

## **Section 020-030      Exceptions to Height and Area Requirements**

1. Front yards on corner lots. On corner lots, front yard requirements shall be enforced on either street front, but the width of the side yards shall not be less than fifty (50) feet in the R-80 and R-60 Zones, not less than thirty (30) feet in the R-40 Zone, and not less than twenty five (25) feet in the R-20 Residential Zone and the Business, Industrial and Multiple-Residence District Zones, and not less than ten (10) feet in the R-8, R-8-2 and R-5 Residential Zones. Determination of which yard shall be considered the front yard for the purpose of these regulations shall be at the discretion of Zoning Commission and/or the Zoning Enforcement Officer. Factors to be taken into consideration when determining which yard shall be considered the front yard shall be from which street front the property is accessed, which street front the front of the building faces, and which street front the Commission/ZEO has historically considered the front for past reviews for zoning compliance. *(Amended Effective: September 1, 2006)*
2. Corner Visibility. On any corner lot, no fence, wall, hedge, shrub, structure, growth or obstruction shall be maintained which would interfere with the line of sight for drivers of vehicles traveling on the roadways. Appendix F, Stopping Sight Distance, shall be referred to when reviewing sight lines. *(Amended Effective: September 1, 2006; Amended Effective: November 15, 2006)*
3. Construction in required yards. Except as otherwise provided, walls, fences, steps, signs, walks, lights, driveways, and paving of any kind are permitted in or along the edge of any required yard, provided that no parking or loading area or display of products for sale be permitted in any required yard in the business zones, the industrial zones or the multi-residence zones. *(Amended Effective: March 7, 1985)*
4. Exception to the height limitations shall be through special permit only. Structures already existing as of the enactment of this regulation shall be construed as legally nonconforming and thus not subject to the limitations therein. No new structure, such as church spires, flag poles, towers, antennas, water tanks or similar structures shall exceed the height limitation of the respective zone by more than ten (10) feet without a special permit. *(Effective: July 16, 1999)*
  - a. Any solar equipment that extends above the 35' height limitation shall be permitted. *(Amended Effective: November 2, 1989)*
5. Through lots (or double frontage lots). On a through lot, a front yard is required on both frontages.
6. A landfill operation or solid waste facility as that term is defined in §22a-207 of the General Statutes, existing as a nonconforming use, shall not exceed a height of ninety (90) feet. In measuring the height of a landfill operation or solid waste facility to determine compliance with the maximum height provision,

measurements shall be taken from the original ground level within ten feet of the landfill operation or solid waste facility to the level of the highest feature of the landfill operation or solid waste facility. The height shall be measured vertically. In areas that are undisturbed the Commission will use a current topographic survey based on U.S.G.S. datum to determine original grades. When an area has been disturbed the Commission will determine original grades by referring to the U.S.G.S. Topographical Map dated December 1, 1971, at a scale of 1" = 2,000'.  
*(Amended Effective: November 14, 1989)*

7. No land zoned for residential use shall be used as access to any land for commercial or industrial uses. Land zoned for commercial or industrial uses may be used or access to land zoned for residential. *(Effective: February 5, 1993)*

*(Chapter Amended Effective: November 1, 2008; July 11, 2014; July 23, 2014)*