

FENCES (No permit required)

§249-9. Lot yard and requirements

Corner lots.

(1) On a corner lot, each lot line which abuts a street shall be deemed to be a front lot line, and the required yard along both lot frontages shall be a required front yard. The owner shall elect, and so designate on the plot plan, which of the remaining two required yards shall be the required side yard and the required rear yard.

(2) At all street intersections, no obstructions to vision shall be maintained, erected or planted on any lot within the triangle formed by the intersecting street lines and a line drawn between points along such street lines 30 feet distant from their point of intersection.

Existing lots.

(1) Nothing shall prohibit the use of a lot of less than the prescribed area, width or depth when it can be substantiated that such lot is owned by the same owner and owned separately from any adjoining tracts of land prior to December 12, 1961, provided that all other provisions of this chapter are fully complied with, also including a single, legally created lot, approved by the Planning Board in a signed subdivision plat held in ownership created by an arm's length transaction separate from any adjacent parcel.

[Amended 12-9-2009 by L.L. No. 8-2009]

(2) No lot shall be formed from part of a lot already occupied by a building unless such building, all yards and open spaces connected therewith and the remaining lot comply with all requirements prescribed by this chapter for the district in which said lot is located and is an approved subdivision. No permit shall be issued for the erection of a building on any new lot thus created unless such building and lot comply with all provisions of this chapter.

Exceptions to yard requirements:

(1) Chimneys, arbors, open trellis or unroofed steps.

(2) Terraces which do not exceed one foot in height from the ground level.

(3) Overhanging roofs, not to exceed 10% of the required yard depth.

(4) Windowsills or belt courses not to exceed six inches.

(5) Awnings or movable canopies not to exceed 10 feet.

(6) Fences or walls for the RA, RA-1, R-2 and R-1 Districts with a maximum height of six feet in the rear and side yards and a maximum of four feet in the front yard, except on corner properties where the maximum height shall be three feet.

[Amended 8-25-1993 by L.L. No. 10-1983; 10-13-1994 by L.L. No. 5-1994; 7-26-2007 by L.L. No. 15-2007]

(a) For corner lots, no **fence**, in a required front yard, shall have more than 50% of its area opaque.

(b) No **fence** or wall shall infringe on the corner lot visibility area mentioned in Subsection **A(2)**.

(7) If two or more existing dwellings are located within 200 feet on each side of a proposed dwelling, on the same side of the street and within the same block, and are within the same district, said proposed dwelling need not have a required front yard greater than the average setback of the existing dwellings.