

RA2, ONE & TWO FAMILY RESIDENTIAL DISTRICT

§ 24-181

Sec. 24-181. RA-2 district.

(a) *Scope* This section applies to the RA-2 district.

(b) *Lot limitations.*

(1) *Minimum lot size.*

a. The minimum lot area is nine thousand (9,000) square feet for lots used or to be used for one-family dwellings; twelve thousand five hundred (12,500) square feet for lots used or to be used for two-family dwellings. Dwellings with a private sanitary sewer shall have greater area, as may be required by section 24-704.

b. The minimum lot frontage is seventy-five (75) feet for lots used or to be used for one-family dwellings; or seventy-five (75) feet measured at the thirty-foot setback line, provided such lot has a minimum fifty-foot frontage on a street and otherwise meets all other requirements used or to be used for one-family dwellings; and one hundred (100) feet for lots used or to be used for a two-family dwelling.

c. Under no circumstances shall a building permit be issued for a two-family dwelling for any lot which fails to comply with the foregoing minimum lot sizes for lots used or to be used for two-family dwellings, regardless of the inclusion of any such lot upon any recorded subdivision and regardless of any improvements which may have been made to any lot prior to the effective date of the local law from which this provision is derived; nevertheless, any building permit for any two-family dwelling which shall have been issued prior to such effective date shall not be affected.

(2) *Maximum percentage of lot coverage.* The maximum percentage of lot coverage is as follows:

a. For a principal building, twenty-five (25) percent.

b. For an accessory building, ten (10) percent.

(3) *Minimum yard dimensions.* The minimum yard dimensions from lot lines to principal building are as follows:

a. For the front yard, thirty (30) feet.

b. Each side yard, seven (7) feet. On a corner lot, the side yard adjacent to the street shall be not less than twenty (20) feet in width. Accessory buildings shall observe a thirty-foot setback in the side yard.

c. For the rear yard, thirty-five (35) feet.

d. The minimum yard dimensions in feet from lot lines to principal building on corner lots shall be administered on the basis of a written election by the owner setting forth which side of his lot is to be considered the front. The written election must be filed with the administrative officer.

(4) *Accessory buildings.* The minimum dimension from an accessory building to:

a. The principal building is ten (10) feet in rear of building.

b. Side lot lines is three (3) feet. On a corner lot, the side yard adjacent to the street shall be not less than twenty (20) feet in width. Accessory buildings shall observe a thirty-foot setback in such side yard.

c. The rear lot line is three (3) feet.

(c) *Building limitations.*

(1) *Principal building.* Principal buildings shall not exceed:

a. Two and one-half (2½) stories.

b. Forty (40) feet in height.

(2) *Minimum living area.* The minimum living area per family is seven hundred fifty (750) square feet. No recreational travel trailer or mobile home shall be considered in the establishment of the minimum living area per family.

(3) *Accessory building.* Accessory buildings shall not exceed:

- a. Two (2) stories.
- b. Twenty (20) feet in height.

(d) *Exception.* On a corner lot, the side yard adjacent to the street shall be not less than twenty (20) feet in width. Accessory buildings shall observe a thirty-foot setback in the side yard.

(e) *Scope.* For existing lots which are established on or before March 31, 2009 as permitted under section 24-62 or under a legally approved variance, the following requirements shall apply:

(1) *Lot limitations.* Minimum lot size:

- a. For a vacant lot to be used for a one-family dwelling the minimum lot frontage is fifty (50) feet; or the existing legal unaltered lot frontage.
- b. The minimum lot frontage is one hundred (100) feet for any lot to be used as a two-family dwelling.
- c. For a vacant lot to be used for a one-family dwelling a minimum lot area of seven thousand five hundred (7,500) square feet is required.
- d. For any lot to be used as a two-family dwelling a minimum lot area of twelve thousand five hundred (12,500) square feet as required.
- e. Existing lots may have additional property incorporated into the lot in order to increase a dimension or area of the lot. No existing lot shall be reduced in any dimension or area.

(2) *Maximum percentage of lot coverage.* The maximum percentage of lot coverage is as follows:

- a. For a principal building, thirty (30) percent.
- b. For an accessory building, fifteen (15) percent.

(3) *Minimum yard dimensions.*

- a. The minimum yard dimensions from lot lines to the principal building are as follows:
 1. For the front yard, twenty (20) feet.
 2. Each side yard, six (6) feet.
On a corner lot, the side yard adjacent to the street shall be not less than fifteen (15) feet in width.
 3. For the rear yard, thirty (30) feet.
- b. The minimum yard dimensions from lot lines to an accessory building are as follows:
 1. To the principal building is ten (10) feet from the building, in the rear yard of the lot.
 2. Each side yard, three (3) feet.
On a corner lot, the side yard adjacent to the street shall be not less than fifteen (15) feet in width.
 3. For the rear yard, three (3) feet.

(4) *Building limitations.*

- a. Principal buildings shall not exceed:
 1. Two and one-half (2½) stories in height.
 2. Forty (40) feet in height.
- b. Accessory buildings shall not exceed:
 1. Two (2) stories.
 2. Twenty (20) feet in height.

(5) *Corner lot property front.* The minimum yard dimensions in feet from lot lines to buildings on corner lots shall be administered on the basis of a written election by the owner setting forth which side of his lot is to be considered the front. The written election must be filed with the code enforcement officer.

(6) *Public utilities.* Any existing lot without the services of municipal water and sewer shall have these facilities properly

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extended to serve the property prior to construction of any principal building and shall connect as required to structures constructed on the property.

(f) Accessory use towers or structures other than buildings, shall not exceed:

(1) Thirty (30) feet in height.
(Code 1966, § 44-IV-3(D)—(F); L.L. No. 10 of 2009, § 1; L.L. No. 5 of 2016, § 6(a))

ARTICLE IV. DISTRICT REGULATIONS

DIVISION 1. GENERALLY

Sec. 24-151. Permitted uses—Residential districts.

The uses permitted in the districts listed below are as indicated. Uses not listed below are prohibited unless provided otherwise. In this table symbols have the following meanings:

<i>Symbol</i>	<i>Meaning</i>
-	Prohibited.
A	Allowable upon obtaining a special permit from the administrative officer after a favorable recommendation from the planning board.
I	Allowable as an accessory use.
P	Allowable as a use permitted by right.
T	Allowable upon obtaining a special permit from the town board.
Z	Allowable upon obtaining a special permit from the zoning board of appeals.

	<i>RA-1</i>	<i>RA-2</i>	<i>RC</i>	<i>RR</i>
Abattoir and/or animal reduction works	—	—	—	T
Accessory structures and uses customarily incidental for farm purposes	—	—	—	I
Accessory structures or uses, including detached private garage, garden house, greenhouse, toolhouse and similar uses, for residents only	I	I	—	I
Accessory use towers or structures other than buildings	—	Z	Z	Z
Agricultural activity, livestock and farming	—	—	—	P
Boarding house or rooming house	—	—	P	P
Boarding and/or rooming house providing accommodations, for not more than two (2) transient roomers, provided that off-street parking requirements can be met	P	—	—	—
Boarding and/or rooming house providing accommodations for not more than four (4) nontransient roomers and provided that off-street parking requirements are met	—	P	—	—
Cemetery	—	—	—	Z
Church and other place of worship, including Sunday school building and rectory, provided said lot has a minimum frontage of one hundred fifty (150) feet, a minimum depth of one hundred fifty (150) feet, and contains a minimum of twenty-two thousand five hundred (22,500) square feet	P	P	P	P
Commercial radio and television transmission or receiving towers and facilities	—	—	—	Z

	<i>RA-1</i>	<i>RA-2</i>	<i>RC</i>	<i>RR</i>
Condominium	—	—	P	—
Cultivation of plants and plantings, when conducted by the occupants of the premises and incidental to the principal use	P	P	—	—
Cultural facility (library, art gallery, museum, etc.)	—	—	—	Z
Customary home occupations	—	I	—	I
Detached garages and recreational facilities located to the rear of the principal building	—	—	I	—
Electrical distribution substation and other public utility structures	Z	Z	Z	Z
Eleemosynary institution	—	Z	Z	Z
Golf course (containing 9 holes or more) and/or country club	—	—	—	Z
Heliport	—	—	—	T
Mobile home park	—	—	T	—
Multiple family dwelling	—	—	P	—
Normal forest management and wood lots	—	—	—	I
Not-for-profit camp	—	—	—	T
Nursing or convalescent home or sanitarium	—	—	Z	Z
One-family detached dwelling	P	P	—	P
One-family detached modular home	P	P	—	P
Park, playground and other open recreational area when operated by the town	P	P	P	—
Philanthropic institution	—	Z	Z	Z
Public building	—	—	P	P
Public elementary or secondary school; parochial school	P	P	P	P
Public library, museum and other public building	—	P	—	—
Recreational or transient trailer park (minimum size 8 acres)	—	—	—	T
Removable roadside stand for the sale of agricultural products on the premises	—	—	—	I
Residential dish antennas exceeding six feet in diameter	Z	Z	Z	Z
Swimming pool operated by a not-for-profit corporation, religious corporation or the owners of a multiple residence as an adjunct of a multiple residence	—	—	T	T
Temporary structure incidental to the development of land or to the erection of a permanent structure	P	P	—	—
Townhouse	—	—	P	—
Two-family attached dwelling	—	P	—	—
Two-family attached modular home	—	P	—	—
Two-family dwelling or modular home	—	—	—	P

(Code 1966, §§ 44-IV-2(A)—(D), 44-IV-3(A)—(C), 44-IV-4(A)—(D), (K), 44-IV-5(A)—(D), 44-IV-2, 44-XI-2(A), 44-XI-3(A), 44-XI-4, 44-XI-7(A), 44-XI-9(A), (B), 44-XI-11, 44-XI-12, 44-XI-15, 44-XI-16(B), (C), 44-XI-19; L.L. No. 8 of 1991, § 1; L.L. No. 5 of 2016, §§ 6(e), 11)