

**ARTICLE VI  
PERMITTED MODIFICATIONS**

**SECTION 600      ZONE LOT REGULATIONS**

**A.      Existing Zone Lots of Record**

1.      A non-conforming zone lot of official record existing at the effective date of this Zoning Law may be used for any purpose permitted in the zone district in which it is located, irrespective of its area or width, provided that the owner of which does not own any adjoining property which would create a conforming lot if all or part of said property were combined with subject zone lot and provided that the minimum area for such lot shall be twelve thousand (12,000) square feet and a minimum lot width requirement of one hundred sixty (160) feet and that all other provisions of this Zoning Law are adhered to.
2.      No lot or lots in single ownership shall hereafter be reduced so as to create one or more non-conforming lots.
3.      A permit for the use of pre-existing lots which are less than thirty thousand (30,000) square feet in area and less than one hundred sixty (160) feet in width may only be issued following the approval of a variance by the Zoning Board of Appeals.

**SECTION 601      HEIGHT REGULATIONS**

- A.      The height limitations of this Zoning Law shall not apply to church spires, belfries, cupolas, domes and silos.
- B.      Chimneys, ventilators, skylights, water tanks, television and radio antenna and similar features and necessary mechanical appurtenances usually carried on and above the roof level may exceed the height limitation of this Zoning Law by not more than thirty (30) feet.
- C.      The provisions of this Zoning Law shall not apply to prevent the erection of a parapet wall or cornice for ornament which may extend above the height limits of this Law by up to five (5) feet.
- D.      Public and quasi-public buildings, schools, churches and other similar permitted uses may exceed the maximum height specified for the zone district provided that

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the minimum front, side and rear yard setbacks are increased by two (2) feet for each one (1) foot of such additional height up to a maximum height of fifty (50) feet and provided that on-site fire protection facilities approved by the local fire company are installed.

- E. The height regulations set forth hereinabove shall not apply to Commercial Communication Towers, Wind Energy Conversion Devices, Meteorological Testing Towers and/or Small Wind Energy Devices. In no case shall the same exceed the following:
1. Commercial Communication Tower - No tower shall exceed four hundred (400) feet in total height.
  2. Wind Energy Conversion Device - No device shall exceed four hundred fifty (450) feet in total height.
  3. Meteorological Testing Tower - No device shall exceed one hundred fifty (150) feet in total height.
  4. Small Wind Energy Device
    - a. Eighty (80) feet on parcels between one (1) and five (5) acres.
    - b. One hundred twenty-five (125) feet on parcels of five (5) or more acres.
  5. The allowed heights shall be reduced if necessary to comply with all applicable Federal Aviation Requirements, including Subpart B (Commencing with Section 77.11) of part 77 of Title 14 of the Code of federal Regulations regarding installations close to airports.

SECTION 602 YARD REGULATIONS

A. Side Yard Reduction

1. The width of one (1) side yard in a Medium Density District may be reduced to not less than twenty (20) feet, provided that the sum of widths of the two (2) side yards is not less than the required minimum, and further provided that the distance between the proposed structure and either an existing or proposed structure on an adjacent zone lot is not less than the required minimum sum of the widths of the two (2) side yards.

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2. In the case of lots which comply with the provisions for modification of Section 600, the combined total side yard requirements, as specified in the Schedule, shall be reduced by six (6) inches for each foot by which a lot is less than the minimum lot width requirement specified in the Schedule for the zone in which located.
  3. In no case shall the combined side yard width be reduced to less than forty (40) feet nor shall any single yard be less than twenty (20) feet in width.
- B. Front Yard Exception - In Medium Density Districts where the frontage on the same side of the street within five hundred (500) feet of the subject is fifty percent (50%) or more developed, the required front yard setback from the right-of-way line for a new structure may be modified to the average for such existing development. Otherwise, the requirements of the Schedule shall apply.

SECTION 603 PROJECTIONS INTO REQUIRED YARDS

Certain architectural features may project into required yards as follows:

- A. Cornices, canopies, eaves or other architectural features may project into side yards a distance not exceeding two (2) inches per one (1) foot of side yard width, but may not exceed a total of three (3) feet.
- B. Fire escapes may project into side and rear yards a distance not exceeding four (4) feet, six (6) inches.
- C. Bay windows, balconies, fireplaces, uncovered stairways and necessary landings and chimneys may project a distance not exceeding three (3) feet, provided that such features do not occupy in the aggregate, more than one-third (1/3) of the length of the building wall on which they are located.
- D. Patios may be located in side and rear yards provided that they are not closer than ten (10) feet to any adjacent property line.