

## CHAPTER 19

### AREA REGULATIONS

#### GENERAL.

Every lot shall front and have ingress and egress to and from the proposed building site from a dedicated street or right of way maintained by the Town or other participating jurisdiction unless the lot is subject to the following modifications:

#### 19.1 MODIFICATION TO AREA REGULATIONS

- (1) Recorded lots on non-maintained dedicated Town or other participating jurisdiction street or right of way.

Where a lot fronts and has ingress and egress to and from the proposed building site from a dedicated street or right of way which has not been accepted for maintenance by the Town and was a lot of record prior to the effective date of this Ordinance said lot shall qualify for an Improvement Location Permit.

- (2) Lots in Subdivisions recorded after the effective date of the Subdivision Control Ordinance of \_\_\_\_, 2001, which have streets or rights of way which are not maintained by the Town or other participating jurisdiction but have met bonding or other proof of financial responsibility for their construction.  
Where a lot fronts and has ingress and egress to and from the proposed building site from a dedicated street or right of way which has not been accepted for maintenance by the Town or other participating jurisdiction but the subdivision has been approved and recorded after the effective date of the Subdivision Control Ordinance, \_\_\_\_, 2001, and which the street improvement has been bonded or other proof of financial responsibility has been provided, said lots shall qualify for an Improvement Location Permit.

Except as hereinafter provided, no building or structure shall be erected on a lot unless such building, structure or enlargement conforms with the minimum lot area regulations of the district in which it is located.

## 19.2 AREA.

(1) The following regulations shall apply:

DISTRICT	MINIMUM WIDTH AT BUILDING LINE IN FEET	MINIMUM LOT AREA
R-1	75	7,500 sq. ft.
R-1A	75	10,000 sq. ft.
R-1B	80	12,000 sq. ft.
R-1C	80	15,000 sq. ft.
R-1D	100	21,780 sq. ft.
R-2	75	6,000 sq. ft. or 3,000 sq. ft. per dwelling unit whichever is the greatest
R-0	75	6,000 sq. ft.

- (2) Reduction of Lot Area – No lot area shall be reduced, diminished or maintained so that the yards, other open spaces or total lot area shall be smaller than prescribed by this Ordinance, nor shall the density of population be increased in any manner except in conformity with the regulations herein established.
- (3) One Main Building on a Lot – Every building hereafter erected shall be on a lot as herein defined. In no case shall there be more than one residential building and its accessory buildings on one lot. Row dwelling or group housing may be considered as one main residential building.
- (4) The lot coverage of an accessory building or combination of accessory buildings shall not exceed the lot coverage of the principal structure (dwelling).

## 19.3 MODIFICATION TO AREA REQUIREMENTS.

- (1) Recorded Lots Less Than Minimum Area – Where a lot has a width or contains less area than herein required and was a lot of record prior to the effective date of this Ordinance, such lot may be utilized for residential use permitted in R-1, R-1A, R-1B, R-1C, R-1D and R-2 provided yard requirements in Chapter 20 are met.

(a) If on such lot the residential structure is destroyed to the point it has to be rebuilt and the original foot print of the structure is changed in any way the yard requirements of Chapter 20 will be in effect.

- (2) Through Lot – May be Two Lots. – Where a through lot has a depth of 180 feet or more, and an area of 15,000 feet or more, said lot may be assumed to be two lots with the rear line of each approximately equidistant from the front lot line, provided all area requirements are complied with and both lots front onto a dedicated street or right of way. Accessory buildings shall not be located in either front yard.

19.4 LOT COVERAGE OR ACCESSORY BUILDING.

Except as hereinafter provided no residential building or structure shall be erected, enlarged, or reconstructed to exceed the lot coverage established for the District wherein such building or structure is located, as follows:

- (1) The following regulations shall apply:

District	Maximum Coverage
R-1, R-1A, R-1B, R-1C	30% of Lot area
R-2, R-O	40% of Lot area
R-1D	20% of Lot area

## CHAPTER 20

### YARD REGULATIONS – “R-1”, “R-1A”, “R-1B”, “R-1C”, “R-1D”, “R-2”, “R-0” DISTRICTS

#### GENERAL.

Except hereinafter provided, no building or structure shall be erected on a lot unless such building or structure or enlargement conforms with the yard regulations of the District in which it is located.

#### 20.1 FRONT YARD.

- (1) Setback – Every lot shall have a front yard between the building line and the right-of-way line of streets not less than 40% of the width of the right-of-way, but in no case less than 25 feet.
- (2) Front yard on a Through Lot. -- At each end of a through lot there shall be a front yard of a depth required by this Ordinance for the District in which each street frontage is located, and one of such front yards may serve as a required rear yard.
- (3) Front yard – Between Projected Buildings. -- Where a lot is situated between two lots, each of which has a main building projecting beyond the established front yard line and was so maintained when this Ordinance became effective, the front yard requirements on such lot may, except on major highways and thoroughfares, be the average of the front yards of said existing building, provided, however, the front yard of such lot shall not be less than ten (10) feet.
- (4) Front yard – Adjoining Projected Buildings. -- Where a lot adjoins only one lot having a main building which projects beyond the established front yard line and has been so maintained since this Ordinance became effective, the front yard requirements on such lot may be the average of the front yard of the existing building and the established front yard line, provided, however, the front yard of such lot shall not be less than ten (10) feet.
- (5) Front yard – Sloping Lot. -- Where the elevation of the ground at a point fifty (50) feet from the front line of the lot and midway between the side lines, differs 10 feet or more from the curb level or where the slope (measured in the general direction of the side lot lines) is 20 percent or more on at least one-fourth (1/4) the depth of the lot, the front yard shall be at least fifty (50) percent of that required in the District, provided the required front yard of such lot shall be not less than 10 feet. A private garage, not exceeding one story or 14 feet in height, may be located in such front yard provided every portion of the garage building is at least 10 feet from the front lot line and does not occupy more than 50 percent of the width of the front yard, and does not encroach upon the side yard.
- (6) Front yard – Between Buildings in Block. -- Where twenty-five percent (25%) or more of the lots on the same street within the block are occupied by buildings on the effective date of this Ordinance, no building or other structure shall be erected, reconstructed, altered or moved so as to project closer to the right of way line of the



street on which it faces than the average building setback line established by such buildings. Where no front yard line has thus been established the front yard requirements contained herein shall be complied with.

## 20.2 SIDE YARDS.

- (1) There shall be two side yards for each lot. The minimum width of each side yard shall be as follows:

All districts permitting Residential Uses shall have a side yard on each side, each of which shall be at least ten percent (10%) of the width of the lot in width and the aggregate width of both side yards on any lot shall be at least twenty-five percent (25%) of the width of the lot in width.

- (2) Side Yard – Corner Lot. – A side yard at least twenty-five (25) feet in width shall be provided on the side of the lot abutting on the side street.
- (3) Side Yards Waived. – For the purpose of side yard regulations, the following dwellings with common party walls shall be considered as one building occupying one lot: semi-detached dwellings; row dwellings; and group dwellings.

## 20.3 REAR YARD.

- (1) The following regulations shall apply:  
All districts permitting Residential Uses shall have a rear yard of not less than twenty-five feet.
- (2) Rear Yard – Accessory Building. – An accessory building or combination of accessory buildings, not exceeding 20 feet in height, and not exceeding the floor area of the principal dwelling, may occupy not more than 30 percent of the area of a required rear yard, provided that no accessory building shall be closer than three (3) feet to a side lot line.  
The distance between the rear of the principal dwelling and the front of the accessory building shall be not less than ten (10) feet.

## 20.4 GENERAL PROVISIONS AND MODIFICATIONS TO YARD REQUIREMENTS.

- (1) Yards apply to only one building – No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this Ordinance shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected.
- (2) Projection into yards –
  - (a) Cornice, sill, or chimney; A cornice, eave belt course, sill, canopy or other similar architectural feature (not including bay window or other vertical projection) may extend or project into a required side yard not more than two

inches for each one foot of width of such side yard and may extend or project into a required front, side or rear yard not more than 30 inches. Chimneys may project into a required front side or rear yard not more than one foot, provided the width of such side yard is not reduced to less than three (3) feet.

- (b) Fire Escape – A fire escape may extend or project into any front, side or rear yard not more than four (4) feet.
- (c) Open Stairway and Balcony – An open unenclosed stairway or balcony, not covered by a roof or canopy may extend or project into a required yard not more than four (4) feet, and such balcony may extend into a required front yard not more than thirty (30) inches.
- (d) Open Porch – An open, unenclosed porch, platform or landing place not covered by a roof or canopy, which does not extend above the level of the first floor of the building, may extend or project into any required side or rear yard not more than four (4) feet.

## 20.5 FENCES, WALLS AND HEDGES

- (1) Fences, wall, hedges, or shrubbery and/or any combination thereof, may be erected, placed, maintained or grown along a lot line on residential zoned property or adjacent thereto, to a height not to exceed six (6) feet above the ground, except that no such fence, wall, hedge or shrubbery located in a required front or street side yard shall exceed a height of four (4) feet. Where such lot line is adjacent to non-residential zoned property fence, walls, hedges, or shrubbery may be maintained at a height not to exceed eight (8) feet. All hedge and shrubbery heights will be measured at existing grade as close to the hedge or shrubbery as possible. All fence and wall heights will be measured <sup>AT EXISTING</sup> grade at time of construction.
- (2) No fence, wall, hedge or shrubbery shall be located within a street or alley right-of-way or utility easement when such right-o-way or easement is located to the front, side or rear of the lot.
- (3) All fences, walls, hedges or shrubbery and/or any combination thereof bordering an alley right-of-way or utility easement will have a gate or opening in sufficient width to allow the passage of equipment for maintenance of said right-of-way or easement.
- (4) All fences will be erected so as the posts and/or supporting structure of the fence will face towards the interior of the lot being fenced.
- (5) No barbed wire or similar type of fence may be used as a fence or as part of a fence or wall.
- (6) No electric or electronic fences may be erected above grade level.
- (7) Storage of trash, junk, construction material and/or similar of materials are prohibited from storage from alley or right-of-ways or utility easements.

## CHAPTER 21

### HEIGHT REGULATIONS – ALL DISTRICTS PERMITTING RESIDENTIAL USES

Except as hereinafter provided, no building or structure shall be erected, enlarged or reconstructed to exceed the height limit established for the District wherein such building structure is located.

#### 21.1 MAXIMUM HEIGHT OF BUILDINGS AND STRUCTURES

- (1) The following regulations shall apply.

District	Maximum Height
R-1, R-1A, R-1B, R-1C, R-1D and R-2	2 ½ stories not to exceed 35 feet.
R-0	3 stories not to exceed 45 feet.

#### 21.2 MODIFICATION TO HEIGHT LIMITATIONS

- (1) Through lots (150 feet or less in depth):  
On through lots 150 feet or less in depth, the height of a building may be measured from the adjoining curb level on either side.
- (2) Through lots (more than 150 feet in depth):  
On through lots more than 150 feet in depth, the height regulations and basis of height measurements for the street permitting the greater height shall apply to a depth of not more than 150 feet from the street.

#### 21.3 EXCLUSIONS FROM HEIGHT LIMITS.

Penthouses on roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, fire or parapet walls, skylights, television aerials, steeples, roof signs, flagpoles, smokestacks, chimneys, wireless masts, water tanks, grain elevators, silos, gas containers, industrial installations requiring a vertical production procedure, such as flour mills, steel mills and refineries, or similar structures may be erected above the height limits herein prescribed, but no penthouse or roof structures or any space above the height limit shall be allowed for the purpose of providing additional floor space for residential, business, or industrial use.

## CHAPTER 22

### MINIMUM RESIDENTIAL FLOOR AREA – SPECIFIED DISTRICTS

No building or structure shall be erected, enlarged or reconstructed for residential purposes having a total floor area, exclusive of unenclosed porches, terraces, breezeways and garages, of less than the minimum established for the District wherein such building or structure is located as follows:

The minimum floor area shall be as follows:

One-family unit	1000 square feet per unit
Two-family unit	700 square feet per unit
Town house and multiple dwelling unit	650 square feet per unit