

INCORPORATED VILLAGE OF MALVERNE
BUILDING DEPARTMENT
RESIDENTIAL ZONING ANALYSIS SHEET

To be submitted with all major types of Residential Building Permit Applications which include changes in footprint or conversions of spaces to other uses. All fields must be completed. If not applicable to the application, put N/A. Incomplete applications will not be accepted.

Property Address: _____ **Owner:** _____

Section: _____ **Block:** _____ **Lot(s):** _____

Zoning District: _____ **Lot Area:** _____ sq. ft.

Existing Basement: _____ sq. ft. Proposed Additional Basement: _____ sq. ft.

Existing First Floor : _____ sq. ft. Proposed Additional First Floor: _____ sq. ft.

Existing Second Floor.: _____ sq. ft. Proposed Additional Second Floor: _____ sq. ft.

Existing Third Floor / Habitable Attic: _____ sq. ft. Proposed Additional Third Floor /Habitable Attic: _____ sq. ft.

Existing Attached Garage: _____ sq. ft. Proposed Additional Attached Garage: _____ sq. ft.

Existing Detached Garage: _____ sq. ft. Proposed Additional Detached Garage: _____ sq. ft.

Existing Deck/Terrace: _____ sq. ft. Proposed Deck/Terrace: _____ sq. ft.

Existing Porch: _____ sq. ft. Proposed Porch : _____ sq. ft.

Existing Accessory Structure 1: _____ sq. ft. Proposed Accessory Structure 1: _____ sq. ft.

Existing Accessory Structure 2: _____ sq. ft. Proposed Accessory Structure 2: _____ sq. ft.

Existing Accessory Structure 3: _____ sq. ft. Proposed Accessory Structure 3: _____ sq. ft.

Proposed Demolition of Structures: _____ sq. ft. Proposed Garage Conversion: _____ sq. ft.

Max. Permitted Lot Coverage: _____ sq. ft. Proposed Lot Coverage: _____ sq. ft.

Max. Permitted Lot Coverage: 25 % Proposed Lot Coverage: _____ %

Max. Permitted Floor Area Ratio: _____ sq. ft. Proposed Floor Area Ratio: _____ sq. ft.

Max. Permitted Floor Area Ratio: 40 % Proposed Floor Area Ratio: _____ %

Front Yard Required: _____ ft. Proposed Front Yard: _____ ft.

Front Yard Required Corner Lot: _____ ft. Proposed Front Yard Corner Lot: _____ ft.

Min. Side Yard Required: 5 ft. Proposed Side Yard: _____ ft.

Total Side Yard Required: 14 ft. Proposed Total Side Yard: _____ ft.

Rear Yard Required: 25 ft. Proposed Rear Yard: _____ ft.

Max. Height Permitted: _____ ft. Proposed Height: _____ ft.

Max. Stories Permitted: _____ Proposed Stories: _____ ft.

Max. Rear Yard Coverage: _____ sq. ft. Proposed Rear Yard Coverage: _____ sq. ft.

Max. Rear Yard Coverage: 40 % Proposed Rear Yard Coverage : _____ %

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Section: _____ **Block:** _____ **Lot(s):** _____

Max. Height Accessory Structure: 10 ft. Proposed Accessory Structure Height: _____ ft.

Accessory Structure Setback Required: _____ ft. Proposed Accessory Structure Setback: _____ ft.

Detached Garage Setback Required: 2 ft. Proposed Detached Garage Setback: _____ ft.

Max. Height Detached Garage Structure: 15 ft. Proposed Detached Garage Height: _____ ft.

_____ : _____ _____ : _____

Accessory Structures for Zoning Analysis:

- Includes and shall not be limited to decks / terraces over 24" above average grade, sheds / cabanas over 144 sq. ft., detached garages, exterior basement entrances and stairways, roofed over porches / decks / patios / porticos 49 sq. ft. and greater. List each structure separately.
- Setbacks for accessory structures that are attached or abutting the dwelling to be same as dwelling setbacks. (i.e. decks off of dwelling, attached roofed over patio or deck (open porch) unless otherwise noted in the code, etc.)
- Fully enclosed porches or sunrooms, whether heated or not, shall be counted in lot coverage areas and in F.A.R.
- Habitable space shall be counted where main ceiling height is at least 6'-8" and including all areas 5'-0" or higher. This parameter shall include the second floor of cape style type dwellings with knee walls or attics.
- Window wells, front porches / porticos can extend into the required front yard a maximum of 6'-0" (not including steps to grade)
- See attachment for additional details and information.
- See Malverne Village Code for additional details and information.
- Applicable calculations shall be in gross sq. ft. to the outside edge of exterior walls and heights to the inch.
- This zoning analysis must be submitted separately with the application but can be duplicated on the drawings.

<p>Licensed Design Professional</p> <p>Business / Corporation: _____</p> <p>Name: Last: _____ First: _____</p> <p>License Number: _____</p> <p>Address: Street: _____ City: _____</p> <p style="padding-left: 40px;">State: _____ Zip: _____</p> <p>Phone: _____ Email: _____</p> <p><small>By my seal and signature, I certify that I have read and understand the relevant sections of the Village of Malverne Zoning Code and that the information provided on this form is accurate and based upon Chapter 600 of the Village of Malverne Code. I understand that the Village of Malverne Building Department relies on the accuracy of this information in determining the zoning compliance of the subject application.</small></p>	<p style="text-align: center;">Licensed Design Professional's Stamp and Original Signature must appear here.</p> <p style="text-align: center;">Date: _____</p>
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INCORPORATED VILLAGE OF MALVERNE
BUILDING DEPARTMENT
99 CHURCH STREET, MALVERNE, NEW YORK 11565
OFFICE: 516-599-1200 x 113/114
FAX: 516-823-0767

SUPPLEMENTAL ZONING INFORMATION

SUPPLEMENTAL RESIDENTIAL ZONING INFORMATION

Lot Coverage: Maximum 25% of lot size in all Residential Districts

Total gross square footage of the footprint of structures including:

- a. **Main Dwelling**
- b. **Accessory Structures, Storage Sheds more than 144 Sq. Ft.**
- c. **Detached Garages, Attached Garages, Vestibules**
- d. **Uncovered / Unroofed Decks, Terraces, Patios more than 24 Inches Above Average Grade**
- e. **Roofed Over Decks, Porticos, Porches, Patios, Terraces with the “floor area” greater than 48 Sq. Ft. (does not include the steps)**
- f. **First and Second Floor Cantilevers / Overhangs**
- g. **Exterior Overhanging Balconies**
- h. **Exterior Basement Entrance Bulkhead Stairways with Bottom Landing and Bilco type door entrances**

Does not include:

- a. **Accessory Structures, Storage Sheds 144 sq. ft. or less**
- b. **Roofed Over Porticos, Landings, Porches, with the “landing floor area” less than 49 Sq. Ft.**
- c. **Uncovered Decks, Terraces, Patios 8 1/4 Inches or Less Above Average Grade**
- d. **Code Required Landings, Steps and Stairs Solely Used for Egress to Building Entries**
- e. **Landscape Ponds**
- f. **Cornices, Eaves, Roof Overhangs or Chimneys not projecting more than 24 inches**
- g. **Driveways, Walkways**
- h. **Temporary Structures**
- i. **HVAC Condensers units / heat pumps / Generators / Pool Equipment such as Heaters, Pumps and Filters**
- j. **Hanging Bay Windows with Sill Above the Floor no more than 2 ft. projection**
- k. **Window Wells / Areaways**
- l. **All Types of Swimming Pools and Hot Tubs / Spas**

**Please contact the Building department if you shall have any questions.
Notwithstanding, nothing in this information shall override the Malverne Village Codes.**

1/23/2026



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SUPPLEMENTAL ZONING INFORMATION

SUPPLEMENTAL RESIDENTIAL ZONING INFORMATION

Floor Area Ratio: maximum 40% of lot size

All gross square footage of enclosed structures including:

- a. **All Habitable Floors of Building with Ceiling Height Greater Than 5 Feet including habitable attics**
- b. **Attached Garages with Second Floors Above**
- c. **Roofed Over and Enclosed (with walls) Porches, Patios, Terraces, Sunrooms, Decks, Vestibules, whether heated or not and any size**
- d. **Enclosed Accessory Structures Greater Than 144 sq. ft.**

Does not include:

- a. **Detached Garages**
- b. **Attached Garages Without Second Floors Above**
- c. **Accessory Structures, Storage Sheds 144 sq. ft. or less**
- d. **Roofed Over and Open Sided Porticos, Open Porches, Patios, Terraces, Decks**
- e. **Uncovered Decks, Terraces, Patios**
- f. **Finished or Unfinished Basements**
- g. **All Types of Swimming Pools and Hot Tubs / Spas**
- h. **Cornices, Eaves or Chimneys not projecting more than 24 inches.**
- i. **Unfinished or Non Habitable Attic Areas**
- j. **Exterior Balconies**
- k. **Hanging Bay Windows**
- l. **Window Wells / Areaways**
- m. **Exterior Basement Bulkhead Stairways and Landings**

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SUPPLEMENTAL ZONING INFORMATION

SHED AND ACCESSORY STRUCTURE REGULATIONS

§ 265-80 Minor structures; sheds.

A. Within the Village, storage sheds that do not require a permit shall not be installed, constructed or built which exceed 10 feet in height or cover an area exceeding 144 square feet and shall not be placed nearer than two feet to any property line. All such structures shall be subject to inspection by the Superintendent of Buildings, and any violation of these provisions or any provision of the New York State Building Code will result in a violation summons in the Malverne Village Court, with penalties as outlined in the enforcement provision of the code.

- (1) There shall be no more than two accessory structures and buildings 144 sq ft or less, such as sheds, cabanas, pergolas, built-in outdoor kitchens / counters; or similar structures allowed on any lot or parcel. These structures must maintain a minimum distance of 10 feet separation from each other and any part, including the roof eave, 4 feet from the rear and side property lines, except for storage sheds 144 sq. ft. or less may be 2 feet from the rear and side property lines. Open sided cabanas and pergolas shall include all areas under the roofed or covered area as the gross sq. ftg. of the structure. Swimming pools, pool equipment, hot tubs / spas, landscape ponds, detached garages, generators, fuel tanks, hvac condensers and heat pumps are not counted in the above limitations regarding number of structures allowable. No accessory structures or buildings are allowed in front of the main building facing a street on the lot.

ACCESSORY BUILDING OR STRUCTURE

A building or structure subordinate and incidental to the main building or structure on the same lot and used for purposes customarily incidental to those of the main building or structure. For purposes of this chapter, the total area of all accessory buildings or structures shall not occupy more than 40% of the rear yard. No part of an accessory building or structure shall be less than four feet from the rear or side lot lines, except that a detached garage, and storage sheds 144 square feet or less shall be no less than two feet from the rear or side lot lines. Maximum height of a detached garage shall be 15 feet. The maximum height of other accessory structures, including storage sheds, shall be 10 feet. No accessory structures or buildings are allowed in front of the main building facing a street on the lot. The rear yard area shall be determined by multiplying the distance from the rear wall of the most length of the main building to the rear property line by the lot width.

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SUPPLEMENTAL ZONING INFORMATION

**HOME OFFICE AND HOME
OCCUPATION REGULATIONS**

HOME OCCUPATION

Any use customarily conducted entirely within a dwelling solely by the inhabitants thereof which is clearly incidental to the residential use and in connection with which there are:

- (1) No sounds audible outside the building;
- (2) No display of goods visible from outside the building;
- (3) No signs or other advertising;
- (4) No selling of a commodity on the premises; and
- (5) Which use does not occupy more than 15% of the floor area of the primary structure and does not in any way change, alter or modify the residential character or appearance of the building, no more than one person not residing in the dwelling unit may be employed in the home occupation, inventory and supplies shall not occupy more than 50% of the area permitted to be a home occupation, the home occupation shall not contain any operation considered to be hazardous.
- (6) Such use does not have any feature which is annoying, offensive or harmful to public health, safety or general welfare by reason of noise, glare, vibration, odor, radiation, dust, fumes or undue traffic. The Board of Trustees shall have the power to grant a special use permit for a home occupation in the home, provided the use is of the same or similar general character of those enumerated in this definition.

HOME PROFESSIONAL OFFICE

The office or studio of a physician, dentist, architect, accountant, artist, musician, chiropractor, osteopath, podiatrist, professional engineer, real estate or insurance broker or lawyer, provided that:

- (1) such use is clearly incidental to the resident's use of the premises and is conducted entirely within a dwelling in which the practitioner resides;
- (2) not more than one person is employed that does not reside in the dwelling;
- (3) such use does not occupy more than 15% of the floor area of the primary structure;
- (4) there is no display of goods or advertising other than a professional nameplate no larger than six inches by 12 inches bearing only the name and occupation (words only) of the practitioner;
- (5) there is no alteration or change to the building exterior which will change or modify the residential character or appearance thereof; and
- (6) such use does not have any feature which is annoying, offensive or harmful to public health, safety or general welfare by reason of noise, glare, vibration, odor, radiation, dust, fumes or undue traffic.
- (7) inventory and supplies shall not occupy more than 50% of the area permitted to be a home professional office.
- (8) the home professional office shall not contain any operation considered to be hazardous. The Board of Trustees shall have the power to grant a special use permit for a professional office in the home for a profession not specifically enumerated herein, provided the use is of the same or similar general character of those enumerated in this definition.

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DECK / TERRACE REGULATIONS

§ 600-13.3 Decks.

A. A deck, patio or terrace is defined as any fabrication of any material other than earth, that is constructed above the grade level of the location where situated and without a roof above. Except to the extent that an exemption is provided herein, all requirements heretofore established for structures shall continue to apply to those structures generally referred to or described as a "deck."

B. Regulations.

- (1) Building permits shall be required for the construction of decks, subject to inspection by the Superintendent of Buildings, to the same extent as are required for other structures. The application for a permit shall include a diagram of the proposed deck satisfactory to the Building Department, showing dimensions and distances of the deck to the boundary of the parcel in addition to the materials to be utilized in said construction
- (2) No deck shall be constructed closer to the street than the front building line of the main structure upon the property.
- (3) No deck(s) shall be constructed or maintained so that any portion thereof exists above the first story of the dwelling to which it is accessory, except in the case of a high-ranch-type house, in which case the deck shall not be constructed at a level higher than the lowest floor of the residence in question
- (4) Decks above 24 inches in height above average grade shall be considered structures for the purpose of calculating the total permissible area of coverage on the building lot; and if removable, decks shall not be deemed a permanent improvement.
- (5) A deck or similar structure, constructed at grade level or equal to or less than 8 1/4 inches above grade shall not require a building permit.
- (6) All decks above 8 1/4 inches above grade shall comply with the side yard and rear yard setback requirements for the zoning district in which the deck is located as set forth in the Schedule of Regulations, except the rear yard setback of decks higher than 8 1/4 inches above grade but no higher than 36 inches shall be 15 feet minimum.
- (7) All decks equal to or less than 8 1/4 inches above average grade shall be no closer than four feet to the rear and side property lines.
- (8) Any deck, patio, terrace, portico, landing, or porch greater than 48 sq. ft., and is covered by a roof or permanent awning shall be included in total lot and rear yard lot coverages.

1/23/2026