

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

1888 --- 2013

125th City of Middletown Celebration

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Smith

Date of Adoption 04-16-13

Index No: 119-13

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Amodio	X			
Ald. Burr	X			
Ald. Ramkissoon	X			
Ald. Smith	X			
Ald. Sommers	X			
Ald. Masi	X			
Ald. Sabnis	X			
Ald. Sierra	X			
Pres. Rodrigues	X			
TOTAL	9			

WHEREAS, the Middletown Zoning Code at present does not provide for any setback requirements for structures, as opposed to primary buildings and accessory buildings which do have setback requirements, and

WHEREAS, the Corporation Counsel's Office and the Department of Public Works are recommending that setbacks for structures be created and made the same distance as the setbacks for accessory buildings.

Now, therefore be it Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by replacing Paragraph (3) of Subsection F, (Yards required) of Section 475-9 (R-1 One-Family Residential Districts) to read as follows:

(3) No accessory building or structure shall be within five (5) feet of any property line.

Section 2. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by replacing Paragraph (3) of Subsection F, (Yards required) of Section 475-10 (R-2 Two-Family Residential Districts) to read as follows:

(3) No accessory building or structure shall be within five (5) feet of any property line.

Section 3. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by replacing Paragraph (3) of Subsection F, (Yards required) of Section 475-11 (OR-2 Two-Family Owner-Occupied Residential Districts) to read as follows:

(3) No accessory building or structure shall be within five (5) feet of any property line.

Section 4. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by replacing Paragraph (3) of Subsection F, (Yards required) of Section 475-18 (C-1 Neighborhood Business Districts) to read as follows:

(3) No accessory building or structure shall be within five (5) feet of any property line.

Section 5. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by replacing Paragraph (3) of Subsection F, (Yards required) of Section 475-19 (C-1A Limited Neighborhood Business Districts) to read as follows:

(3) No accessory building or structure shall be within five (5) feet of any property line.

Section 6. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by replacing Paragraph (3) of Subsection F, (Yards required) of Section 475-20 (C-2 Limited Business Districts) to read as follows:

(3) No accessory building or structure shall be within five (5) feet of any property line.

Section 7. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by replacing Paragraph (3) of Subsection F, (Yards required) of Section 475-20 (C-2 Limited Business Districts) to read as follows:

(3) No accessory building or structure shall be within five (5) feet of any property line.

Section 8. This Ordinance shall take effect immediately.