

LOCAL LAW 1 OF 2025

A LOCAL LAW AMENDING CHAPTER 305 OF THE CODE OF THE VILLAGE OF WALDEN ENTITLED “ZONING” TO THE EXTENT OF AMENDING ARTICLE V, SECTION 305-13 ENTITLED “ACCESSORY BUILDINGS AND USES.”

BE IT ENACTED by the Village Board of the Village of Walden as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as A Local Law Amending Chapter 305 of the Code of the Village of Walden entitled “Zoning” to the extent of amending Section 305-13 entitled “Accessory Buildings and Uses” by the addition of language that will regulate accessory structures in the TH zoning district.

SECTION 2 – PURPOSE & INTENT

The purpose of this Local Law is to provide regulations applicable to accessory structures in the TH zoning district. These regulations are needed to address the fact that the minimum allowed lot sizes in the TH zoning district are generally smaller than in other zoning districts. Therefore, the maximum permitted size of accessory structures as well as their location relative to the principal building and property lines must be established accordingly.

SECTION 3 – AMENDMENT TO TEXT OF CODE SECTION 305-13.

Existing Code Section 305-13(B) is hereby amended to add the following text:

(2) Accessory structures located in the TH zoning district shall be further subject to the following requirements:

(a) Such accessory structure shall be no larger than 100 square feet.

(b) The minimum setback requirement shall be three feet.

(c) In accordance with sections 305-13 (1) and (3) above, such structure must be located at least ten feet from the principal structure and may not be placed in either the required front yard or in the required side yard.

(d) All accessory structures in the TH zone in existence at the time of the adoption of this code section shall be subject to the

provisions hereof unless said accessory structure has a validly issued permit from the Village Building Department or said accessory structure was built prior to the adoption of zoning regulations in the Village and are therefore permitted as pre-existing nonconforming accessory structures.

(e) All replacements or size modifications of any kind of pre-existing nonconforming accessory structure in the TH zone shall be subject to full compliance with this section.

SECTION 4 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5- EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.