

TOWN OF OSSIAN

LOCAL LAW NO. 3 OF THE YEAR 2023

BE IT ENACTED by the Town Board of the Town of Ossian as follows:

The current Zoning Law of the Town of Ossian, Local Law 2-2020, as earlier amended by Local Laws #eds 4-2021, 6-2021, and 1-2022, is hereby amended as follows:

ARTICLE 1. GENERAL PROVISIONS

SECTION 1-1. TITLE. This local law is entitled “A Local Law Amending the Current Zoning Law to Allow for a Cabin as an Accessory Use”.

SECTION 1-2. ENACTMENT. This amendment to the Town’s Zoning Law as Amended is enacted pursuant to the power granted to Towns under Article 16 (Zoning and Planning) of the New York State Town Law. (Note that enactment must follow the procedural requirements for “Amendments” set forth in Section 1-8 of the Town’s current Zoning Law.)

SECTION 1-3. EFFECTIVE DATE. This local law once adopted by the Town Board shall take effect immediately after the same (or a summary thereof for newspaper publication) has been published and posted according to the Laws of New York State. (See Town Law section 265 subparagraph B for newspaper publication requirements.)

SECTION 1-4. PURPOSE AND INTENT. The objective of this amendment is to promote the health, safety, and welfare of the Town of Ossian consistent with New York State Town Law section 263.

SECTION 1-5. CONTINUED EFFECTIVENESS. The current Town of Ossian Zoning Law, as previously amended, and as amended by this local law, shall remain in full force and effect.

ARTICLE 2. SUBSTANCE OF THIS AMENDMENT

The current Town of Ossian Zoning Law (as amended) shall be further amended as follows:

SECTION 2-1. TABLE OF CONTENTS. The Table of Contents shall be amended to add a new “Section 5-13 Cabins” with all following page numbers changed accordingly.

SECTION 2-2. DEFINITIONS. Section 2-3 “Definitions” shall be amended by adding a new definition of “Cabin” in its proper alphabetical place directly after the definition of “Business Convenience” as follows:

CABIN – A small recreational structure designed for seasonal occupancy that meets the requirements set forth in Section 5-13 herein.

SECTION 2-3. CHANGE TO SECTION 3-3.

- A.** Section 3-3 A.1. shall be changed to read as follows:
Accessory uses and structures are permitted in connection with any principal use lawfully existing within the Town of Ossian. However, except for cabins, no accessory use or

structure shall be established until the primary use or structure is constructed. A cabin can be constructed without a primary structure on the premises.

- B. Current Section 3-3B shall be amended by adding a new paragraph 10 as follows:
 - 10. Cabins subject to the requirements of Section 5-13 herein.

SECTION 2-4. NEW SECTION 5-13. In Article 5, a new Section 5-13 shall be added as follows:

SECTION 5-13. CABINS. The following requirements shall apply to cabins:

- A. A cabin shall be used as a recreational structure only and shall not be occupied as a residence.
- B. Only one (1) cabin shall be allowed on any tax map parcel.
- C. The minimum setback requirements and maximum height requirement for Accessory Structures listed in the Schedule at the end of Section 3-2 shall apply.
- D. A cabin shall be a single-story structure only, with a maximum floor space of four hundred (400) square feet or less. It must have a Livingston County septic permit.
- E. The cabin structure shall be built on either a masonry or pier foundation, or on 6 inch by 6 inch pressure treated posts, 8 feet apart and 42 inches deep in the ground, or on a NYS licensed architect or engineer design stamped and signed equivalent.
- F. The exterior walls and roof of the cabin must be weather tight as required by the Uniform Code of the State of New York.
- G. Insulation and electric are optional. However, if either is installed, exterior house wrap and interior wall covering must be installed as required by said Uniform Code. Also, no HVAC is required; but if installed, the requirements of the Uniform Code shall apply.
- H. Inside walls shall be seven (7) feet high using 2 inch by 6 inch studs. Floor joists, wall framing, and roof members cannot be more than 24 inches on center, with metal connections between all floor and wall, and wall and roof assembly studs.
- I. There must be a floor of concrete, wood or other material allowed by the Uniform Code. No part of a floor can consist of raw wood.
- J. The front door must be at least 36 inches wide and 82 inches in height. Each room must have an exterior window or door with a minimum five (5) square foot opening.
- K. The cabin must have one (1) C/O detector. It also must have one (1) smoke alarm per room.
- L. Any interior structural division of the cabin into rooms, and any mechanical equipment and designs therefor, must meet Uniform Code requirements.
- M. Long driveways are allowed pursuant to Section 5-9.
- N. A cabin cannot be rented/leased, or any right thereto be otherwise transferred, for money or other valuable consideration.
- O. A cabin cannot be occupied for more than 180 days per 365 day period. The remainder of the time the cabin must remain vacant and unoccupied.
- P. Each cabin must always have an emergency 911 address.

Dated at Town of Ossian, New York

(Introduced) February 14, 2023

(Adopted) March 14, 2023

John VanHeusen, Town Clerk

Town of Ossian