

ARTICLE 6  
**AREA AND BULK REGULATIONS DENSITY CONTROL**

**Sec. 6.0. Purpose.**

In order to provide a sound environment including adequate open spaces for access to light and air, to facilitate the prevention of fire, to prevent undue concentration of population, and to lessen congestion in the streets, no building or premises shall be erected, altered or used except in accordance with the standards set forth in this article.

**Sec. 6.1. Density control schedule (area and bulk schedule).**

The attached schedule of density controls is hereby adopted and declared to be part of this zoning chapter. It is hereinafter referred to as the "City of Olean density control schedule."<sup>1</sup>

**Sec. 6.2. Corner lots.**

Wherever a side or rear yard is adjacent to a street, both front and side yards shall be considered to be front yards and the standards for front yards shall apply.

**Sec. 6.3. Projections into required yards.**

6.3.1 The following projections into required yards are permitted:

1. Awnings or movable canopies and overhangs six feet into any yard.
2. Cornices, eaves, retaining walls and roofs three feet into any yard.

6.3.2 Equipment needed for the operation of active or passive solar energy systems may be approved within required yard setbacks subject to site plan approval.

6.3.3 Any open or enclosed porch, deck or attached carport or garage shall be considered a part of the building in the determination of the size of the required yard or lot coverage. Paved terraces which are not covered shall not be considered a part of the building.

6.3.4 Accessory uses and buildings may be located in accordance with section 10.5.     **Sec. 6.4.**

**Compliance with maximum residential density.**

6.4.1 In all districts where residences are permitted, a lot held in single ownership may be improved for residential use according to the minimum lot size per dwelling unit and area bulk regulations for the district as set forth in the density control schedule, provided that there shall be no more than one principal building and use on each lot except as provided herein. If two or more residential structures are proposed to be located on the same lot, the maximum average density requirement must be complied with and the lot shall be subdivided so as to provide adequate width and yards.

6.4.2 A building permit shall not be issued for any residential lot of required or larger than required size according to the requirements of this zoning law where the lot has been reduced in size

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<sup>1</sup> . Editor's note: This table is included as an attachment to this chapter.

through subdivision and any resulting subdivided lot is not in compliance with the lot size requirements of this zoning law.

**Sec. 6.5. Side yard for multi-family dwelling units.**

Side yards for semi-detached, townhouses or multi-family dwelling units, where permitted, shall be required at the ends of the total structure only.

**Sec. 6.6. Building separations.**

The requirements for minimum distance separations between principal buildings, whether on the same or on different lots, shall be those shown in section 6.1, "Density control schedule".

**Sec. 6.7. Exceptions to front yard requirements.**

Where a proposed lot abuts two or more lots which have front yards of less than the required depth for the district, the front yard for the proposed lot need not exceed the average front yard of the abutting lots. If one abutting lot has a front yard of less than the required depth for the district, the front yard of the proposed lot need not exceed a depth 1/2 way between the depth of the front yard of the abutting lot and the required front yard depth.

Where a proposed lot abuts two or more lots which have front yards greater in depth than the required depth for the district, or if one abutting lot has a front yard greater than the required depth for the district, the front yard requirement for the proposed lot shall be determined by averages in the manner specified above.

**Sec. 6.8. General exception to height regulations.**

Projections such as chimneys, silos, church spires, domes, elevator shaft housings, water tanks, skylights, antennae, aerials, flagpoles, solar energy collectors and equipment used for the mounting and operation of such collectors, and other similar objects not used for human occupancy shall be subject to site plan approval prior to issuance of a building permit.

**Sec. 6.9. Exceptions to side yard requirements.**

Where the side wall of a building is not parallel to the side lot line or where the side lot line is irregular, the width of the side yard may be varied. In such case, the average width of the side yard shall not be less than the otherwise required minimum width; provided, however, that such yard shall not be narrower at any point than 1/2 of the normally required width.

**Sec. 6.10. Through lots.**

In the case of a lot running through from one street to another street or alley, the frontage on which the majority of the buildings in the block front shall be considered the primary frontage for the purposes of this chapter. In cases where there is no clearly defined frontage, the owner, when applying for a building permit, shall specify which lot line is considered the primary frontage. The rear portion of such a lot shall, however, be treated as a lot front for the purposes of determining required setbacks and locations of permitted structures and uses.

**Sec. 6.11. Transition yard requirements.**

Where a residential district abuts a nonresidential district along a street line, there shall be provided in the non-residential district, a landscaped setback or yard area at least equal in depth to 1/2 of the dimension required in the residential district.