

Chapter 229 Zoning

Article VI R-SF Residential Single-Family

§ 229-55 Accessory structures.

A.

The following uses are permitted within outbuildings:

(1)

Parking facilities.

(2)

Gazebos.

(3)

Pool houses.

(4)

Equipment enclosures.

(5)

Saunas.

(6)

Workshops.

(7)

Conservatories.

(8)

Sheds.

(9)

Agricultural support structures (see below).

B.

Standby home generators shall be allowed in the side and rear yard only and be exempt from accessory structure setback standards.

The installation shall meet but not exceed the minimum installation guidelines as set forth within the manufacture specifications of the unit being installed.

The periodic maintenance scheduling shall occur as per the manufacture recommendations and specifications, during daylight hours.

Trash containers, mechanical equipment and outdoor storage shall be located only within the rear yard and be screened from public view.

C.

Mailboxes, newspaper boxes, walls, fences, birdhouses, flagpoles, pump covers, and school bus shelters may be placed in any front, side or rear yard. Doghouses may be placed in rear yards only.

[Amended 2-14-2007 by L.L. No. 1-2007]

D.

Attached accessory structures shall not exceed 40% of the total area of the principal structure or 960 square feet, whichever is smaller. Detached accessory structures shall not exceed 720 square feet. At no time shall the total area of an accessory use exceed 20% of the rear yard. Such uses shall only be permitted in the rear and side yards.

[Amended 2-14-2007 by L.L. No. 1-2007]

E.

Dimension and area requirements.

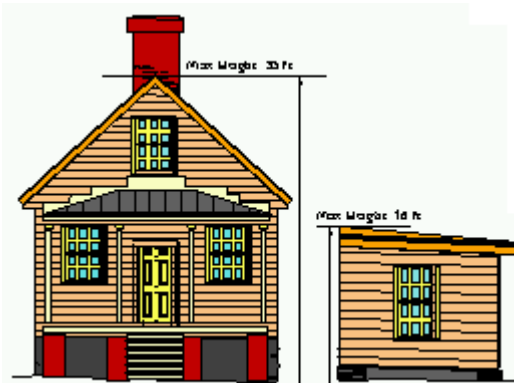
(1)

Minimum side and rear setbacks: 10 feet; five feet if in rear yard. Minimum setback from principal structure: six feet.

[Amended 2-14-2007 by L.L. No. 1-2007]

(2)

Maximum height: 16 feet.



F.

Accessory structures with a total area exceeding 400 square feet shall be constructed using materials and features similar to the principal structure.

G.

Outbuildings in rear yards that abut a publicly dedicated street must have a minimum setback equal to the front yard setback.

H.

Only one private garage is allowed, whether attached or detached, and two accessory buildings up to 200 square feet on any one lot where a principal building exists.

I.

No overhead door shall exceed nine feet in height.

[Added 2-14-2007 by L.L. No. 1-2007^[1]]

[1]

Editor's Note: This local law also provided for the relettering of Subsections I and J as Subsections J and K.

J.

No accessory building may be built without a principal building on the lot.

K.

Customary agricultural outbuildings shall be permitted on any lot that has a permitted agricultural operation. There shall be no limitation on the size of an agricultural outbuilding, but it shall meet all other regulations in this section.

Restricted Business

§ 229-76 Permitted uses.

The following list of uses are allowed as vested rights in structures measuring up to 10,000 square feet in area or a cumulative total of 30,000 square feet of building area on an individual property:

~~A.~~

~~Single-family homes.~~

B.

Professional offices.

C.

Nursing homes.

D.

Bed-and-breakfasts.

E.

Home occupations.

F.

Day-care centers.

~~G.~~

~~Two-family homes.~~

H.

Mortuary/funeral homes.

I.

Medical clinics.

J.

Community facilities.

K.

Public utility facilities.

L.

Beauty salons.

Commercial

§ 229-84 Permitted uses.

A.

The following list of uses are allowed as vested rights in facilities measuring up to 30,000 square feet in area:

~~(1)~~

~~Two-family homes.~~

(2)

Professional offices.

(3)

Funeral homes.

(4)

Convention facilities.

(5)

Retail sales activities.

(6)

Personal service shops, craft shops, antique shops Retail nursery or greenhouse.

[\(7\)](#)

Trade or industrial school.

[\(8\)](#)

Small animal hospital/veterinary clinic.

[\(9\)](#)

Dry cleaners/commercial laundry.

[\(10\)](#)

Printing shops.

[\(11\)](#)

Community facilities.

[\(12\)](#)

Permitted in-fill uses in existing structures.

[\(13\)](#)

Medical offices.

[\(14\)](#)

Nursing homes, dependent-living facilities.

[\(15\)](#)

Motels, hotels.

[\(16\)](#)

Grocery store/convenience store.

[\(17\)](#)

Retail nursery or greenhouse.

[\(18\)](#)

Restaurants.

[\(19\)](#)

Banks/financial institutions.

[\(20\)](#)

Plumbing, heating, electrical shops.

[\(21\)](#)

Day-care centers/nursery schools.

[\(22\)](#)

Public utility facilities.

[§ 229-168 Definitions.](#)

As used in this chapter, the following words shall have the meanings indicated:

[RECREATIONAL VEHICLE](#)

Shall include motor homes, truck campers, utility and landscape trailers, boats, watercraft, snowmobiles, snow machines, and any trailer capable of transporting these vehicles, and camping trailers less than 48 feet in length and/or having less than 720 square feet of interior floor area.

Signage

[§ 181-3 Regulations for specific sign districts.](#)

[B. Commercial Zoning District.](#)

(5)

Externally illuminated signs are preferred. Internally illuminated signs are permitted in certain circumstances as follows:

(a)

Where the backlit letters are silhouetted against a softly illuminated wall;

(b)

Individual letters with translucent faces containing soft lighting elements inside each letter; ~~and~~

~~(c)~~

~~Metal faced box signs with cutout letters and soft glow fluorescent tubes.~~

(c)

Cabinet signage shall be prohibited, unless there is a demonstrated hardship.

C. Restricted Business Zoning District.

(4)

Externally illuminated signs are preferred. Internally illuminated signs are permitted in certain circumstances as follows:

(a)

Where the backlit letters are silhouetted against a softly illuminated wall;

(b)

Individual letters with translucent faces containing soft lighting elements inside each letter; ~~and~~

~~(c)~~

~~Metal faced box signs with cutout letters and soft glow fluorescent tubes.~~

(c)

Cabinet signage shall be prohibited, unless there is a demonstrated hardship.

D. Traditional Neighborhood Zoning District.

(4)

Externally illuminated signs are preferred. Internally illuminated signs are permitted in certain circumstances as follows:

(a)

Where the backlit letters are silhouetted against a softly illuminated wall;

(b)

Individual letters with translucent faces, containing soft lighting elements inside each letter; ~~and~~

~~(c)~~

~~Metal faced box signs with cutout letters and soft glow fluorescent tubes.~~

(c)

Cabinet signage shall be prohibited, unless there is a demonstrated hardship.

§ 181-7 Variances.

An applicant shall have the right to petition the ~~Zoning Board of Appeals~~ Planning Board of the Town of Clarence in the event of a denial of the right to place or erect a sign within the Town of Clarence, whether by permit or otherwise. The ~~Zoning Board of Appeals~~ Planning Board of the Town of Clarence, after public notice and a hearing, may approve, deny, or vary/modify the application of this chapter in harmony with its general purpose and intent.

(editor note) Removal of Chapter 229 Attachments 1 and 2