

Town of Lewisboro, New York: Adopted Zoning Ordinance Amendments, September 2, 2003

§ 220-2. Definitions.

SOLAR PANELS – A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

STRUCTURE – Anything which is constructed or erected which requires a location on or under the ground or attachment to something having such location, including but not limited to the following:

- (1) Antennas, excluding satellite dish antennas having a maximum diameter no greater than 18 inches and that does not exceed the maximum permissible exposure limits as recommended by the Federal Communications Commission, from time to time.
- (2) Any building or communication tower or tennis court, but not anything which is less than 64 square feet in area and eight feet in height, with the exception of antennas and satellite dish antennas as set forth above.
- (3) Solar panels.

§ 220-12. Yards and setbacks.

A. *****NO CHANGES*****

B. Obstructions in yards. No buildings or structures or any projection from buildings or structures shall be permitted in a required yard, except as follows:

- (1) Architectural features such as windowsills, door frames, chimneys, eaves or cantilevered roofs may project up to three (3) feet into any required yard, provided that such architectural features shall not occupy more than twenty-five percent (25%) of the area of the wall from which they project.
- (2) Paved open terraces shall ~~not~~ be considered in the determination of lot coverage for all permitted residential and non-residential land uses and shall not be permitted to project to a point closer than the minimum required setback distance from any property line for all permitted residential and non-residential land uses.
- (3) No porches or balconies may project into any required yard area.

C. *****NO CHANGES*****

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D. *****NO CHANGES*****

E. Walls or fences in required yard areas.

- (1) Walls or fences shall not exceed six (6) feet in height measured from adjacent ground level to the top of such wall, fence or combination thereof, except that in R-1/2A District or less restrictive residential districts, walls or fences shall not exceed four (4) feet in height.
- (2) Walls or fences that are between four (4) and six (6) feet in height, are located along a street line and are constructed of either chain link or have a surface area that is more than twenty-five percent (25%) opaque within any five-foot horizontal section shall be subject to the following limitations:
 - (a) A minimum setback of five (5) feet from any street line for fences under twenty five (25) feet in overall length, and a minimum setback of ten (10) feet for fences twenty-five (25) feet or over in overall length. In no case shall any fence be located less than thirty (30) feet from the street center line.
 - (b) Limited in total length along any one (1) street of any one (1) lot to one hundred (100) feet.
 - (c) Located no closer than fifteen (15) feet to any side lot line or, on a corner lot, located no closer than fifteen (15) feet to the intersecting street line.
 - (d) All fences twenty-five (25) feet or over in overall length shall include landscaping between the fence and the street line along the length of the fence. Said landscaping shall include one (1) ornamental tree planting for every twenty-five (25) feet of fence length. Further landscaping is encouraged.
- (3) Barbed-wire fences, razor fences and other fences constructed of sharp materials are prohibited in the Town of Lewisboro.
- (4) The finished quality on the side of all walls and/or fences shall face outward from the premises towards the adjacent street or neighboring property.

F. *****NO CHANGES*****

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G. Solar panels.

- (1) Solar panels exceeding two (2) square feet in area are not permitted in any front yard, on any face of a building or structure facing a street unless integrated with the ordinary construction of said building or structure, and/or in view of any adjacent street, except roof-mounted solar panels as set forth below.
- (2) Ground-mounted solar panels shall:
 - (a) Be located in a side or rear yard only.
 - (b) Not exceed eight (8) feet in height above the ground.
 - (c) Be fully screened from adjacent properties by fencing or a combination of evergreen and deciduous plantings.
- (3) Roof-mounted solar panels:
 - (a) Permitted roof-mounted solar panels shall include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.
 - (b) Separate flush-mounted solar panels shall be located on a rear- or side-facing roof, as viewed from any adjacent street, unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front-facing roof installation.
 - (c) Separate flush-mounted solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof installation.

§ 220-13. Projecting features.

The maximum building height limitations of this chapter shall not apply to church spires and belfries in any case, nor to flagpoles, domes, chimneys, ventilators, skylights or tanks or to similar features and such necessary mechanical appurtenances not used for human occupancy, provided that:

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- A. They shall not extend more than fifteen (15) feet above the roof; and
- B. The total area covered by such features except solar panels shall not exceed ten percent (10%) of the area of the roof upon which they are located.

§ 220-23. Schedule of regulations for residential districts.

- A. *****NO CHANGES*****
- B. *****NO CHANGES*****
- C. *****NO CHANGES*****
- D. Permitted accessory uses. Uses or structures customarily incidental to any permitted principal use are permitted, provided that such accessory use shall not include any activity commonly conducted for gain, except as hereinafter excepted, or any private way or walk giving access to such activity. Permitted accessory uses are as follows:
 - (1) through (13) *****NO CHANGES*****
 - (14) Solar panels.
- E. *****NO CHANGES*****