

TOWN OF MARBLETOWN

LEGAL NOTICE

**PLEASE TAKE NOTICE** that a public hearing will be held by the Town Board of the Town of Marbletown on Thursday, January 24, 2019 at 7:00 PM local time at the Rondout Municipal Center, 1915-1925 Lucas Avenue Cottekill, NY, to hear all interested parties regarding the proposed Local Law No. 1 of 2019 entitled **“Accessory Apartment Law.”**

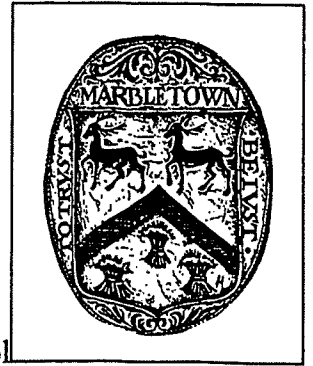
Please take further notice that copies of the proposed Local Law are available for review from the Town Clerk at 1925 Lucas Avenue Cottekill during normal business hours and on the Town’s website.

By order of the Town Board of the Town of Marbletown  
Heather Moody, Town Clerk  
Dated: January 9, 2019

# Local Law No. \_\_\_ of 2019

## Accessory Apartment Law Town of Marbletown

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The text of the proposed Local Law No. of 2019 Accessory Apartment Law is as fol

### **SECTION I. SHORT TITLE AND PURPOSE**

This Local Law is to be known as the **Local Law \_\_\_ of 2019 Accessory Apartment Law**. This Law amends the Zoning Law to revise and replace the existing provisions of the Town of Marbletown Code

### **SECTION II. LEGISLATIVE FINDINGS**

The Town Board of the Town of Marbletown hereby adopts and makes the following findings:

1. The Town Zoning Law is in need of revision to ensure compliance with the policies and objectives of the Town Comprehensive Plan and other related plans proposed and adopted in recent years.

### **SECTION III. 2019 AMENDMENTS**

The Zoning Law of the Town of Marbletown shall be amended as follows:

#### **Section A. Accessory Apartments**

The following sections of the Town of Marbletown Zoning Code shall be modified as follows:

1. §200-13. ACCESSORY APARTMENT– a dwelling unit, which contains cooking, sanitary and sleeping facilities, and shall contain only one bedroom, contains a minimum of 350 sq. ft. of habitable space as defined by the Property Maintenance Code 2015 Of New York State, but not more than 35% of the gross floor area of the primary residence or 900 sq. ft., whichever is less and is contained within the primary residential structure or an approved detached structure.
2. §200-46.D.(15), Apartments accessory to the principal permitted residential use of the same parcel are permitted in all districts, except that they shall not be allowed in the I-1 District and a Special Use Permit shall be required in the S-R E and S-R N districts in the event of exterior modification to the structure shall require a Certificate of Appropriateness permit.. It is the intent of this provision to expand affordable housing opportunities in the Town, particularly for small families and senior citizens, to allow more efficient use of residential and accessory structures, to provide expanded economic return to enable older homeowners to maintain their home and to provide options for local workers, young and older families, live-in help or health providers.
  - a. Lot Area.

Accessory Apartments under Accessory Uses shall be modified to reflect their being Permitted in all districts except I-1 shall remain X and SR-E and SR -N shall be Permitted and Special Use Permit (SU) where exterior modification is required.

**SECTION IV. AMNESTY**

Landowners for a period of 160 days from the date of Effectiveness of this local Law for all prior non-conforming and un-permitted Accessory Apartments may make application to the Town of Marbletown Building Department, without penalty, for the legalization of existing Accessory Apartments. All applications shall comply with the current law but applications will not be limited, restricted or included in the annual permit limitations.

**SECTION V. ANNUAL PERMIT LIMITATION**

Permits shall be issued on a first come first served basis but in no calendar year shall the Town of Marbletown issue more than Fifty (50) total permits for Accessory Apartments.

**SECTION VI. SEVERABILITY**

The invalidity of any provision of this Local Law shall not affect the validity of any portion of this Local Law which can be given effect without such invalid provision.

**SECTION VII. EFFECTIVENESS**

This Local Law shall become effective upon filing with the Secretary of State.

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