

§ 190-15. Compliance with minimum average density; yard restrictions.

- A. In all districts where residences are permitted, a lot held in single ownership may be improved for residential bulk regulations for each district as set forth in the Density Control Schedule, § 190-11, provided that there shall be no more than one principal building and use on each lot. If two or more principal residential structures are located on the same lot, the minimum average density requirement must be complied with.
- B. A residential lot of required or larger than required size as set forth in this chapter shall not be reduced in size for transfer of ownership if such lot as subdivided will form two or more lots, any of which shall not be in compliance with the requirements for the minimum average residential density for the district in which lot or lots are situated.
- C. Any lot held in single and separate ownership prior to the adoption of this chapter and whose area and/or width and/or depth are of less than the specified minimum lot requirements of this chapter for the district in which such lot is located may be considered as complying with such minimum lot requirements and no variance shall be required, provided that:
 - (1) Two or more adjoining substandard lots owned by the same person or entity shall be considered merged into one lot for the purposes of lot sizes, area and setback restrictions contained in this chapter. Once two or more substandard lots are merged so as to have taken benefit of this provision, said lots shall not thereafter be subdivided.
 - (2) The following minimum yard setback requirements are maintained for residences:
 - (a) Each side lot must not be less than 10% of the average lot width, and in no event shall the minimum side lot setback be less than five feet.
 - (b) Rear yard setback must be a minimum of 12 1/2 feet, except for all waterfront lots which shall require a twenty-five-foot rear lot setback.
 - (c) Front yard setbacks must be pursuant to § 190-11 of this chapter.

- (3) In addition to the requirements of this chapter, the placement of all structures shall comply with the New York State Coastal Erosion Management regulations contained in 6 NYCRR Part 505.
 - (4) All existing undersized lots are exempt from the maximum lot coverage regulations as stated in the Density Control Schedule but must comply with the setback requirements as stated in § 190-15C(2).
- D. An enclosed utility building for the storage of lawn and garden equipment, not exceeding 100 square feet of floor area or more than 12 feet in height, may be erected behind the rear building line of any dwelling, but not closer than five feet to any rear or side set lot line, provided that such building shall not be used for any home occupation or commercial use.