

ZONING

220 Attachment 5

Village of Briarcliff Manor

**Table 5
Exceptions and Modifications**

[Amended 9-3-2003 by L.L. No. 6-2003; 8-16-2007 by L.L. No. 7-2007; 12-17-2009 by L.L. No. 6-2009; 12-15-2020 by L.L. No. 1-2021]

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Key	Exceptions and Modifications

1. As to height:

- (a) Towers, gables, penthouses, scenery lofts, cupolas, water tanks, similar structures and necessary mechanical appurtenances may be erected on a building to a height greater than the limit established for the district in which the building is located; provided they are not used for sleeping or housekeeping purposes, or for any commercial purposes other than such as may be incident to the permitted use of the principal building and that the total area of any such exceptions cover at any level not more than 25% of the area of the roof on which they are located.
- (b) The height limitations of this chapter shall not apply to chimneys, church spires, standpipes or water towers, flag poles, monuments, transmission towers and cables or radio or television antennas or towers when such structures are otherwise permitted by this chapter.
- (c) Dish antennas, two feet or less in diameter, may be erected on a building to a maximum height of no more than four feet above their mountings.

2. As to area:

- (a) The following features may extend into any required yard not to exceed the distance specified:
 - [1] Cornices, canopies, eaves, or any similar features, none of which is less than 10 feet above grade: two feet six inches;
 - [2] Open fire escapes: four feet;

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[3] (Reserved)

[4] A chimney: 18 inches.

A railing no higher than three feet may be placed around any such terrace or porch, but no required fire escape on a converted dwelling shall be constructed on the front or side thereof which faces on a street.

(b) The depth of a required front yard in any residence district shall be whichever is the least of the following:

[1] The number of feet specified in Column 8;

[2] The average depth of the front yards of the dwellings on adjoining lots on each side; or

[3] If there be no such adjoining dwellings on each side, the average depth of the front yards of the four nearest dwellings on the same side of the street.

(c) The yard requirements of this chapter shall not be deemed to prohibit any otherwise lawful fence or wall, not over six feet in height, except that on every corner lot in a residence district within the triangle formed by the street lines of such lot and a line drawn between points on such lines 25 feet distant from such intersection, there shall be no fence or wall, or shrubbery higher than four feet, nor any obstruction to vision other than posts, columns, or trees separated by not less than six feet from each other, between a height of four feet and a height of 10 feet above the average elevation of the existing surface of either street at the center line thereof.

(d) Accessory buildings and off-street parking spaces in any residence district shall set back from any side street line a distance equal to the front yard requirement on such side street unless lots are back-to-back, in which case they shall set back 15 feet.

(e) On a corner lot, the side yard abutting the street shall not be less than 40 feet in any residence district, and not less than 10 feet in any business district.

3. As to miscellaneous matters:

(a) Sidewalk crossings or driveway entrances for whatever purpose shall be subject to the approval of the Village Engineer, except where such approval is specifically vested in the Planning Board.

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- (b) Courts. Inner and outer courts at any level shall be as wide as the height of any vertical wall forming part of such court above sill of lowest windows served by it and not less than 20 feet in any case.
- (c) No principal or accessory building shall exceed 180 feet in length measured parallel to its main axis, and when a side yard exceeds 50 feet in length, its width shall be increased one foot for each 10 feet of length in excess of 50 feet.
- (d) If any accessory building is attached to the principal building by an enclosed breezeway, that accessory building shall comply in all respects with the requirements of this chapter applicable to the principal building.
- (e) Artificial light shall not be used between sunset and sunrise in a greenhouse or structure, located within a direct distance of 1,000 feet from any residence, for the forcing of growth of flowers, plants, shrubs, trees or other nursery stock in such greenhouse or structure, unless the glass in such greenhouse or structure is shaded or otherwise covered so that no light is visible from the outside.

4. As to Complementary Use Transition (CT) Districts:

- (a) See § 220-6; uses are subject to supplemental provisions and regulations and authorized only by special permit application and resultant approvals, if any, therefrom.