

Chapter 200. Zoning

Article V. Supplementary Regulations

§ 200-25. Supplementary regulations applying to all residence districts.

A. Accessory buildings.

- (1) An accessory building may be located in any required side or rear yard, provided that:
 - (a) Such building shall not exceed 15 feet in height.
 - (b) Such buildings shall be set back 10 feet from any lot line.
[Amended 9-16-1969 by Ord. No. 73]
 - (c) All such buildings in the aggregate shall not occupy more than 30% of the area of the required rear or side yard.
- (2) Accessory buildings constructed at the same time may be located in pairs or groups in the required rear or side yard along the common side lot line or rear lot line of contiguous lots.
- (3) An accessory building on that portion of a lot not included in any required yard shall conform with the height regulations for principal buildings.
- (4) No accessory building shall project nearer to the street on which the principal building fronts than such principal building. Should topographic conditions be such that practical difficulties would be caused by this requirement with respect to the location of garages, the Planning Board may authorize the erection of such garages under the following conditions:
[Amended 9-16-1969 by Ord. No. 73]
 - (a) If the natural slope is from 10% to 20% within 25 feet of the street line, the Board may permit a garage not closer than 10 feet to the street line.
 - (b) Where such slope exceeds 20%, a garage may be permitted not closer than five feet to the street line.

B. Corner lots.

- (1) Obstruction to vision at street intersections. At all street intersections in all residence districts, no obstructions to vision exceeding 30 inches in height above curb level shall be erected or maintained on any lot within the triangle formed by the street lines of such lot and a line drawn between points along such street lines 30 feet distant from their point of intersection.
- (2) Rear and side yards. On a corner lot, front yards are required on both street frontages, and one yard other than the front yards shall be deemed to be a rear yard and the other, or others, side yards.

C. Exceptions to lot depth requirements. The required lot depth at any point may be decreased by 25% if the average lot depth conforms with the minimum requirement.

D. Exceptions to yard requirements.

- (1) Permitted obstructions. Cornices or cantilevered roofs may project not more than three feet into a required yard. Belt courses, window sills and other ornamental features may project not more than six

inches into a required yard. Fences or walls over 6 1/2 feet in height may not be erected in front, rear or side yards. Fences or walls with a height in excess of 6 1/2 feet shall conform to the requirements set forth herein for buildings. Paved areas (other than such as are needed for access to the buildings on the lot) shall not project within 15 feet of a street line or four feet of lot lines. All fences shall be installed with the more attractive side facing neighboring properties.
[Amended 9-16-1969 by Ord. No. 73; 4-12-2011 by L.L. No. 6-2011]

- (2) Entries and porticos. A roofed-over but unenclosed projection in the nature of an entry or portico, not more than eight feet wide and extending not more than six feet out from the front wall of the building, shall be exempt from front yard requirements when the building otherwise complies with all other yard restrictions of this chapter.
 - (3) Existing setback. No proposed one- or two-family dwelling need have a setback greater than the average setback of the existing dwellings within 200 feet of each side of the said proposed dwelling.
[Amended 9-16-1969 by Ord. No. 73]
 - (4) Front yards on narrow streets. On streets with less than a fifty-foot right-of-way, the front yard setback shall be measured from the center line of the existing street, and 25 feet shall be added to the front yard setback.
- E. Existing small lots. A lot owned individually and separately, and separated in ownership from any adjoining tracts of land on the effective date of this chapter, which has a total lot area or lot width less than prescribed in this chapter, may be used for a one-family residence, provided that such lot shall be developed in conformity with all applicable district regulations other than the minimum lot area, lot width and side yards.
[Amended 9-16-1969 by Ord. No. 73]
- F. Uniformity of design. In order to avoid monotony of architectural design, no building permit shall be issued for the erection of a home if it is substantially like any neighboring building which is existing or for which a building permit has been issued or is being concurrently considered.
[Amended 9-16-1969 by Ord. No. 73]
- (1) A building shall be considered neighboring if it fronts on the same street as the building being considered and which is the first or second house along the street in either direction or which faces the building site being considered from across the street.
 - (2) In considering those items listed in Subsection **F(3)**, buildings shall be considered substantially alike in any dimension for which they differ by less than two feet, except 20 feet for setback differences. Buildings between which the only difference in relative location of elements is end-to-end or side-to-side reversal shall be deemed to be alike in related location of such elements.
 - (3) Buildings shall be considered substantially alike unless they differ in at least three of the following respects or dimensions:
 - (a) Setback from the street.
 - (b) Relation of a garage visible from the street to the main structure.
 - (c) Length of the main roof ridge.
 - (d) Height of the roof ridge above the first-floor elevation.
 - (e) Width measured perpendicular to the main roof ridge if the building has a gable extending from the main roof visible from the street.
 - (f) Relationship to each other of either windows, doors, chimney or any porch in the front elevation.
 - (4) The Planning Board may waive or vary any requirement of this subsection where the layout of the neighborhood, road pattern, topography, natural features, views and the siting of individual structures is such as to avoid monotony of appearance despite similarity of buildings.
- G. Portable storage unit. A maximum of one portable storage unit may be placed on any residentially used or zoned lot for a period not exceeding nine months during any twelve-month period if the property owner possesses a valid building permit, or for a period not exceeding three months during any twelve-month

period otherwise. Said storage unit shall only be placed on a driveway or in a parking area, and not on lawns or other vegetated areas.

[Added 4-12-2011 by L.L. No. 6-2011]