Final Report of the Off-Main Street Zoning Committee
28 August 2008

1. Introduction

In November 2006, Irvington's Board of Trustees appointed a committee to review the current zoning as it applies to the village side streets that intersect Main Street, between Dearman Street on the east and Buckhout Street on the west. (See map attached.) This working group, made up of eight members and known as the Off-Main Street Zoning Committee, was given the following two-part mandate:

First, to consider, and suggest steps to remedy, a discrepancy between the area requirements of Irvington's Village Code, and actual patterns of land use in the downtown "2F" district. Second, to ensure that the distinct character of this district be preserved, even as it considered actions that might reduce the burdens that have been felt by some downtown homeowners (stemming from the prevailing lack of zoning conformance).

The committee was charged to report its recommendations directly to the Board of Trustees.

2. Summary of Committee's Proceedings.

The committee met a dozen times over eighteen months, and held five work sessions open to the public. Beginning with a visual survey of the district, the Committee examined actual coverage and set back conformance within the district and met with and received comments from members of related Village boards including the Planning Board, the Zoning Board of Appeals (ZBA), the Environmental Conservation Board and the Architectural Review Board. Written comments were also provided by the Building Inspector. The committee's work was assisted by consultants from the firm of BFJ Planning.

3. Summary of Committee's Investigation.

Over the year and a half of its operation, the committee has gained valuable knowledge about the issues it was asked to review. The downtown 2F includes fourteen residential streets, with respect to which, the Code calls for parcels of 5,000 square feet at a minimum. As a result of the visual survey, the committee found that the majority of building lots in the district are considerably smaller than that minimum. In addition, most buildings on these lots cover more area and are in closer proximity to the street and to each other than is currently permitted by the Code.

The committee also learned about the concerns of homeowners in the village center who must often request a zoning variance (with attendant expense and delay) for any building project on their lot. Under current practice, the Planning Board, under advice of the Building Inspector, sends to the Zoning Board any alteration to a building on a "non-conforming" lot *(i.e.,* one that is less than the 5,000 square feet), regardless of whether the alteration affects the building's conformity.

Committee members ascertained, as well, that lot sizes on some village side streets are diverse; parcels of 2,400 square feet coexist on some streets with properties that are considerably larger, and on a few streets, most properties approach the district's current 5,000-square-foot zoning standard. Diversity in lot size was considered by many to be an asset and some residents and were concerned that zoning changes might lead to greater building density and more intense land use on side streets adjoining Main Street.

4. Summary of the Committee's Findings.

After its initial survey and investigations, the committee considered possible legislative solutions to address the discrepancy between the existing Village Code and the existing conditions within the district. Given the existing discrepancies and range of non-conformity, we found it difficult to establish an across-the-board legislative change in area zoning in the 2F district. Suggestions for such changes, for example by legislating a new and smaller standard lot size, were criticized as encouraging sub-division and denser development. In addition, efforts to preserve the character of individual side streets under a legislative approach (by crafting special sub-districts as exceptions to new zoning norms), risked setting up legally impermissible "spot zoning."

As a result of the potential pitfalls associated with a legislative approach, and in response to comments from the various Village Boards and residents, the committee investigated a second option herein described as the "Adjudicative Approach." With this approach, the committee believes that relief can be provided to property owners affected by the relative lack of conformance on village side streets, while simultaneously preserving neighborhood character. The Adjudicative Approach would modify the current process by allowing the ZBA greater discretion in its consideration of variance applications for the 2F zone. By utilizing the data compiled by the committee, the ZBA would be permitted to consider the variance application

in the context of the character of the surrounding neighborhood. Coupled with "grandfathering" of the existing properties and a clarification of certain other aspects of the current code, the Committee believes this approach appropriately addresses the current situation.

5. Conclusion and Recommendations.

As a result of our research, the committee recommends a set of six actions be taken by the Board of Trustees and other Village Officials that emphasize a case-by-case approach to variances in the 2F District, rather than an across-the-board legislative change. Some of these measures, described below, would require modifications to the Village Code, and draft language for that legislation is included in this report; other recommendations can be implemented through administrative actions by Village officials. The committee recommends that:

- **Existing lots of all sizes within the downtown 2F district should be "grandfathered"** as to parcel size – that is, declared by Code amendment to be in conformance with the Code. This action would eliminate the need for some (though not all) zoning variances – those that are currently required solely due to non-conformance of the lot in question. (For example, replacing or adding outside stairs, without exceeding coverage or setback requirements, would no longer require ZBA review.) Grandfathering would also assist homeowners in obtaining Certificates of Occupancy. As part of this measure, the present downtown "2F" zone would be re-designated as the "2FD" (D for "downtown") district.

- **The Zoning Board should be given, by Code amendment, discretion to take into account "existing conditions,"** not just the permissible limits contained in the Code, in considering all applications from the 2FD district. This change would be significant because under New York State law, the ZBA must take into account the size of a requested variance, that is, the degree to which it exceeds allowable zoning requirements. Since so many lots in the 2FD district already depart materially from Code requirements, requested variances there are frequently categorized as "substantial," and granting them creates precedents to be cited by other applicants. This burden can be reduced if not eliminated by Code language authorizing the Zoning Board to take into account existing downtown conditions, and to measure a

requested variance against those conditions, as well as against allowable requirements. This change would materially lessen the burden on applicants from that district, while still empowering the Board to protect the area's character. This approach would be similar to the current consideration of FAR requests. Since 2005, the ZBA has been permitted by the Code to consider existing conditions in reviewing requests to increase Floor Area Ratios (FARs) throughout Irvington, and the provision has worked well.

- **The Building Department should maintain and keep current the detailed data-base of the 2FD district** that the committee and its planning consultants compiled, and should make that file available both electronically and in printed form to the public. That source of information on plot sizes, setbacks, and coverage will provide the Zoning Board with the detailed and objective information that it will need to take into account the "existing conditions," and the Code should be amended to direct the Zoning Board to consult this file when it considers requests for variances in the 2FD district.

- **Variance applications within Irvington which do not increase any existing non-conformity should not be forwarded by the Planning Board or the Building Department to the Zoning Board**. Section 224-89D of the Code already authorizes this policy. The Village Attorney should prepare a memorandum to the Building Department to this effect, stating as well what types of building projects would add to existing non-conformity.

- **The Code should be amended to provide that any future subdivision of the Main Street School property, which lies within the 2FD district, should require a Special Permit application to the Board of Trustees.** Subdivision of the school property, in particular (however unlikely), would likely exert a major effect on the downtown area, and should receive special review if it is ever proposed.

- **The Board of Trustees should resume consideration of legislation creating a historic district in the Main Street area**, a project that was suspended in 2004. Such legislation might well supply more specific and detailed guidance for maintaining historic neighborhood character than is afforded by current Code provisions.

6. Recommended Code changes

ARTICLE V
Downtown Two-Family Residence District 2FD

New section:

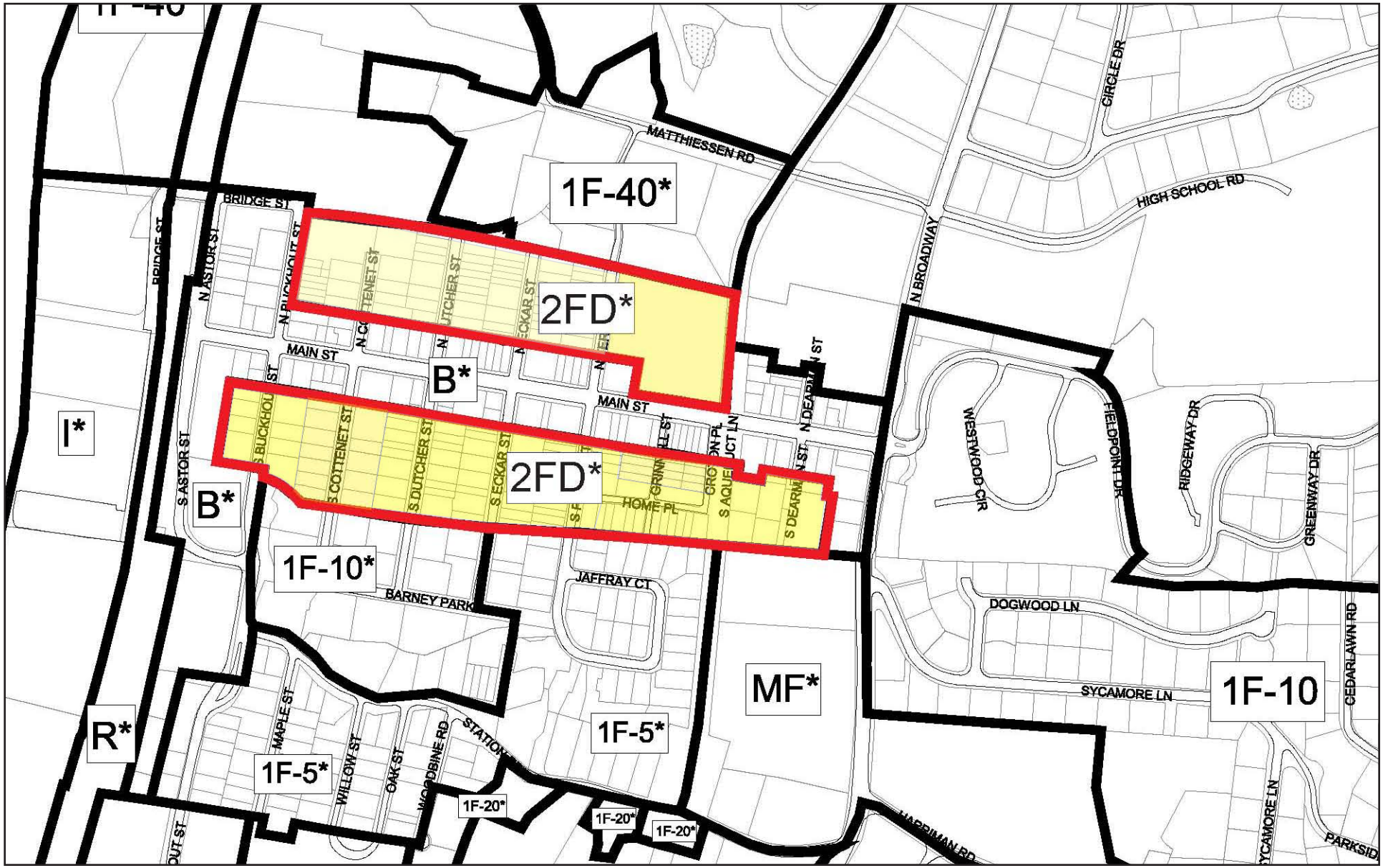
§ 224-17. Procedures for area variances in a 2FD District. When considering applications for area variances in the 2DF District, the Zoning Board of Appeals may, in its discretion, consider existing conditions in the 2FD District in which the applicant's lot is located, provided that the resulting structure and its placement on its lot are not out of character with the surrounding neighborhood.

§ 224-17. Grandfathering of lot sizes in a 2FD District. [At the date of adoption of this amendment], existing lots of all sizes within the downtown 2F district shall be "grandfathered" as to parcel size, and shall be considered to be in conformance.

ZONING MAP

VILLAGE OF IRVINGTON

WESTCHESTER COUNTY, NEW YORK



Village of Irvington, Main Street Zoning Study

				Setbacks				Adjacent Distance						
Street	**House #**	**Lot Area sq/ft**	**Use* (1,2,3,4)**	**Front (ft)**	**Side 1 (ft)**	**Side 2 (ft)**	**Rear Yard (ft)**	**North/ West Side (ft)**	**South/ East Side (ft)**	**Height (ft)**	**Height (stories)**	**Ancillary Structure**	**Approx Lot Coverage**	**% of Lot Area**
N.Ferris	29	3788	4	0	0	7	50	80	7	28	2	0		
	27	2563	2	2	0	3	50	7	6			0	1100	42.9%
	25	4626	2	0	3	16	40	6	18	30	2	Garage	1800	38.9%
	21	2600	1	0	1	10	60	18	11	32	2	Shed	855	32.9%
	19	4998	1	0	2	18	65	11	20	27	2	0	875	17.5%
	15	5048	3	4	3	20	50	20	22	30	2	Garage		
	11	4842	4	4	2	25	45	22	30		2	Garage		
Average		**4066**	**2**	**1**	**2**	**14**	**51**	**23**	**16**	**29**	**2**			
Median		**4626**	**2**	**0**	**2**	**16**	**50**	**18**	**18**	**30**				
S. Ferris	12	2552	1	3	10	3	65	50	4	32	2	Barn	800	31.3%
	12	2541	1	3	10	3	65	50	4	32	2	Barn	800	31.5%
	14	2579	1	3	1	4	60	4	8	32	2	0	1026	39.8%
	16	2619	1	3	3.5	1	64	8	5	32	2	0	800	30.5%
	18	2425	1	3	4	0	60	5	3	32	2	0	1100	45.4%
	20	2688	1	4	3	1	50	3	10	35	2	0	1092	40.0%
	22	5034	3	25	10	10	40	10	11	31	2	Shed	1800	
	26	2953	1		0	4	70	11	3	30	2	0	888	30.1%
	28	2221	1	0	1	1	60	3	2	32	2	0	810	36.5%
	30	2649	1	3	0	2	45	2	4	26	2	0	1060	40.0%
	32	2551	1	5	2	1	58	4	14	20	1.5	Shed	840	32.9%
	9	2827	1	10	7	4	25	18	15	32	2	0	1100	38.9%
	11	2777	1	20	10	0	30	15	0	34	2	Garage	1080	38.9%
	13	2884	1	20	0	7	30	0	14	34	2	0	1080	37.4%
	17	6602	1	30	7	2	20	14	35	35	2	Garage	2400	36.4%
Average		**3060**	**1**	**9**	**5**	**3**	**49**	**13**	**9**	**31**	**2**			
Median		**2649**	**1**	**4**	**4**	**2**	**58**	**8**	**5**	**32**				
S. Dearman	10	2701	2	6	3	7	15	21	30	29	2	Driveway	1080	40.0%
	35	8986	1	9	35	60	20	30	200	28	2	Driveway	1620	18.0%
	9	3991	3	6	4	14	28	4	92	24	2	Garage	1456	36.5%
	19	27514	1	76	45	25	70	92	115		3	Garage	2475	9.0%
Average		**10798**	**2**	**24**	**22**	**27**	**33**	**37**	**109**	**27**	**2**			
Median		**6489**	**2**	**8**	**20**	**20**	**24**	**26**	**104**	**28**				
W. Home	2	3111	1	11	2	2	49	4		30	2	Garage	1232	39.6%
	6	2756	1	11	2	2	45	14	4	30	2	0	1050	38.1%
	8	3922	1	11	14	8	40	9	14	25	2	Garage	1128	28.8%
	10	2531	1	10.5	1	5	40	8	9	30	2	0	1056	41.7%
	12	2446	1	10	3	1	45	15	8	30	2	0	984	40.0%
	16	4474	1	9	14	10	50		15	30	2	0	1280	28.6%
Average		**3207**	**1**	**10**	**6**	**5**	**45**	**10**	**10**	**29**	**2**			
Median		**2934**	**1**	**11**	**3**	**4**	**45**	**9**	**9**	**30**				
E. Home	2	2606	1	10	4	6	42		8	30	2	Garage	987	37.9%
	4	2488	2	15	2	3	26	8	5	30	2	0	1380	55.5%
	6	2476	1	15	2	2	38	5	4	30	2	0	989	39.9%
	8	2479	1	15	2	2	35	4	4	32	2	0	946	38.2%
	10	2310	1	15	2	3	37	3	3	32	2	0	860	37.2%
	14	4460	1	23	8	6	33	11		32	2	Garage	1444	32.4%
Average		**2803**	**1**	**16**	**3**	**4**	**35**	**6**	**5**	**31**	**2**			
Median		**2484**	**1**	**15**	**2**	**3**	**36**	**5**	**4**	**31**				
Croton Pl	10	1831	1	9	2	2	24.5	15	4	32	2	0	945	51.6%
	12	1734	1	9	2	2	22	4	4	28	2	0	1034	59.6%
	14	1729	1	9	2	2	22	4	4	28	2	0	900	52.1%
	16	1821	1	9	2	2	21	4	10	32	2	0	800	43.9%
	18	6736	1	9	8	14	85	10		32	2	Garage	1484	22.0%
Average		**2770**	**1**	**9**	**3**	**4**	**35**	**7**	**6**	**30**	**2**			
Median		**1821**	**1**	**9**	**2**	**2**	**22**	**4**	**4**	**32**				

Note: House numbers based on visual survey

* 1: Single-family, 2: Two-family, 3: Three-Family, 4: Four-family

Source: Irvington Main Street Zoning Committee Visual Survey, May 2007

BFJ Planning, Westchester County Aerial Photographs

Village of Irvington, Main Street Zoning Study

				Setbacks				Adjacent Distance						
Street	**House #**	**Lot Area sq/ft**	**Use* (1,2,3,4)**	**Front (ft)**	**Side 1 (ft)**	**Side 2 (ft)**	**Rear Yard (ft)**	**North/ West Side (ft)**	**South/ East Side (ft)**	**Height (ft)**	**Height (stories)**	**Ancillary Structure**	**Approx Lot Coverage**	**% of Lot Area**
S. Cottenet	10	8806	1	6	4	10	44	50	18	25	2	Garage	3472	39.4%
	16	6013	2	13	8	16	44	18	20	25	2	Garage	1419	23.6%
	18	5088	1	3	4	8	30	20	14	30	2.5	0	1980	38.9%
	28	4503	1	12	6	6	45	14	12	26	2	0	1734	38.5%
	30	4530	1	12	6	6	45	12	12	26	2	0	1650	36.4%
	32	4368	1	12	6	5	45	12	14	26	2	0	1271	29.1%
	34	4795	2	25	9	9	20	14	36	25	2	Garage	1860	38.8%
	11	11443	1	6	12	50	34	32	50	30	2	Garage	2420	21.1%
	19	3800	1	25	7	8	20	50	18	26	1.5	0	893	23.5%
	21	6173	1	25	10	10	25	18	18	26	1.5	0	1806	29.3%
	23	5985	1	25	8	8	20	18	20	31	2.5	0	1722	28.8%
	25	6296	5	0	8	17	38	20	45	35	2.5	0	1640	26.0%
Average		**5983**	**2**	**14**	**7**	**13**	**34**	**23**	**23**	**28**	**2**			
Median		**5537**	**1**	**12**	**8**	**9**	**36**	**18**	**18**	**26**				
N. Cottenet	9	4879	1	4	5	19	35	24	7	25	2	0	1240	25.4%
	13	5345	2	5	25	3	45	53	24	30	2	0	1219	22.8%
	17	6187	1	6	6	25	30	67	53	25	2		1953	31.6%
	19	30535	1	56	53	100	30	n/a	67	30	3	Garage	3968	13.0%
	12	6093	3	7	10	5	62	12	8	30	2.5	0	1900	31.2%
	14	3598	2	14	7	5	35	15	12	25	2	Garage	1200	33.4%
	18	3968	1	14	10	3	35	13	15	25	2	Garage	1426	35.9%
	22	7556	1	18	10	18	20	70	13	25	2.5	Garage	2520	33.4%
	32	13122	1	50	37	29	30		70	28	2	Garage	2016	15.4%
Average		**9031**	**1**	**19**	**18**	**23**	**36**	**36**	**30**	**27**	**2**			
Median		**6093**	**1**	**14**	**10**	**18**	**35**	**24**	**15**	**25**				
N. Eckar	10	4919	Commercial	9	19	3	50	32	2	10	1		1012	20.6%
	14	2713	2	6	0	13	30	0	32	45	3		880	32.4%
	16	2274	2	6	3	0	30	9	0	45	3		880	38.7%
	18	2667	2	6	1	6	0	3	9	40	2		2667	100.0%
	20	2601	2	6	2	2	0	10	3	40	2		2601	100.0%
	24	5054	2	6	15	8	40	22	10	40	2	Garage	1375	27.2%
	26	3182	3	10	0	7	35	10	22	40	2		1219	38.3%
	28	6402	1	10	10	10	45	30	10	40	2	Garage	1482	23.1%
	9	2445	4	5	2	0	30	0	2	40	3	0	1400	57.3%
	11	2562	1	0	0	2	50	25	0	30	2	0	950	37.1%
	15	4902	1	0	0	25	50	45	25	35	2	0	1280	26.1%
	21	6918	1	0	1	0	25	0	45	30	2	0	1210	17.5%
	23	1942	1	0	1	0	50	0	0	30	2	0	858	44.2%
	25	1915	1	0	1	0	50	0	0	30	2	0	858	44.8%
	27	1887	1	0	1	0	40	0	0	30	2	0	1020	54.1%
	29	1935	1	0	2	0	40	10	0	30	2	0	1020	52.7%
	31	4967	3	0	15	2	20	30	10	40	3		1600	32.2%
Average		**3487**	**2**	**4**	**4**	**5**	**34**	**13**	**10**	**35**	**2**			
Median		**2667**	**2**	**5**	**1**	**2**	**40**	**10**	**3**	**40**				
S. Eckar	10	2668	2	5	1	0	50	5	0	40	3	0	1060	39.7%
	12	2419	1	6	0	3	50	0	12	35	2	0	825	34.1%
	16	5081	1	6	9	5	50	12	7	35	3	Shed	1750	34.4%
	18	5098	(2 Buildings	5	2	0	50	7	0	30	2	Garage	1585	31.1%
	22	5077	3	0	0	1.5	50	0	3	35	3	0	1935	38.1%
	26	2274	2	3	1.5	3	60	3	28	30	2	0	800	35.2%
	28	6127	1	0	28	8	38	28	18	30	2	0	1036	16.9%
	32	3866	1	0	10	7	70	18	32	30	2	0	704	18.2%
	11	7628	2	11	7	25	33	11	26	40	3	0	1961	25.7%
	15	2538	1	10	0	4	50	26	4	35	2		888	35.0%
	17	2846	1	12	0	6	25	4	8	35	2		1596	56.1%
	19	2149	1	15	2	2	40	8	7	30	2	0	795	37.0%
	21-23	5000	1	2	5	8	55	7	8	30	2	0	1332	26.6%
	27	5052	2	3	0	30	45	8	31	30	2	0	1080	21.4%
	29	3096	2	0	1	7	50	31	7	30	2	0	897	29.0%
	31	2798	2	0	0	3	25	7	26	35	2	0	1750	62.5%
Average		**3982**	**2**	**5**	**4**	**7**	**46**	**11**	**14**	**33**	**2**			
Median		**3481**	**1**	**4**	**1**	**5**	**50**	**8**	**8**	**33**				

Note: House numbers based on visual survey
* 1: Single-family, 2: Two-family, 3: Three-Family, 4: Four-famil

Source: Irvington Main Street Zoning Committee Visual Survey, May 2007
BFJ Planning, Westchester County Aerial Photographs

Village of Irvington, Main Street Zoning Study

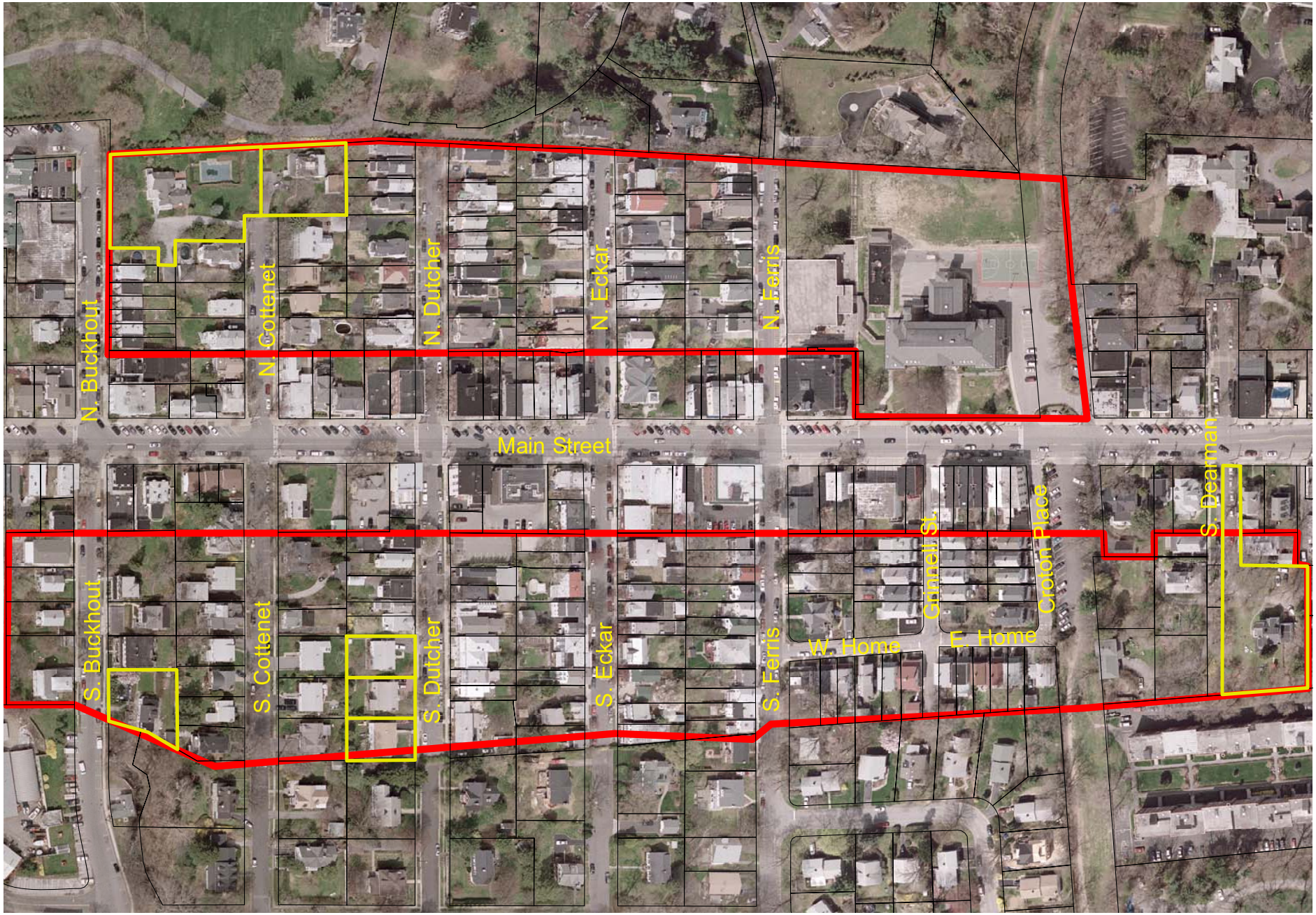
				Setbacks				Adjacent Distance						
Street	**House #**	**Lot Area sq/ft**	**Use* (1,2,3,4)**	**Front (ft)**	**Side 1 (ft)**	**Side 2 (ft)**	**Rear Yard (ft)**	**North/ West Side (ft)**	**South/ East Side (ft)**	**Height (ft)**	**Height (stories)**	**Ancillary Structure**	**Approx Lot Coverage**	**% of Lot Area**
Grinnell St.	9	1995	1	8	1	3	24	17	3	30	2	0	920	46.1%
	11	1829	1	6	0	2	24	3	4	30	2		1035	56.6%
	13	1788	1	8	2	3	24	4	4	30	2		880	49.2%
	15	1842	1	5	1	3	16	4	7	30	2		989	53.7%
	10	2514	1	8	4	0	31	7	0	26	2.5	Garage	825	32.8%
	12	2500	1	8	0	6	38	0	6	26	2	Garage	935	37.4%
	14	2819	1	8	3	2	30	6	4	29	2	0	918	32.6%
	16	2460	1	8	2	3	40	4	4	29	2	Shed	1155	47.0%
	18	5245	1	8	1	25	33	4		29	2	Garage	1288	24.6%
Average		**2555**	**1**	**7**	**2**	**5**	**29**	**5**	**4**	**29**	**2**			
Median		**2460**	**1**	**8**	**1**	**3**	**30**	**4**	**4**	**29**				
N. Buckhout	10	2200	1	20	0	3	50	0	15	22	2	0	700	31.8%
	12	2200	1	20	0	0	50	0	0	22	2	0	700	31.8%
	14	2042	1	15	0	0	50	0	0	22	2	0	700	34.3%
	16A	1946	1	20	0	0	50	4	0	22	2	0	700	36.0%
	16B	1945	1	20	0	0	50	4	0	22	2	0	700	36.0%
	18	3598	1	15	0	0	20	75	4	22	2	0	770	21.4%
Average		**2321.83**	**1**	**18.333333**	**0**	**0.5**	**45**	**13.83333**	**3.166667**	**22**	**2**			
Median		**2121.00**	**1**	**20**	**0**	**0**	**50**	**2**	**0**	**22**	**2**			
S. Buckhout	12	5150	2	10	12	5	30	15	15	22	2	0	1950	37.9%
	16	5125	1	15	15	15	45	15	30	25	2	0	946	18.5%
	20	4992	1	15	15	15	45	30	65	25	2	0	861	17.2%
	24	10234	4	6	50	10	40	65	70		4	0	2069	20.2%
	15	10487	2	12	65	5	50	65	11		3	0	1280	12.2%
	17	5000	2	40	6	11	25	15	15		3	0	1410	28.2%
	21	5000	4	20	4	5	30	15	45	35	3	0	1900	38.0%
	29	9348	1	40	40	5	30	45	40	25	2	0	1400	15.0%
Average		**6917.00**	**2.125**	**19.75**	**25.875**	**8.875**	**36.875**	**33.125**	**36.375**	**26.4**	**2.625**			
Median		**5137.50**	**2**	**15**	**15**	**7.5**	**35**	**22.5**	**35**	**25**	**2.5**			
N. Dutcher	31	2879	1	7	2	9	30		13				1300	45.2%
	29	2609	1	7	4	8	30	13	10				1197	45.9%
	27	2699	1	7	2	6	30	10	11				1152	42.7%
	25	2791	1	7	5	5	35	11	43				1100	39.4%
	21	7633	1	13	38	15	33	43	18				1400	18.3%
	17	4052	1	12	3	15	45	18	15				1125	27.8%
	15	3773	1	12	0	16	45	15	16				1125	29.8%
	11	3550	1	8	0	9	4	16					2100	59.2%
	32	5516	1	8	4	30	25	13	30				1360	24.7%
	26-28	4959	2	10	0	12	30	30	13				2110	42.5%
	24	2253	1	10	1	7	45	13	10				900	39.9%
	22	2589	1	10	3	5	45	10	7				990	38.2%
	20	2461	1	10	2	5	33	7	7				1320	53.6%
	18	2657	1	10	2	6	28	7	6				1320	49.7%
	16	5037	1	7	0	30	30	6	31				1308	26.0%
	12	4966	2	10	1	13	35	31					1964	39.5%
Average		**3776.50**	**1.2857143**	**9.25**	**4.1875**	**11.9375**	**32.6875**	**16.2**	**16.42857**					
Median		**3214.50**	**1**	**10**	**2**	**9**	**31.5**	**13**	**13**					
S. Dutcher	10	3891	1	0	15	8	45	43	10				1320	33.9%
	14	3444	1	10	2	12	40	10	19				1113	32.3%
	16	3910	1	10	7	9	43	19	9				1250	32.0%
	18	2080	1	10	0	10	42	9	10				756	36.3%
	20	2992	1	8	0	10	51	10	18				1025	34.3%
	22	6166	1	30	8	15	35	18	23				1440	23.4%
	24	6066	1	30	8	14	33	23	21				1720	28.4%
	26	6264	1	30	7	13	33	21					1560	24.9%
parking lot for comr	11	4964												
3 buildings two lots--one building	13	2544	1	8	0	13	0		13				1298	51.0%
in back stretches across two lots	15	2363	1	8	0	6	0	13	9				1326	56.1%
2 buildings one lot	17	4860	1	8	3	7	18	9	9				2691	55.4%
	21	4836	2	8	2	5	30	9	5				2475	51.2%
	25	2243	1	13	0	3	25	5	6				1200	53.5%
	27	2144	1	10	3	8	40	6	11				1000	46.6%
	31	7883	1	2	3	25	54	11					2400	30.4%
Average		**4165.63**	**1.0666667**	**12.333333**	**3.8666667**	**10.5333**	**32.6**	**14.71429**	**12.53846**					
Median		**3900.50**	**1**	**10**	**3**	**10**	**35**	**10.5**	**10**					

Note: House numbers based on visual survey

* 1: Single-family, 2: Two-family, 3: Three-Family, 4: Four-family

Source: Irvington Main Street Zoning Committee Visual Survey, May 2007

BFJ Planning, Westchester County Aerial Photographs



EXISTING CONFORMANCE

FIGURE 1

VILLAGE OF IRVINGTON, ZONING

SOURCE: FIELD SURVEY, GOOGLE EARTH

0 200 ft

BFJ Planning

Off-Main Street Zoning Committee
Supplemental Memo to Board of Trustees
28 August 2008

During the Committee's 18-month-long review process, some peripheral code issues were raised that the Committee feels the Board of Trustees might want to address in the near future, presumably with the assistance of the Zoning Consultants. These issues emerged in part from the comments on proposed legislative changes, submitted by the various Village Boards along with the Building Inspector. These items included:

- **Coverage**. Our current coverage regulations do not differentiate between pervious and impervious surfaces and treat both equally. This is an atypical situation in current zoning practices and from an environmental perspective, incorporating code changes that differentiate between the two is encouraged.

- **Fence heights** in the 2FD district, specifically as they pertain to the front of the property, and including the direction of the gate swing. Currently fencing is permitted up to 6 ½ feet high, which would not be appropriate to the character of the streetscape in this district.