

TOWN BOARD
TOWN OF BEDFORD

LOCAL LAW NO. 7 of 2024
TO AMEND CHAPTER 125, SECTION 27
OF THE TOWN CODE

BE IT RESOLVED, that the Town of Bedford Amends Chapter 125, Sections 27 of the Code of the Town regarding Accessory buildings or structures, as follows:

Section 1. Legislative Intent.

This local law is intended to amend Chapter 125, Section 27, entitled “Accessory buildings or structures.”

Section 2. Authority.

This Local Law is adopted pursuant to the provisions of the New York State Municipal Home Rule Law.

Section 3. Legislative intent.

The intent of this amendment is to clarify what are considered accessory buildings or structures for the purpose of applying the setbacks set forth in Chapter 125, Section 27.

Section 4. Chapter 125, Section 27, entitled “Accessory building or structures” is hereby amended as follows:

§ 125-27. Accessory building or structures.

The accessory buildings and structures listed below shall be permitted in all districts, subject to the following:

- A.** The total building coverage of all principal and accessory buildings and structures, regardless of size, located on a lot shall comply with the maximum building coverage requirements in § **125-50** herein.

- B.** The following shall be considered accessory buildings or structures for the purposes of this section: tennis courts, paddle tennis courts and similar facilities without provisions for night play; swimming pools; garages for passenger or commercial vehicles; studios; greenhouses; treehouses/playhouses; garden houses; sheds/tool houses; pool houses/cabanas; barns; ~~and~~ solar energy collectors; above ground storage tanks (including but not limited to tanks for the storage of water, gas, diesel, gasoline and propane) and above ground mechanical equipment (including but not limited to generators, air-conditioning condensers, pool pumps, pool filters and pool heaters).
- C.** Accessory buildings and structures not greater than 100 square feet in floor area and not more than 10 feet in height measured to the highest point of the building or structure shall be located not closer than one-third (1/3) of the side yard and rear yard dimensions specified in § 125-50 herein. Accessory buildings and structures shall comply with the front yard setbacks specified therein.
- D.** Individual accessory buildings and structures greater than 100 square feet in ground floor area or greater than 10 feet in height shall meet the following requirements:
- (1) Accessory buildings and structures permitted under this section shall comply with the front, rear and side yard requirements specified in § 125-50 herein and shall be limited in height to a maximum of 20 feet measured to the highest point of the building or structure.
 - (2) The ground floor of an individual accessory building or structure permitted under this section shall not exceed 0.5% of the area of the lot on which the accessory building or structure is located.
 - (3) The construction of an accessory building or structure over 2,500 square feet in ground floor area or greater than 20 feet in height shall require the issuance of a special permit by the Planning Board pursuant to the requirements of Article VII herein.
- E.** In calculating maximum building coverage, 50% of the square footage of tennis courts and paddle tennis courts should be included in the calculation of building coverage.
- F.** The following accessory buildings shall be permitted to have a sink and/or half bath: barns and studios; provided, however, that a building permit shall be required for the installation of a half bath in any barn or studio.

Section 5. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 125, Section 27, of the Code of the Town of Bedford are otherwise to remain in full force and effect and are otherwise ratified, readopted and confirmed.

Section 6. Numbering for Codification

It is the intention of the Town of Bedford and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Bedford that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 7. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 8. Effective Date

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