

SECTION 7 – SUPPLEMENTAL REGULATIONS

Accessory Apartment Dwelling unit

The requirements of this section shall apply to all accessory dwellings proposed, modified or constructed after the effective date of this section. Accessory apartments existing as of the effective date of this section shall be exempt from these regulations; however, future modifications to an accessory dwelling which require the issuance of a building permit after the effective date of this section shall be required to comply with this section. To the extent any portion of this section may conflict with other portions of the Zoning Law, the terms of this section shall control.

A.

Permits.

(1)

No accessory dwelling unit shall be constructed, reconstructed, modified, or operated in the Town of Stuyvesant without obtaining building permit from the town code enforcement office in conformity with the NYS Building code and regulations contained in this section.

(2)

No individual shall reside, utilize or occupy an accessory dwelling unit without a certificate of occupancy issued by the Town of Stuyvesant code enforcement office.

B.

Applications. Applications for a building permit for an accessory Dwelling unit shall include:

(1)

Name, address, telephone number of the applicant. If the applicant will be represented by an agent, the name, address and telephone number of the agent, as well as an original signature of the applicant authorizing the agent to represent the applicant is required.

(2)

Dimensions, number of stories and square footage of the existing dwelling unit.

(3)

Dimensions, number of stories and square footage of the proposed accessory apartment.

(4)

The total number of bedrooms to be constructed in the accessory dwelling unit.

(5)

The total number of bedrooms in the existing primary dwelling unit.

(6)

Scaled plot plan showing the location of the existing structure and the accessory dwelling unit to be constructed, parking layout, square footage of the construction or alteration, floor plan of the accessory dwelling unit, setback distance to adjacent parcels, and location and number of exits.

(7)

Applicant shall demonstrate that the proposed construction, alteration or modification meets all of the applicable regulations set forth in the current NYS Building Code.

(8)

Such other reasonable information as may be requested by the CEO in review of the accessory Dwelling unit application.

C.

Development standards. All accessory dwelling units shall comply with the following standards. Additionally, accessory dwelling units shall also comply with all the requirements established by other sections of this Zoning chapter that are not in conflict with the requirements contained in this section:

(1)

The accessory dwelling unit shall have a minimum of 400 square feet of livable space and shall not exceed a maximum of (75%) of the square footage of the primary dwelling unit; however, in no event shall the square footage of an accessory dwelling unit exceed 1,500 total square feet.

(2)

Only one accessory dwelling unit per parcel shall be permitted.

(3)

An accessory dwelling unit may have no more than two bedrooms.

(4)

An accessory dwelling unit does not require a minimum lot size, provided all setback requirements for a single-family residence are met.

(5)

An accessory dwelling unit shall be located within the primary single-family dwelling structure or as an accessory structure. An accessory dwelling unit shall be created through the internal conversion of an existing housing structure or the addition of an accessory dwelling unit to the principal dwelling structure or construction of an accessory structure. If the existing unit is under 1500 SQ FT, a new primary unit can be constructed as long as completed project meets goals of these regulations.

(6)

Either the principal dwelling unit or the accessory dwelling unit must be occupied by the owner of the parcel of real property.

(7)

Off-street parking shall be provided as follows:

(a)

A minimum of two spaces for the principal dwelling unit;

(b)

A minimum of one space for the accessory apartment;

(c)

Parking spaces must be surfaced in a manner consistent with the neighborhood;

(d)

Parking spaces must not impede, impair and/or otherwise affect the maintenance or future development of public roadways, nor require the backing of an automobile onto a public roadway;

(e)

Parking spaces must comply with all other parking design standards of the Town or Stuyvesant.

(8)

An accessory dwelling unit must be serviced by a sewage disposal system approved by the Columbia County Board of Health, and have potable water. If both the accessory dwelling unit and the primary dwelling unit are to be served by the same septic system, the applicant's engineer must demonstrate to County Board of Health Department that existing septic system to be upgraded to accommodate and Accessory Dwelling unit must comply with the NYSDOH Part 75-A Standards.

(9)

Adequate design and provision for dealing with storm water and drainage issues.

(10)

Compliance with the applicable provisions of the NYS Building Code in relation to the design and construction of the accessory dwelling unit.