

**RESOLUTION NO. 834 DECEMBER 17, 2025**  
**ADOPTING LOCAL LAW 15 OF 2025**  
**AMENDING THE CODE OF THE TOWN OF BABYLON,**  
**CHAPTER 213 (ZONING)**  
**ARTICLES I (DEFINITIONS), VII (A RESIDENCE), VIIA (AA RESIDENCE),**  
**VIII (B RESIDENCE) AND IX (C RESIDENCE)**

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 3<sup>rd</sup> day of December, 2025 upon the question of the enactment of Local Law No. 15 of 2025 of the Town of Babylon, Suffolk County, New York, being such a local law; and

WHEREAS, in accordance with Part 617.5(c.) (26), State Environmental Quality Review (SEQR), the adoption of this local law is classified a Type II Action and not subject to environmental review under SEQR; and NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law 15 of 2025 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows:  
The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**Exhibit "A"**

**LOCAL LAW NO. 15 OF 2025**

Be it hereby enacted by the Town Board of the Town of Babylon as follows:

**Section 1. Legislative intent.**

The Town Board hereby finds that it is necessary to revise Chapter 213, Article I Definitions, Article VII A Residence, Article VIIA AA Residence, Article VIII B Residence, and Article IX C Residence, in order to amend the maximum permitted size of a shed to align with the New York State Building Code (19 CRR-NY 1203.3).

**Section 2. Amendments.**

Chapter 213, Article I, Article VII, Article VIIA, Article VIII, and Article IX, more specifically §213-1, §213-71.1, §213-75.13, §213-86.1, & §213-101.1 of the Code of the Town of Babylon shall be amended to read as follows (additions/changes to the Code are indicated by **Bolded Underline**; deletions are indicated by ~~Strikethrough~~):

**Article I General Provisions**

**§213-1 Definitions and word usage.**

A. Unless otherwise stated expressly, the following words and expressions, where used in this chapter, shall have meanings as follows:

**[TEXT OMITTED]**

## **SHED**

A structure subordinate to the buildings on a lot **and constructed on grade without a permanent foundation**, used for purposes customarily incidental to the buildings and associated with cabanas, **gazebos, pergolas**, playhouses or storage of lawn and pool care equipment or any other items used in the normal maintenance of residential property, not used for habitation, **without plumbing or electrical services**, and which does not exceed **144** square feet and/or **12** feet in height. “Sheds” shall be considered accessory structures and shall not include trailers, mobile homes or like structures with or without wheels. **“Sheds” larger than 144 square feet shall be considered Accessory Buildings.**

[TEXT OMITTED]

[SECTIONS OMITTED]

## **Article VII A Residence District**

[SECTIONS OMITTED]

### **§213-71.1 Accessory structures**

In an A Residence District, two accessory structures shall be permitted; provided, however, that:

- A. No shed shall exceed **144** square feet in area and/or **12** feet in height measured from grade to ridge. There shall be a maximum of two sheds per lot.

[TEXT OMITTED]

- G. No accessory structure shall exceed **12** feet in height measured from grade to ridge, ~~have a roof,~~ nor rest more than 18 inches above the ground if it shall have a floor or deck, said limitation being measured from the lowest point of the ground thereunder.

[TEXT OMITTED]

[SECTIONS OMITTED]

## **Article VIIA AA Residence District**

[SECTIONS OMITTED]

### **§213-75.13 Accessory structures.**

In an AA Residence District, two accessory structures shall be permitted; provided, however, that:

- A. No shed shall exceed **144** square feet in area and/or **12** feet in height measured from grade to ridge. There shall be a maximum of two sheds per lot.

[TEXT OMITTED]

G. No accessory structure shall exceed 12 feet in height measured from grade to ridge, ~~have a roof~~, nor rest more than 18 inches above the ground if it shall have a floor or deck, said limitation being measured from the lowest point of the ground thereunder.

[TEXT OMITTED]

[SECTIONS OMITTED]

## **Article VIII B Residence District**

[SECTIONS OMITTED]

### **§213-86.1 Accessory structures.**

In a B Residence District, two accessory structures shall be permitted; provided, however, that:

A. No shed shall exceed 144 square feet in area and/or 12 feet in height measured from grade to ridge. There shall be a maximum of two sheds per lot.

[TEXT OMITTED]

G. No accessory structure shall exceed 12 feet in height measured from grade to ridge, ~~have a roof~~, nor rest more than 18 inches above the ground if it shall have a floor or deck, said limitation being measured from the lowest point of the ground thereunder.

[TEXT OMITTED]

[SECTIONS OMITTED]

## **Article IX C Residence District**

[SECTIONS OMITTED]

### **§213—101.1 Accessory structures.**

In a C Residence District, two accessory structures shall be permitted; provided, however, that:

A. No shed shall exceed 144 square feet in area and/or 12 feet in height measured from grade to ridge. There shall be a maximum of two sheds per lot.

[TEXT OMITTED]

G. No accessory structure shall exceed 12 feet in height measured from grade to ridge, ~~have a roof~~, nor rest more than 18 inches above the ground if it shall have a floor or deck, said limitation being measured from the lowest point of the ground thereunder.

[TEXT OMITTED]

[SECTIONS OMITTED]

**Section 3. 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 not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

**Section 4. Effective date.**

This local law shall take effect immediately upon filing with the New York Secretary of State.