

**VILLAGE OF BUCHANAN
AMENDED LOCAL LAW NO. 1 OF THE YEAR 2021**

**A LOCAL LAW AMENDING CHAPTER 211 ENTITLED ZONING TO THE CODE OF
THE VILLAGE OF BUCHANAN**

Section One: The following sections of the Village Code are amended to read as follows:

Article II: Terminology

§211-5 Section 211-5 of Article II, Chapter 211, entitled “Definitions; word usage” of the Code of the Village of Buchanan is amended to ADD the following definitions in alphabetical order and read as follows:

Fence: a barrier, railing, or other upright structure, typically of wood, wire, rails, or netting connected to posts that connect various sections.

Wall: a continuous vertical brick, stone or similar materials having a solid foundation along its whole length and not supported by posts.

Article VI: Supplementary District Regulations

§211-17 Section 211-17 of Article VI, Chapter 211, entitled “Permitted variations from required bulk regulations” of the Code of the Village of Buchanan is hereby amended to read as follows:

211-17- Permitted variations from required bulk regulations:

- A. Front yard exception. When an unimproved lot is situated between two improved lots, each having a principal building 20 feet to the side lot line of the unimproved lot, the front yard may be reduced to a depth equal to that of the greater front yard of the two adjoining lots; provided, however, that it may not be reduced to below 10 feet in residential districts.
 - (1) Front yard exception for pre-existing nonconforming buildings.
The front yard of a pre-existing nonconforming building may be reduced to a depth equal to that of the greater front yard of the two adjoining lots; provided, however, that the front yard may not be reduced to below 10 feet from the property line.
 - (2) Side yard exception for pre-existing nonconforming buildings. Other than as indicated in (3) below, in no event shall there be less than thirty (30) feet between the two buildings on the side of the building or structure being expanded.

- (3) If the footprint of the building or structure is not being altered, the Zoning Board may grant a variance of up to twenty (20%) percent from the thirty (30) feet requirement of subsection (2) above.

B. Projections into yards. Projections into required yards shall be permitted as follows, except that no such projection shall be located closer than three feet to any side or rear lot line or 10 feet to any front lot line:

- (1) Bay windows, carports, fireplaces, fire escapes, chimneys, uncovered stairs and landings and balconies and cornices, canopies, eaves or other architectural features not required for structural support may project into the required side, front, or rear yard not more than a total of three feet.

- (2) Porches may project into the required rear yard up to 10 feet.

- (3) Patios may be located in the required side and rear yards not closer than three feet to any adjacent property line and may project into front yards up to 10 feet.

- (4) Accessory off-street parking spaces, except that in residential districts no off-street parking spaces are permitted in any required front yard.

- (5) Signs as provided in § 211-10, except freestanding signs.

Article VIII: Nonconforming Uses and Lots

§211-37 Section 211-37 of Article VIII, Chapter 211, entitled “Nonconforming Buildings” of the Code of the Village of Buchanan is amended to read as follows:

211-37: Nonconforming buildings.

- A. Any legal nonconforming building or structure may be continued, repaired, maintained, improved, or enlarged, provided that such building or structure shall not be altered or enlarged unless said alteration or enlargement complies with the current requirements of this chapter, including 211-17 A (1), (2) and (3).
- B. Any such nonconforming building or structure, which is damaged or destroyed other than by the order or with the consent of the owner to an extent equal to not more than 50% of the total floor area, may be restored within one year of the date of the damage; provided, however, that it shall not be altered or enlarged unless said alteration or enlargement complies with the current requirements of this chapter.

Section Two: This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.