein is designated as a seasonal use highway by the Town Highway Superintendent.

Private Roadway: Any road providing ingress and egress to a lot or lots which is not part of the Town highway system.

ARTICLE III

Section 5: Lot Area

No permits shall be issued for the erection of a new building used or intended to be used for residential purposes unless the lot upon which it is located contains a minimum area of Forty thousand square feet; except that lots that front upon the shore of Cayuga Lake are not subject to this requirement.

## Section 6: Lot Area Standards

No building used or intended to be used for residential purposes shall hereafter be constructed on a lot unless said lot has a minimum frontage of 150 feet on a public street or on a private roadway. Except that lots fronting Cayuga Lake must have a frontage on Cayuga Lake of 75 feet.

## Section 7: Building Setback Line

a) All buildings hereafter constructed in the Town shall be set back a minimum distance of 30 feet from the near line of any public or private right-of-way, except lake frontage property described in section 5 shall not be subject to this requirement.

b) No building shall be closer than 10 feet to an adjacent property line or rear property line. Rear property line shall be the point of the lot farthest from and most parallel to the frontage required by Section 6 of this Law.

## ARTICLE IV

### Section 8: Continuation of Existing Buildings and Lots

a) Any building or lot or part thereof, existing at the time that this Law becomes effective may be continued although such does not conform to the provisions hereof.

b) No building shall be altered in such a manner which will cause an existing building or lot to be non-conforming to the provisions of this Law.

## ARTICLE V

### Section 9: Compliance With Other Laws

a) No permit shall be issued under this Law until certification of compliance with all County Health Dept. regulations concerning the disposal of sewage is supplied to the Code Enforcement official.

b) Permits issued under this Law shall indicate compliance only with the terms of this Law. All construction or creation of building lots shall conform with any other applicable Town, County, State, or Federal, laws or regulations.

## ARTICLE VI

### Section 10: Administration

The Town Board of the Town of Genoa, Cayuga County, New York, shall appoint such person or persons, agency or agencies, as in its sole discretion is necessary for the proper enforcement of the provisions of this Local Law. Such person or persons, agency or agencies, shall be known as "Code Enforcement Officers". The compensation of code enforcement officers shall be fixed by the Town Board of the Town of Genoa; Cayuga County, New York.

No building shall be constructed or extended, without a set back and/or lot area permit issued as applicable by the Code Enforcement Officer. Every application for a setback and lot area permit shall be accompanied by a plot plan with all dimensions shown indicating the size and shape of the proposed structure and lot.

### Section 12: Board of Appeals

1. The Town Board shall appoint a Board of Appeals consisting of five members and shall designate its chairman and set their terms of office.

2. Such Board of appeals shall hear and decide appeals from and review any order, requirement, decision and determination made under this Law.

3. Such Board of Appeals meet at the call of the chairman. Minutes of all proceedings shall contain evidence and data relevant to each case heard, the votes of all members and the final disposition of matters considered. A majority vote of the members shall decide the issue.

4. Upon receiving an application, the board of appeals shall fix and advertise a date, time and place for a public hearing on said application. Advertisement of said hearing shall be placed in the official paper of the Town at least 10 days prior to the hearing.

5. Upon review of a decision of the Code Enforcement Officer, the Board of Appeals may issue a variance upon a showing by the appellant that strict compliance with the terms of this local law will create undue hardship on the appellant. In granting a variance, the Board of Appeals shall determine that the granting of variance is in harmony with the general purpose and intent of this local law and not injurious to the neighborhood or otherwise detrimental to the public welfare: That special conditions exist that make compliance with the strict terms of this law impossible or impractical: That the relief sought is the minimal amount necessary to overcome the hardship.

6. Any person requesting action by the Board of Appeals shall pay a fee equal to the cost of advertising of the Public Hearing to the Town Clerk prior to consideration of the matter by the Board of Appeals.

#### Section 13: Violations and Penalties

Any person firm, corporation or other, violating any provision of this Local Law shall be deemed guilty of a violation and upon conviction thereof shall be subject to a fine not exceeding fifty (50) dollars, or to imprisonment for one day, for each and every violation. Each week and every week that such violation continues, shall constitute a separate violation. In no event may imprisonment for any one violation exceed 15 days.

In addition to other penalties, the Town of Genoa may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration of any building or land in violation of the requirements of this Law.

#### Section 14: Amendments

This Law may be amended as provided by the Town Law or any other applicable State statute.

#### Section 15: Validity

The invalidity of any section or provision of this law shall not invalidate any other section or provision thereof.

#### Section 16: Fees

The Town Board may establish a fee schedule for permits, and from time to time amend same, sufficient to meet expenses incurred in the enforcement of this Local Law.

#### Section 17: When Effective

This law shall be in force and effect immediately upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.

Note:

There are spelling and other typographical errors in the document. These are errors that exist in the actual law itself, and have merely been ignored during transferal to electronic format in the interest of continuity. However, if there seems to be an error not present in the law itself, contact the webmaster.