

# **ZONING**

Look at the property so that the Buyers know what they are buying, and the Sellers are prepared for possible remediations that may arise.

## **WHAT IS ON THE PROPERTY?**

### **STRUCTURES AND ACCESSORY STRUCTURES**

Structures can be, anything constructed or erected including:

Buildings, Parking Areas, Storage Containers, Swimming Pools, Porches & Decks, Handicap Ramps, Awnings, Gas or Liquid Storage Tanks, Ground or Roof Mounted Solar Panels, Walls, Gazebo, Carports, Fences or Hot Tubs.

### **MECHANICALS**

Mechanicals can be, anything installed or updated including:

Furnaces, Boilers, Water Heaters, Split Units, Electrical Service Upgrades, Natural Gas Systems, Pellet or Wood Stove Inserts, Generators, Heating, Ventilation and Air Conditioning

### **ZONING PERMITS**

A Zoning Permit, issued by the Zoning Administrator, shall be for the construction or installation of a structure without electric, heating or plumbing that does not exceed 144 sq ft. It can be used for tools, storage, playhouses, refuse containers and wood storage. Structures larger than 144 sq ft must have a permit that requires approvals from both the Building and Zoning Departments.

### **ACCESSORY STRUCTURES**

No more than 2 Accessory Buildings / Structures shall be permitted in a 1 Family Residence.

Depending on the acreage, the size of a structure allowed ranges from 600 to 1200 sq feet. If you see 3 or 4 structures, they may be required to be removed or require a variance.

## YARDS AND SETBACKS

Setbacks are dependent on the zone and size of structure

Setbacks range from 12' to 40' for side setbacks and 25' to 50' for rear setbacks for structures over 144 sq ft.

Zone	Over 144 sq ft		Under 144 sq ft	
R10	Side 12'	Rear 25'	Side 6'	Rear 10'
R15	Side 15'	Rear 30'	Side 6'	Rear 10'
R20	Side 20'	Rear 40'	Side 10'	Rear 10'
R40	Side 25'	Rear 50'	Side 10'	Rear 10'
R80	Side 40'	Rear 50'	Side 10'	Rear 10'

## FRONT YARDS

Some parcels have two Front Yards, such as corner lots, and these Front Yards are treated the same leaving a Rear Yard and a Side Yard.

Setbacks are dependent on Town, County or State Road Frontage

County and State Roads require a 75' Ft Setback

Nothing can be stored or erected in a Front Yard

Cars must be parked in driveways, not on grass

Storage of Boats, Campers and Trailers are restricted, and multiple storage is prohibited

A camper, or a boat, or a trailer may be allowed but it cannot be parked in the Front Yard and has setback requirements.

## FENCES

The maximum height of any fence, wall or retaining wall is 6' in height **except** fences, walls, or retaining walls along street frontage shall not exceed 4' in height.

No fence shall be erected in such a location or manner as to obstruct adequate sight distance for drivers, bicyclists or pedestrians.

Fences generally should be setback 12' feet from the property line or edge of roadway payment with corner lots having special requirements.

Easement restrictions must also be considered when planning a fence, wall or retaining wall.

Retaining walls or walls 48" or higher require a permit with engineered plans

## **EASEMENTS**

All reservations or easements must be clearly identified on a final subdivision plat or survey with notations indicating the rights and restrictions that exist with respect to each easement.

Restrictions include, but not limited to, Fences and Structures

Easements include:

Central Hudson

NYPA

Utility

Sewer

Electric

Drainage

## **WETLANDS AND BUFFERS**

No structures shall be erected in a Federal or DEC Wetland or the 100' buffer .

The 100' buffer is enforced on all Wetlands by the Town of Wappinger.

Items prohibited in the Wetlands and 100' buffer include:

Fences, Structures, Sheds, Pools Cabanas, Carports, Hot Tubs

Activities prohibited in Wetlands and 100' buffers include:

Dumping, Filling, Excavating, Draining or Rerouting Water Bodies

## **PROFESSIONAL OFFICE / PROFESSIONAL STUDIO**

Use shall be conducted solely within the dwelling unit and only as an incidental and secondary use by permit.

Not more than 2 non-resident employees, associates or assistants, excluding the owner, shall be employed on premises.

No external display or advertising or goods other than 1 sign with restrictions.

No construction or alterations, not customarily found in a dwelling unit.

Storage of goods is prohibited.

## **PROPERTY MAINTENANCE**

The storage of household items, mechanicals, tools, debris, rubbish, and accumulations of goods is prohibited on property.

Grass, Shrubs, and bushes must be maintained.

Residence itself must be maintained.