

**GENERAL CODE PUBLISHERS CORP.
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ROCHESTER, NY 14624
TELEPHONE: 716-328-1810**

**LEGISLATION INFORMATION AND HISTORY
TOWN OF CHARLESTOWN**

Type of enactment (ordinance, resolution, bylaw, local law):

**ORDINANCE NO. 415
AN ORDINANCE AMENDING CHAPTER 218 - ZONING**

Action	Date
Introduction	March 11, 2024
Publication	In Full: March 18, 2024; By Reference: March 25 and April 1, 2024
Public Hearing	April 8, 2024
Adoption	April 8, 2024
Publish Notice of Adoption	April 15, 2024

Date copy sent to General Code Publishers for codification:

April 10, 2024.

Amended – April 15, 2024. Amended V.2 - April 19, 2024. Amended V.3 – April 23, 2024

The legislative history will be compiled as the ordinance passes through the required procedures. A copy of the form should be sent with the ordinance to General Code for them to keep with the code files, the original being retained as a record in the Town Clerk's files.

The following is intended to correct the notices published on April 15 and April 22, 2024.

**PUBLIC NOTICE
TOWN OF CHARLESTOWN**

Notice is hereby given that the following ordinance was adopted by the Town Council of the Town of Charlestown after a public hearing, duly advertised and posted, held on April 8, 2024.

**ORDINANCE NO. 415
AN ORDINANCE AMENDING CHAPTER 218 – ZONING**

Section 1. The Town Council of the Town of Charlestown hereby ordains that Chapter 218 of the Code of Ordinances, Town of Charlestown is amended as follows:

See Exhibit A for a full version of the proposed amendments.

Note: Words set as ~~strikeover~~ are to be **deleted** from the ordinance; words set in underline are to be **added** to the ordinance.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to the Town of Charlestown’s Code of Ordinances.

Section 3. This ordinance shall take effect immediately upon passage.

Attested To By:

Passed By Town Council On:

Amy Rose Weinreich, CMC Town Clerk

April 8, 2024

To be advertised in the Westerly Sun: April 29, 2024

Exhibit A

218-43

A. Preexisting Substandard Lots.

....

(3) Notwithstanding the provisions of subsection (2) herein, an owner or applicant of a legal non-conforming lot of record is eligible to voluntarily proceed under the provisions of this alternate section (3), provided that they shall follow the provisions of either section (2) or section (3) in its entirety.

The yard dimensional requirements for a structure may be reduced and the maximum building coverage requirements for a structure may be increased for a substandard lot of record, at the time of passage of this section, in the proportion that the area of such substandard lot is reduced from the minimum area requirements of the district in which the lot is located to a minimum of twelve (12) feet as to side yard, thirty-eight (38) feet as to rear yard and thirty (30) feet as to front yard setback. The necessary computation and determinations of the modifications for building setbacks of yard dimensional requirements for each substandard lot shall be made by the Charlestown Building Official at the time of application for a building permit. Whereas a substandard lot of record meets the area and/or width requirement of a lesser zone, the setback, coverage and height requirements of the lesser zone shall apply.

Applicants under this section (3) may also apply for additional dimensional relief, either administratively or through the Zoning Board of Review. Applicants under this section (3) are also eligible to apply for modifications or variances from the required dimensional requirements, as set forth in this ordinance.

~~(3)~~ (4) A pre-existing substandard lot may be increased in area even if the altered lot remains nonconforming to the then-existing dimensional requirements of this Ordinance without Zoning Board of Review approval.