

Table 7.2 Table of Dimensional Regulations

District	Minimum Lot Area *	Minimum Lot Width (feet)	Minimum Yard Requirements (feet)			Maximum Height (feet)	Maximum Lot Coverage
			Front	Side	Rear		
A-F	1 acre	125	50	30 each side	50	40	20%
A-R	1 acre	125	50	30 ft. each side	50	40	20%
R-1	40,000 sq. ft.	100	35	15 ft. each side	35	35	21%
B-1	10,000 sq. ft.	75	25	20 each side	25	40	75%
I-1	30,000 sq. ft.	150	50	40 each side	40	60	80%
I-2	30,000 sq. ft.	150	50	40 each side	40	60	75%

Notes:

* The Cattaraugus County Health Department may require a larger minimum lot size. Also note that a larger minimum lot size may be required by the slope/density provisions in Section 9.19 of this law.

1. Minimum lot area requirements in the R-1 Rural Residential District may be reduced by 25% if either an approved sewage treatment system or an approved public water supply system is provided, and by 50 % if both approved systems are provided.

2. Along any U.S., State or County Highway, no residential or accessory building shall be located within 50 feet of the existing or proposed right-of-way line.

3. Buildings used for commercial or industrial establishments shall not be located or conducted within 30 feet of any lot line of any lot in the R-1 residential district.

Districts:

- A-F Agricultural-Forestry District
- A-R Agricultural-Residential District
- R-1 Rural Residential District
- B-1 General Business District
- I-1 General Industrial District
- I-2 Special Industrial District

Section 7.2 Dimensional Regulations

(A) Table of Dimensional Regulations

Table 7.2, Table of Dimensional Regulations, contains the minimum lot size, minimum lot width, minimum yard requirements, maximum building height and maximum lot coverage for each land use district. This table is hereby declared to be an integral part of this law.

(B) Exceptions to Height Regulations

The height limitations contained in Table 7.2, Table of Dimensional Regulations, do not apply to spires, belfries, cupolas, water tanks, ventilators, chimneys, silos, grain elevators, antennas, radio or television towers, or any appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(C) Measurement of Required Yards

The minimum front yard for a lot shall be determined by measuring at right angles from the nearest street right-of-way line. The rear and side yards shall be determined by measuring at right angles from the rear and side property lines, respectively.

(D) Yards to be Open

Where yards are required in this law, they shall be construed as permanently maintained open spaces. They shall not be less in depth, or width, or area than the minimum specified, and they shall be, at every point, open and unobstructed from the ground to the sky, except as specifically mentioned in these regulations.

(E) Corner Lots

Whenever a side yard is adjacent to a street, both the front and side yards shall be considered to be front yards, and the standards for front yards shall apply.

(F) Through Lots

In the case of a lot running through from one street to another street, the frontage on which the majority of the buildings in the block face shall be considered the primary frontage for the purposes of this law. In cases where there is no clearly defined frontage, the owner, when applying for a building permit, shall specify which lot line is considered the primary frontage. The rear portion of such lot shall, however, be treated as a front for purposes of determining required setbacks and locations of permitted structures and uses.

(G) Accessory Buildings

- (1) No accessory building or structure may be located in a required front yard or a required side yard.
- (2) No accessory building or structure may be located closer to the rear lot line than the applicable side yard requirements. Where an accessory building is erected in the required rear yard on a corner lot, it shall not be located closer to any street than the required front yard distance.
- (3) No accessory building may be located within ten (10) feet of any other building or structure.
- (4) Notwithstanding any other provision of this law, clothesline poles, flag poles, garden trellises, fences and retaining walls shall be exempt from any setback requirements.
- (5) Notwithstanding any other provision of this law, for agricultural activities, accessory structures may be located on any lot where agricultural activities are permitted, as long as said structure meets the setback and other requirements of this local law.

(H) Visual Clearance at Driveways and Intersections

- (1) On corner lots no fence, wall, hedge or other structure or planting interfering with visibility from motor vehicles shall be erected, placed, maintained, continued or permitted within the triangular areas formed by the intersecting street lines on such lots and a line drawn between two points thirty feet distant from the intersection, measured along said street lines.
- (2) On any lot where a private driveway enters a street, no obstruction to visibility from motor vehicles between three (3) feet above ground level and ten (10) feet above ground level shall be located within the triangular area formed by the street property line, the private drive line and a line connecting them at points ten (10) feet from their intersection.

(I) Buffer Yard

- (1) Where any business or industrial use abuts a residential district, the required yard shall contain a landscaped area adjacent to the residential use, a minimum of eight (8) feet in width. The buffer yard shall contain hedges or trees and shall be planted with grass or other planting material. The entire area shall be attractively maintained and kept clean of all debris and rubbish. Parking, storage of merchandise or trash, or other such uses shall not be allowed in the buffer yard.

- (2) In areas where a buffer yard is required but a natural buffer is considered to be impractical or inappropriate, an opaque fence may be substituted in whole or in part for a natural buffer, provided its specifications are approved by the Planning Board.
- (3) All fences and vegetative material shall conform to the visual clearance requirements in Section 7.2 (H).

(J) One Principal Dwelling Permitted Per Lot

In all districts where single family dwellings are permitted, a lot held in single ownership may be developed for such use in accordance with the requirements of this law, provided that there shall be no more than one principal dwelling unit on each lot. If two or more single-family dwellings are proposed to be located on the same lot, the lot shall be subdivided and each new lot shall meet all the requirements of this law.

(K) Fences in the R-1 Rural Residential District

- (1) Any fence erected in the front yard setback shall be of an open design, such as chain link, ornamental iron, rail or picket fencing. Opaque fences such as basket-weave and stockade are not permitted within the required front yard. No fence that exceeds four (4) feet in height, measured from ground level, may be erected in a front yard setback; except that an entrance feature, such as an arched trellis over a gate may exceed four feet. A clearance of six inches shall be allowed for installation purposes and shall not count in determining the height of a fence.
- (2) No fence may be erected which exceeds six (6) feet in height above ground level, except that a clearance of six inches shall be allowed for installation purposes and shall not count in determining the height of a fence.
- (3) No fence may be constructed with barbed wire, metal spikes, or any other sharp pointed materials. All chain link fences shall be installed with the knuckle portion of the fence up and with the barb portion of the fence on or near the ground. No fence may be electrified, except that a low voltage electrified wire may be buried for the purposes of confining a household pet on its owner's property.
- (4) A fence shall be constructed of one material, such as stone, wood or wrought iron. If painted, all sections of a fence on a particular lot shall be stained or painted one color, except for a complementary trim color. In general, fencing should exhibit a consistent design character for the entire lot.
- (5) The restrictions on fencing in this section shall not apply to parcels used for agriculture as defined in Article 4.