

C. Multiple-family dwellings shall have a minimum enclosed living area per unit as follows:

Number of Bedrooms Per Unit	Minimum Square Footage
Efficiency	300
1	550
2	650
3	800
4	1,000
5+	As determined by Planning Board

§ 235-18. Minimum dimensional criteria.

All one- and two-family dwelling units located on individual lots shall have a minimum outside width of at least 20 feet. This provision shall not prohibit the construction of smaller additions or projections from larger units (less than 20 feet wide) provided a twenty-foot minimum width is clearly established for the overall unit.

§ 235-19. Front yard grade for dwellings.

The surface grade of front yards of dwellings measured at the midpoint of the front wall shall be at least one foot above the elevation of the road's center line, unless adequate site drainage is provided otherwise and approved by the appropriate authority having jurisdiction over the road (Town or County Highway Superintendent or New York State Department of Transportation).

§ 235-20. Stabling agricultural animals.

There shall be no stabling of animals or storage of manure, fertilizer, or similar odor- or dust-producing substance within the R District. Such stabling or storage shall be permitted in the AG, AG-R, I, IP or C Districts provided the following restrictions are observed:

- A. No such stabling or storage shall take place within 500 feet of an R District.
- B. No such stabling or storage shall take place within 100 feet of a lot line.

§ 235-21. Fences.

A. Fences erected on residential lots in the Town of Batavia shall adhere to the following standards:

- (1) Before a fence (other than a temporary one) shall be erected, a zoning permit must be obtained from the Building Inspector. A request for a permit shall be accompanied by a site plan which shall show the height and location of the fence in relation to all other structures and buildings and in relation to all streets, lot

property lines and yards. These restrictions shall not be applied so as to require a permit for, nor restrict, the erection, alteration, or reconstruction of fences for agricultural uses on farms or temporary fences (i.e., snow fences, garden fences, etc.), provided such temporary fences shall not exceed four feet in height, shall be at least 50% open construction and shall not pose a hazard to persons or traffic circulation. A temporary fence shall be removed once it is no longer being used or is necessary for its intended purpose.

- (2) Fences may be erected, altered or reconstructed to a height not to exceed three feet above ground level when located within 20 feet of the street right-of-way.
- (3) Fences may be erected, altered or reconstructed to a height not to exceed eight feet above ground level when located more than 20 feet from the street right-of-way line.
- (4) These restrictions shall not be applied so as to restrict the erection of a wall for the purpose of retaining earth.
- (5) Fencing used to enclose a tennis court may be permitted up to 10 feet in height provided that such fencing is not closer than 25 feet to a side or rear property line.
- (6) No fence shall be erected in a special flood hazard area, except for fences connected with an agricultural use when it can be demonstrated that such fence would not restrict the flow of floodwaters nor have an adverse impact on any buildings.
- (7) The finished side of the fence shall face the adjoining properties.

B. Commercial and industrial fences shall be reviewed and approved by the Planning Board as part of the site plan approval process.

§ 235-22. Land abutting a residential use.

Where in any district a commercial or industrial use is created adjacent to an existing residential use, a buffer strip shall be established by the nonresidential use along the lot line adjacent to the residential use.

§ 235-23. Outside solid-fuel-burning devices.

Outside solid-fuel-burning devices shall not be installed in an R District or within 500 feet of such district. When installed outside the R District (and the required five-hundred-foot buffer), such units shall be installed and operated in a manner as will not allow smoke or fumes to enter buildings on surrounding properties.