

Village of Margaretville

Local Law Number 4 of 1986.

**A local law establishing residential, business and manufacturing
districts within the Incorporated Village
of Margaretville**

BE IT ENACTED by the board of trustees of the Village of Margaretville as follows:

Section 1. Article One of the Zoning Ordinance as Adopted October 8, 1947, by the board of trustees of the Incorporated Village of Margaretville, is hereby repealed.

Section 2. Article Two of the Zoning Ordinance as Adopted October 8, 1947, by the board of trustees of the Incorporated Village of Margaretville, is hereby amended as follows:

That for the purpose of this local law, the board of trustees of the Village of Margaretville hereby divides the Incorporated Village of Margaretville into classes of districts, as follows:

Residential Districts

Business Districts

Commercial and Manufacturing Districts

The boundaries of these districts are hereby established and determined as follows:

RESIDENTIAL DISTRICT NO. 1

MAPLE STREET, located between Church Street on the South and Orchard Street on the North.

RESIDENTIAL DISTRICT NO. 2

CHURCH STREET, located between Maple Street on the West and the terminus of said street on the East (such terminus being the Westerly bounds of premises now or formerly of Bryan Burgin.)

RESIDENTIAL DISTRICT NO. 3

SWART STREET, located between Walnut Street on the East and Academy Street on the West.

RESIDENTIAL DISTRICT NO. 4

ACADEMY STREET, located between Main Street on the South and Orchard Street on the North.

RESIDENTIAL DISTRICT NO. 5

MOUNTAIN AVENUE, extending from Swart Street on the South to the corporation line on the North.

RESIDENTIAL DISTRICT NO. 6

CLARK STREET, extending from Scott Street on the North to Orchard Street on the South.

RESIDENTIAL DISTRICT NO. 7

ORCHARD STREET, extending from Maple Street on the East to Academy Street on the West.

RESIDENTIAL DISTRICT NO. 8

SCOTT STREET, extending from Mountain Avenue on the East to Academy Street on the West.

RESIDENTIAL DISTRICT NO. 9

WALNUT STREET, extending from Church Street on the South to the Bull Run on the North.

BUSINESS DISTRICT NO. 1

MAIN STREET, located between the corporation line on the East to the corporation line on the West.

BUSINESS DISTRICT NO. 2

BRIDGE STREET, located between Main Street on the North and the Delaware River on the South.

BUSINESS DISTRICT NO. 3

WALNUT STREET, located between Main Street on the South and Church Street on the North.

BUSINESS DISTRICT NO. 4

MAPLE STREET, located between Main Street on the South and Church Street on the North.

BUSINESS DISTRICT NO. 5

CHURCH STREET, located between Walnut Street on the West and Maple Street on the East.

COMMERCIAL and MANUFACTURING DISTRICT

ALL PROPERTY AND STREETS Within the limits of the Village of Margaretville located on the Southerly side of the Delaware River.

Section 3. Article Three of the Zoning Ordinance Adopted October 8, 1947, by the board of trustees of the Village of Margaretville is hereby amended to read as follows:

Subdivision 1. Residential Districts.

Paragraph 1. In a district declared to be a residential district, no building or structure hereafter shall be built, constructed or placed within

a residential district on either side of any street therein, the front line or foundation of which shall be nearer than fifteen (15) feet from the curb line, exclusive of porch or piazza.

Paragraph 2. In a residential district, no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following with its usual accessories:

- a. Family Dwellings
- b. Customary Incidental Home Occupations.
- c. Professional Office or Studio of a physician, surgeon, doctor, dentist, lawyer, architect, musician, artist or teacher residing on the premises and incidental to such residence, including a small professional name plate or sign as the only display or advertising.
- d. The leasing to a non-resident of the premises, of space for not more than two non-commercial motor vehicles.
- e. Boarding and Tourist Houses, provided there is no display or advertising other than a small announcement sign.
- f. Every accessory building shall be distant from the street as far as the principal building.

Section 4. Article four of the Zoning Ordinance Adopted by the board of Trustees of the Incorporated Village of Margaretville is hereby amended to read as follows:

Subdivision 1. In a business district, no building or structure hereafter shall be built, erected, constructed or placed therein, the front line or foundation of which, inclusive of porch or piazza, shall be nearer than fifteen (15) feet from the curb line.

Subdivision 2. In a business district, no building or premises shall be used and no bulding or part of a building shall be erected which is arranged, intended or designed to be used in whole or in part for any fabricating, manufacturing, converting, altering, finishing or assembling where mechanical power exceeding five (5) rated horsepower is produced, or where steam pressure is in excess of fifteen (15) pounds gauge pressure is produced, or where the major object of the establishment is to produce goods for sale other than at retail on the premises.

Section 5. Article Five of the Zoning Ordinance as adopted on Ocotber 8, 1947 by the board of trustees of the Incorporated Village of Margaretville is hereby repealed.

Section 6. Article Six of the Zoning Ordinance as adopted on October 8, 1947 by the trustees of the Incorporated Village of Margaretville is hereby amended to read as follows:

Subparagraph 1. Any non-conforming use lawfully existing on the date of the enactment of this ordinance may be continued, provided that the building or premises involved shall be neither structurally altered nor enlarged, unless the use of the altered or enlarged portion shall be changed to use a permitted in the district. No non-conforming use, if once changed to a used permitted in the district in which it is located, shall be changed back to a non-conforming use.

Subparagraph 2. Nothing in this ordinance shall prevent the restoration of a building destroyed by fire, explosion, act of God, or act of the public enemy, subsequent to the passage of this ordinance, or shall prevent the continuance of the use of such building or part thereof as such use existed at the time of such damage to such building or part thereof, except all such structures will conform to the N.Y. State building code without exception.

Subparagraph 3. In addition to the jurisdiction of the Board of Appeals in appeals pursuant to the Village Law, the Board of Appeals may in appropriate cases, subject to appropriate conditions and safeguards, determine and vary the application of the regulations herein established in harmony with the general purpose and intent as follows:

- a. Grant in undeveloped sections of the Village temporary and conditional permits which such Board deem necessary or desirable.
- b. Permit the extension of an existing or proposed bulding into a more restricted area.
- c. Permit in any district the erection of any building or structure, or permit the erection of a building or structure nearer than the restricted distance from the curb line, provided the petitioner files the consents duly acknowledged of the owners of EIGHTY PERCENTUM (80%) of the frontage deemed by the Board of Appeals to be immediately affected by the variance.
- d. Permit in any residential district the erection or alteration of a building for educational, charitable, religious or eleemosynary purposes and the use of premises for such purposes provided the Petitioner file the consents duly acknowledged of EIGHTY PERCENTUM (80%) of the owners of property fronting on the streets deemed by the Board of Appeals to be immediately affected thereby.

Section 7. Any person, association, partnership, corporation or entity desiring to construct any building or structure of any sort within the said commercial or manufacturing district

as defined herein shall first, before any building permits are granted, submit either construction plans, diagrams, architectural renderings, blueprints, pictures, photographs or the like for approval from the board of trustess approving the design of said structure according to local and State law then in effect. Failure by a party desiring to construct any building or structure to submit said plans, diagrams, architectural renderings, blueprints, pictures, photographs and the like before applying for a building permit shall subject the party so failing to a civil penalty of up to two hundred fifty dollars.

Section 9. Article Seven of the Zoning Ordinance as adopted on October 8, 1947 by the board of trustess of the Incorporated Village of Margaretville is hereby amended to read as follows:

Subparagraph 1. This ordinance shall take effect immediately.