

ARTICLE I
General Provisions

§ 115-1. Statutory authority.

Pursuant to the authority conferred by Article 7 of the Village Law of the State of New York, the Board of Trustees of the Village of Hancock, New York, hereby adopts and enacts as follows.

§ 115-2. Title.

This chapter may be cited as the "Village of Hancock Zoning Law."

§ 115-3. Purpose.

The purpose of this chapter is to promote the public welfare, safety and health as follows:

- A. Promote orderly development in accordance with a comprehensive plan.
- B. Secure safety from fire, flood and other dangers.
- C. Provide adequate light and air.
- D. Prevent overcrowding and undue concentration of population.
- E. Conserve the value of properties and buildings.
- F. Facilitate the adequate provision for public utilities and facilities.
- G. Promote energy conservation.
- H. Make provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefor.
- I. Promote and protect appropriate river-related development and natural resources.

§ 115-4. *Applicability.*

These regulations shall apply to the construction, installation or alteration of any building, structure or accessory system and any lot, plot or parcel of land used, occupied or maintained as herein provided for in the Village of Hancock.

§ 115-5. *Compliance with other provisions.*

Compliance shall be required with all other applicable laws, ordinances and codes relating to properties and buildings, including:

- A. The New York State Uniform Fire Prevention and Building Code.¹
- B. The New York State Multiple Residence Law.
- C. The New York State Environmental Conservation Law.
- D. Chapter 63, Flood Damage Prevention, of the Code of the Village of Hancock.
- E. Chapter 88, Sewers, and Chapter 109, Water, of the Code of the Village of Hancock.
- F. The New York State Mined Land Reclamation Law.

ARTICLE II
Terminology

§ 115-6. *Word usage.*

For the purposes of this chapter, certain terms or words used herein shall be interpreted as follows:

- A. Words used in the present tense shall include the future.
- B. The singular number includes the plural and the plural the singular.
- C. The word "lot" includes the word "plot" or "parcel."

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- D. The word "person" includes a corporation, partnership, association or organization as well as an individual.
- E. The word "building" includes the word "structure."
- F. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "built," "arranged" or "designed to be used or occupied."
- G. The word "shall" is mandatory; the word "may" is permissive.²

§ 115-7. Definitions.

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

ACCESSORY BUILDING — A building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building.

ACCESSORY USE — A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

ALLEY — A serviceway which affords secondary public means of vehicular access to abutting property.

ALTERATION — A change or rearrangement in the structural parts or in the entrance and exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

AUTO WASH — A structure designed or intended primarily for the washing of automobiles, including conveyor, drive-through and self-service types.

BASEMENT — A space of full story height partly below grade and having at least half of its clear floor-to-ceiling height above the established grade of the street center line or, if no grade has been officially established on the street, measured from the average level of the proposed finished grade across the front of the building, and which space is not

² Editor's Note: Amended at time of adoption of Code; see Ch. 1. General Provisions, Art. 1.

designed or used primarily for year-round living accommodations.

BED-AND-BREAKFAST — An establishment in a private dwelling that supplies temporary accommodations to overnight guests for a fee. Meals may or may not be provided. Tourist homes, boardinghouses and inns are included in this definition; however, rest homes or homes for the aged are not. [Added 9-19-1988 by L.L. No. 2-1988]

BUILDING — Any roofed structure intended for the shelter, housing or enclosure of persons, animals or property. When a "building" is divided into entirely separate parts extending from the ground up, each part so divided is deemed a separate "building."

BUILDING AREA — The total ground floor area of a principal building and accessory building exclusive of uncovered porches, steps and terraces.

BUILDING COVERAGE — That portion of the plot or lot area covered by a building.

BUILDING, DETACHED — A building surrounded by open space on all sides on the same lot.

BUILDING, FLOOR AREA OF — The sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, including basement areas devoted to residential use and the area of bays, dormers, roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

BUILDING, HEIGHT OF — The vertical distance measured from the established grade at the street center line or, if no grade has been officially established on the street, measured from the average level of the proposed finished grade across the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE — A line parallel to the front, side and rear property lines, respectively, beyond which a structure may not extend as determined by this chapter.

BUILDING, PRINCIPAL — A building in which is conducted the main or principal use of the lot on which said building is situated.

CAMP — Any one (1) or more of the following: a tent, trailer, shelter, cottage or other accommodation for seasonal or other more or less temporary living accommodations, regardless of whether such structure or other accommodation is actually used seasonally or otherwise; by a parcel of land on which are located two (2) or more cottages, shelters, recreational vehicles, tents or other accommodation for seasonal or other more or less temporary living arrangements; a parcel of land, including buildings and facilities thereon, used for the assembly of children or adults for what is commonly known as “day camp” purposes; or a parcel of land, including buildings and facilities thereon, used for overnight, weekend or long periods of camping by organized groups.

CELLAR — That space of a building that is partly or entirely below grade, which has more than half its height, measured from floor to ceiling, below the established grade at the street center line or, if no grade has been officially established on the street, measured from the average level of the proposed finished grade across the front of the building, and which space is not designed or used primarily for year-round living accommodations.

COMMERCIAL/RETAIL USES — Businesses intended for the sale of retail goods or personal services, department store, grocery store, convenience store, but excludes restaurant, hotel/motel, gas station, garage, car wash, utility and agriculture.

DWELLING, MULTIPLE-FAMILY — A building or portion thereof designed for year-round occupancy, containing separate dwelling units for three (3) or more families living independently of each other, other than hotels, motels, camps and rooming houses.

DWELLING, ONE-FAMILY — A detached building designed for year-round occupancy by one (1) family only, other than a mobile home, recreational vehicle, camp or any temporary structure.

DWELLING, SEASONAL — A detached dwelling unit providing complete housekeeping facilities for one (1) family designed for seasonal or non-year-round occupancy other than a mobile home, camp or recreation vehicle.

DWELLING, TOWNHOUSE — Three (3) or more attached dwelling units designed for year-round occupancy and containing separate dwelling units for occupancy.

DWELLING, TWO-FAMILY — A detached building designed for year-round occupancy by two (2) families living independently of each other, other than a mobile home, recreational vehicle, camp or rooming house.

DWELLING UNIT — A building or portion thereof, providing complete housekeeping facilities for one (1) family, including living, cooking, sanitary and sleeping facilities.

FAMILY — One (1) or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit.

GARAGE, PRIVATE — A roofed space for the storage of one (1) or more motor vehicles, provided that no business, occupation or service is conducted for profit therein or space for more than one (1) car is leased to a nonresident of the premises.

GARAGE, PUBLIC — A building or part thereof operated and used for the storage, hiring, selling, greasing, washing, servicing or repair of motor-driven vehicles.

GASOLINE STATION — Any area of land, including structures thereon, that is used or designed to be used for the sale of gasoline or oil or other motor vehicle fuel and which may include facilities for lubricating, washing, cleaning or otherwise servicing motor vehicles, but not including the painting or major repair thereof. The term "gasoline station" shall be deemed to include filling station and service station.

HOME OCCUPATION:

- A. Any use customarily conducted entirely within a dwelling or its accessory buildings and operated only by a resident of the premises and in which not more than two (2) nonresidents are employed or engaged, which use is

clearly incidental to the use of the dwelling as a place of residence. In particular, a "home occupation" includes, but is not limited to, the following:

- (1) Professional or business office.
- (2) Art or photographic studio.
- (3) Dressmaker or seamstress.
- (4) Barber- or beauty shop.

- B. However, a "home occupation" shall not be interpreted to include a commercial stable or kennel, animal hospital, restaurant, tourist home or boardinghouse, convalescent home, funeral home or stores, trades or businesses of the kind herein excepted.

HOSPITAL — A building or structure for the diagnosis and medical or surgical care of human sickness or injuries.

HOSPITAL, ANIMAL — A building or structure for the diagnosis and medical or surgical care of sick or injured animals.

HOTEL or MOTEL — A building or group of buildings where transient guests are lodged for hire.

LAUNDROMAT — A business premises equipped with individual clothes washing or cleaning machines for use by retail customers, exclusive of laundry facilities provided in an apartment, fraternity, sorority, residential or resort hotel or club.

LIGHT MANUFACTURING — Those industrial uses, which activities do not usually constitute a fire hazard or emit smoke, glare, noise, odor or dust or in other ways constitute a nuisance and/or are not detrimental to neighboring properties.

LOT — A parcel of land considered as a unit, occupied or capable of being occupied by a principal building or use and accessory buildings or uses or by a group of buildings united by a common use or interest and including such open spaces as are required by this chapter and having its principal frontage on a public street or an officially approved place.

LOT AREA — The total area included within side and rear lot lines and the street or highway right-of-way.

LOT, CORNER — A lot located at the intersection of and fronting on two (2) or more intersecting streets and having an interior angle at the corner or intersection of less than one hundred thirty-five degrees (135°).

LOT DEPTH — The mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines.

LOT, INTERIOR — A lot other than a corner lot.

LOT LINES — The property lines bounding the lot, including:

- A. LOT LINE, FRONT — The lot line separating the lot from the street right-of-way.
- B. LOT LINE, REAR — The lot line opposite and most distant from the front lot line.
- C. LOT LINE, SIDE — Any lot line other than a front or rear lot line.

LOT, THROUGH — A lot having frontage on two (2) approximately parallel or converging streets other than a corner lot.

LOT WIDTH — The distance between side lot lines measured parallel to the front lot line at a distance from the front lot line equal to the front yard specified for the district.

MEDICAL FACILITY — Includes hospital, out-patient clinic or other type of medical arts building.

MOBILE HOME — A factory-finished movable dwelling unit [having a minimum floor area of six hundred (600) square feet] designed and built on frame and wheels to be towed on its own chassis and designed for and providing housekeeping facilities for year-round occupancy, including living and sleeping accommodations, a flush toilet, tub or shower and kitchen facilities, and with plumbing and electrical connections provided for attachment to outside systems; after being

transported to the building site. It does not include a recreational vehicle.

MOBILE HOME COURT — A parcel of land which has been planned and improved for the placement of two (2) or more mobile homes for dwelling purposes. The term shall include mobile home park or other area planned and/or improved for two (2) or more mobile homes.

NONCONFORMING LOT — Any lot in single ownership, which does not conform to the minimum area and/or dimensions required in the district in which it is situated or for any adjoining property, the subdivision of which could create one (1) or more conforming lots.

NONCONFORMING USE — Use of a building or of land that does not comply with the regulations for the district in which it is situated and where such use existed and/or was used legally at the time of adoption of this chapter.

NURSING/RETIREMENT HOME — A proprietary facility, licensed or regulated by the State of New York for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require skilled nursing and related medical services which are prescribed by or performed under the direction of a person or persons licensed to provide such care or services in accordance with the laws of the State of New York.

PARKING SPACE — An off-street space designated for the parking of one (1) motor vehicle and having an area of not less than one hundred eighty (180) square feet, exclusive of passageways and driveways thereto.

PROFESSIONAL OFFICES — Offices in which an occupation or vocation requiring training and advanced study in a specialized field is practiced (i.e., doctor, lawyer and real estate offices).

RECREATIONAL VEHICLE — A mobile recreational unit, including travel trailer, pickup, camper, converted bus, tent-trailer, camper trailer, tent or similar device used for temporary portable housing.

SIGN — Any device affixed to, painted or represented directly or indirectly upon a building, structure or land and which directs attention to an object, product, place, activity, person, institution, organization or business. Each display surface shall be considered to be a “sign.”³

SIGN, ADVERTISING — A sign which directs attention to a business, commodity, service or entertainment sold or offered elsewhere than upon the premises where such sign is located.

SIGN, BUSINESS — A sign which directs attention to a business or profession conducted or a commodity, service or entertainment sold or offered upon the premises where such sign is located or to which it is affixed. A “for sale” or “to let” sign relating to the lot on which it is displayed shall be deemed to be a “business sign.”

SIGN, FLASHING — Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color when such sign is in use. For the purpose of this chapter, any revolving illuminated sign shall be considered a “flashing sign.”

SITE PLAN — A plan of a lot or subdivision on which is shown topography, location of all buildings, structures, road rights-of-way, boundaries, all essential dimensions and bearings and other information deemed necessary by the Planning Board.

SOLAR ENERGY — Radiant energy (direct, diffuse and reflected) received from the sun.

SOLAR ENERGY SYSTEM — An arrangement or combination of components and structures designed to provide heating, cooling, hot water or electricity through the process of collecting, converting, storing, protecting against unnecessary dissipation and distributing solar energy.

SPECIAL PERMIT USE — A use that would not be appropriate generally or without restriction throughout the zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the

³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

public health, safety, welfare, order, comfort, convenience, appearance, prosperity or general welfare. Such use may be permitted in certain zoning districts as a special use, if specific provision for such special use is made in this chapter.

STORY — That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between any floor and the ceiling next above it.

STREET — A public or private way which affords the principal means of access to abutting property.

STRUCTURAL ALTERATION — Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

STRUCTURE — Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

VARIANCE — Any authorized departure by the Board of Appeals from the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship.

YARD, FRONT — An open space extending across the principal street side of a lot measured between the side lot lines, the depth of which yard is the minimum horizontal distance between the street center line and the building line or any projection thereof other than steps and unenclosed porches, extending not more than six (6) feet from the front of the building, except as otherwise provided in this chapter.

YARD, REAR — An open space extending across the rear of a lot measured between the side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the principal building or any projection thereof other than steps and unenclosed porches extending not more than six (6) feet from the rear of the building, except as otherwise provided in this chapter. On both corner and interior lots, the

rear yard shall in all cases be at the opposite end of the lot from the front yard.

YARD, SIDE — An open space from the front yard to the rear yard between the building and the nearest side lot line unoccupied and unobstructed from the ground upward, except for steps and unenclosed porches and as otherwise specified in this chapter.

ZONING BOARD OF APPEALS — A zoning review organization consisting of three (3) members appointed in accordance with § 7-712 of the Village Law. Such Board shall have responsibility for interpretation and variance determination.

ARTICLE III Zoning Districts

§ 115-8. Enumeration of districts.

The Village of Hancock is divided into the following districts:

- R1 Residential District (one- and two-family)
- R2 Residential District (multifamily)
- GB General Business District
- DB Downtown Business District
- I Industrial District
- OF Flood Hazard District (overlay district)

§ 115-9. Zoning Map.

- A. The locations and boundaries of the zoning districts are as shown on the official map entitled the "Village of Hancock, New York Zoning Map," which is on file in the office of the Village Clerk and a copy of which is included in a pocket at the end of this volume.⁴
- B. Amendments to district boundaries shall be immediately shown on the Official Zoning Map at the time of such amendment.

⁴ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. 1.

§ 115-10. Determination of district boundaries.

Where uncertainty exists concerning the locations of boundaries shown on the map, the following rules shall apply:

- A. District lines are intended to follow center lines of streets and highways, the center line of railroad rights-of-way, existing lot lines, the center line of rivers, streams and other waterways and village boundary lines.
- B. Where a district boundary line does not follow such a line, its position shall be shown on the Zoning Map⁵ by a dimension expressing its distance in feet from a street line or other boundary line as indicated or by use of a map scale.
- C. Where a district boundary line divides a lot in single ownership at the time of passage of this chapter, the standards of the more restrictive portion of such lot shall apply.
- D. In case of uncertainty as to the true location of a district boundary line, the Zoning Board of Appeals shall render a determination with respect thereto.

§ 115-11. Annexations.

Prior to annexation of any area by the village, the Planning Board shall recommend to the Board of Trustees the appropriate zoning designation. The Board of Trustees, after public hearing, shall determine the zoning designation, to be effective on the day of annexation.

§ 115-12. Overlay districts.

In an overlay district, property is placed simultaneously in two (2) districts and the requirements of both districts apply. However, the requirements of the overlay zone modify those of the underlying zone.

⁵ Editor's Note: The Zoning Map is included in a pocket at the end of this volume.

§ 115-13. Permitted uses.

Districts and their permitted uses are listed in Article V and are summarized in chart form in Schedule A.⁶ Each zoning district is described as follows:

- A. Purpose.
- B. Permitted principal uses.
- C. Special permit uses (permit issued by Planning Board).
- D. Uses requiring site plan approval.

§ 115-14. Nonconforming uses.

The lawful use of any land or building existing at the time of the adoption of this chapter may be continued, although such use does not conform to the provisions of this chapter, and any such building may be reconstructed or structurally altered and the nonconforming use therein changed, subject to the following regulations:

- A. Additions. A nonconforming building or use shall not be added to or enlarged unless such nonconforming building or use is made to conform to the regulations of the district in which it is located.
- B. Alterations. A building nonconforming as to use may not be reconstructed or structurally altered during its life to an extent exceeding in aggregate cost fifty percent (50%) of the fair value of the building, unless the use of such building is changed to a conforming use.
- C. Changes. A nonconforming use may be changed only to a use conforming to this chapter.
- D. Discontinuance. Whenever a nonconforming use has been discontinued for a period of one (1) year, any future use shall be in conformity with the provisions of this chapter.
- E. Restoration. A building nonconforming as to use which has been damaged by fire or other causes to the extent of not more than fifty percent (50%) of its fair value may be restored,

⁶ Editor's Note: Schedule A is included at the end of this chapter.

reconstructed or used as before, provided that the bulk, height and area requirements shall not exceed that which existed before said damage. Said restoration must be completed within two (2) years of such occurrence or the use of the buildings or land as legal nonconforming use thereafter shall be terminated.

- F. Removal. If any building in which any nonconforming use is conducted is hereafter removed, the subsequent use of any building erected thereon shall conform to the regulations of the district.
- G. Validity of permit. Any building for which a permit has been lawfully granted and on which the construction has been started and diligently prosecuted before the effective date of this chapter may be completed.

ARTICLE IV Regulations Applicable to All Districts

§ 115-15. Compliance required.

No building shall be erected, moved, altered, added to or enlarged nor shall any land or building be designed or used for any purpose or in any manner other than as specified in this chapter.

§ 115-16. Existing lots of record.

A building or structure may be constructed on any lot of record in any district where otherwise permitted even if said lot is less than the minimum area required for building lots in the district in which it is located, provided that the following conditions exist or are met:

- A. Adjoining vacant land. The owner of said lot owns no adjoining vacant land which would create a conforming lot if combined with the lot which is deficient in area.
- B. Front and rear yards. Any structure erected on a nonconforming lot shall have front and rear yards conforming to the minimums required for the district in which said lot is located, except where conditions make this impossible.

- C. Side yards. Any structure erected on a nonconforming lot shall have a minimum side yard of ten (10) feet, except that it shall be twenty (20) feet adjacent to any street.

§ 115-17. Number of dwellings permitted on one lot.

No more than one (1) residential structure on any lot, other than group housing, shall be permitted, unless lot area and yard requirements are met for each dwelling, including required street frontage.

§ 115-18. Corner lots.

On a corner lot in any district where a front yard is required, a yard shall be provided on each street equal in depth to the required front yard on each such street. One (1) rear yard shall be provided on each corner lot, and the owner shall designate the rear yard on his application for a permit.

§ 115-19. Through lots.

Where a single lot under individual ownership extends from one street to another parallel or nearly parallel street or alley, the principal structure shall be erected to face the street on which those adjoining structures face. The building height shall be measured from the grade of the street designated as the street on which the building fronts.

§ 115-20. Visibility at street corners.

No fence, wall, hedge or other structure or planting shall be erected or placed on a corner lot which shall cause obstruction to vision at street intersections.

§ 115-21. Front yard exception.

When a vacant lot in any district is situated between two (2) improved lots, the front yard of the vacant lot shall have a minimum depth equal to the average depth of the front yards of the two (2) adjoining improved lots, but not less than twenty (20) feet from the street right-of-way.

§ 115-22. Projections into required yards.

- A. The space in any required yard shall be open and unobstructed except for accessory buildings in a side or rear yard and except for the ordinary projections of windowsills, belt courses, cornices, eaves and other architectural features; provided, however, that such features shall not project more than two (2) feet into any minimum required yard as specified in Schedule A.⁷
- B. A paved terrace shall not be considered as part of a building in the determination of yard sizes or lot coverage, provided that such terrace is unroofed and without structural walls or other form of enclosure exceeding six (6) feet in height.
- C. In determining the percentage of building coverage or the size of yards for the purpose of this chapter, enclosed porches or porches open at the side but roofed shall be considered a part of the building.
- D. An open fire escape may extend into any minimum required yard not more than four (4) feet, provided that such fire escape shall not be closer than six (6) feet at any point to any lot line.
- E. Unenclosed entrance steps or stairways providing access in the first story, cellar or basement of a building may extend into any minimum required yard a distance not to exceed six (6) feet in the front or rear but not to exceed four (4) feet in any minimum required side yard.

⁷ Editor's Note: Schedule A is included at the end of this chapter.

§ 115-23. Walls, fences and hedges.

The yard requirements of this chapter shall not prohibit any retaining wall or any fence, wall or hedge otherwise permitted and in conformance with state regulations, provided that in any residential district, such fence, wall or hedge shall be no closer to any front lot line than two (2) feet, except for the provision of four (4) feet to enable the passage of foot traffic, and shall comply with visibility at street corners as provided in this Article.

§ 115-24. Screening.

- A. Enclosed uses. Any use required by this chapter to be screened shall provide a fence, screen or landscaping sufficient to obscure such uses from view from abutting properties or from the public right-of-way.
- B. Unenclosed uses. Any commercial or industrial use which is not conducted within a building, including but not limited to junkyards, storage yards and building materials yards, and which is in, abuts or is adjacent to a residence district or fronts on a public right-of-way shall be obscured from view from such residence district and public right-of-way. This section shall not apply to nurseries and the display for sales purpose of new or used cars, trucks, trailers, bicycles, motorcycles, snowmobiles or farm equipment if set back at least fifty (50) feet from the edge of the pavement.
- C. Approval by the Planning Board. Plans and site design for the installation of such fencing or screening as are required by this zoning law shall be reviewed and approved by the Planning Board prior to issuance of a building permit. Any fencing or screening installed in accordance with this section shall be maintained in good order to achieve the objectives of this section. Failure to maintain fencing or to replace dead or diseased plant materials shall be considered a violation of this chapter.

§ 115-25. Accessory buildings.

On any lot, one (1) accessory building, including a garage, noncommercial home workshop or other accessory building or use in connection with the principal dwelling or use, may be constructed and located, subject to the following:

- A. Location. Nonresidential accessory buildings shall comply with front and side yard requirements for the principal building. Accessory buildings to a residential use which are not attached to a principal building shall be erected in accordance with the following requirements:
 - (1) At least ten (10) feet from side and rear property lines.
 - (2) Not closer to a principal building than ten (10) feet.
- B. When an accessory building is attached to the principal building, it shall comply in all respects with the requirements of this chapter applicable to the principal building.

§ 115-26. Additional height limitations.

Height limitations shall not apply to belfries, church spires, cupolas and domes not used for human occupancy; nor to chimneys, ventilators, skylights, antennas, tanks and necessary mechanical appurtenances usually carried above the roof.

§ 115-27. Waterfront lots.

All lots abutting a lake, pond, river, stream or similar permanent water body shall provide a building setback line of not less than one hundred (100) feet from the high-water line of such abutting water body.

ARTICLE V
District Regulations

§ 115-28. R1 Residential District.

A. The purpose of the R1 Residential District is to:

- (1) Designate those areas where predominantly low-density residential development has occurred or is likely to occur in accordance with the Village Plan.
- (2) Protect the integrity of residential areas by prohibiting the development of incompatible land uses.

B. Permitted uses. In any R1 Residential District, the following buildings and uses are permitted:

- (1) One- or two-family dwellings.
- (2) Accessory uses, including solar energy systems and equipment.

C. Special permit uses. In any R1 Residential District, the following buildings and uses are permitted subject to the conditions of Article VII of this chapter:

- (1) Three- and four-family dwellings by conversion.
- (2) Group home; retirement home.
- (3) Home occupation.
- (4) Public school.
- (5) Church; cemetery.
- (6) Public utility.
- (7) Commercial greenhouse.
- (8) Public swimming pool; public park; golf course.
- (9) Agriculture.
- (10) Medical facility.
- (11) Campground; canoe livery.
- (12) Bed-and-breakfast. [Added 9-19-1988 by L.L. No. 2-1988]

D. [Amended 9-19-1988 by L.L. No. 2-1988; 7-19-1993 by L.L. No. 2-1993] Uses requiring site plan review in the R1 Residential District shall be as follows:

- (1) All special permit uses.

§ 115-29. R2 Residential District.

A. The purpose of the R2 Residential District is to:

- (1) Designate those areas where predominantly higher density residential development has occurred or is likely to occur in accordance with the Village Plan.
- (2) Designate those areas which are best suited for multifamily housing because of location, parking and relation to other land uses.

B. Permitted uses. In any R2 Residential District, the following buildings and uses are permitted:

- (1) One- or two-family dwellings. [Amended 9-14-1992 by L.L. No. 4-1992]
- (2) Accessory uses, including solar and other alternative energy systems and equipment.

C. [Amended 9-9-1988 by L.L. No. 2-1988; 9-14-1992 by L.L. No. 4-1992] Special permit uses. In any R2 Residential District, the following buildings and uses are permitted subject to the conditions of Article VII of this chapter:

- (1) Three- and four-family dwellings by conversion.
- (2) Group home; retirement home.
- (3) Home occupation.
- (4) Public school.
- (5) Church; cemetery.
- (6) Public utility.
- (7) Commercial greenhouse.

- (8) Public swimming pool; public park; golf course.
- (9) Agriculture.
- (10) Medical facility.
- (11) Campground; canoe livery.
- (12) Bed-and-breakfast.
- (13) Mobile home parks.
- (14) Multifamily dwellings.
- (15) Hotels/motels.

D. [Amended 9-19-1988 by L.L. No. 2-1988; 7-19-1993 by L.L. No. 2-1993] Uses requiring site plan review in the R2 Residential District shall be as follows:

- (1) All special permit uses.

§ 115-30. GB General Business District.

A. The purpose of the GB General Business District is to:

- (1) Designate those areas where predominantly business and commercial development has occurred or is likely to occur in accordance with the Village Plan.
- (2) Designate areas best suited for commercial services because of location, transportation, parking and relocation to other land uses.

B. Permitted uses. In any GB General Business District, the following buildings and uses are permitted:

- (1) One- and two-family dwellings.
- (2) Professional, business, municipal or other government office.
- (3) Banks and credit unions.