

Article IV. Low Density Residential, District R-1

Sec. 70- 19 Statement of Purpose and Intent.

This district is composed of certain quiet, low density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage a suitable environment for family life. To these ends, this district is protected against the encroachment of general commercial or industrial uses. Permitted uses are limited basically to single-family detached dwellings plus certain additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district.

Sec. 70- 20 Permitted Uses.

In the R-1 Residential District, the structures to be erected or land to be used shall be for one of the following uses and its permitted accessory uses; provided that only one main building and its accessory buildings may be erected on any lot or parcel of land in this district:

- (a.) Single-family detached dwellings.
- (b.) Public schools, and private schools which have been granted a non-profit, tax exempt status as educational institutions; provided that any new building shall be located at least fifty (50) feet away from any adjacent property line, including right-of-way lines.
- (c.) Churches and other places of worship, but not including rescue missions; provided that any new building shall be located at least fifty (50) feet from any adjacent property line, including right-of-way lines.
- (d.) Libraries.
- (e.) Public parks, playgrounds and play fields, bikeways, pedestrian trails, walkways, swimming pools, tennis courts, and nature preserves, in accordance with Sec. 70- 28 of this Article.
- (f.) Golf courses.
- (g.) Minor public utilities, as defined.
- (h.) Home occupations, in accordance with Sec. 70- 137 of this chapter.
- (i.) Group homes, as defined and in accordance with Sec. 70- 139 of this chapter.
- (j.) Off-street parking and loading, in accordance with Sec. 70- 150 and Sec. 70- 151 of this chapter.
- (k.) Signs, in accordance with Sec. 70- 152 of this chapter.

- (l.) Fences, in accordance with Sec. 70- 133 of this chapter.
- (m.) Storage of recreational vehicles, in accordance with Sec. 70- 129 of this chapter.
- (n.) Temporary buildings, in accordance with Sec. 70- 136 of this chapter.
- (o.) Dish antennae, in accordance with Sec. 70- 130 of this chapter.
- (p.) Other customary accessory residential buildings and uses that are clearly incidental to the principal building and/or use, as defined, and in accordance with Sec. 70- 128 of this chapter and other applicable ordinances and regulations.

Sec. 70- 21 Permitted Uses with a Condition Use Permit.

The following uses may be permitted in the R-1 Residential District, subject to the procedures and criteria established in this chapter.

- (a.) Agricultural uses, in accordance with Sec. 70- 28 of this Article.
- (b.) Resorts, country clubs, and memorials.
- (c.) Private clubs and organizations.
- (d.) Bed and Breakfast establishments, in accordance with Sec. 70- 143 of this chapter.
- (e.) Public safety and other community facilities and public and semi-public uses, as defined, that are not listed in Sec. 70- 20 of this Article.
- (f.) Nursing homes, rest homes, and retirement homes, in accordance with Sec. 70- 141 of this chapter.
- (g.) Day care center/facilities, as defined, and in accordance with Sec. 70- 140 of this chapter.
- (h.) Major public utilities, as defined.

Sec. 70- 22 Area Regulations.

The minimum lot area in the R-1 Residential District shall be 20,000 square feet.

Sec. 70- 23 Setback Regulations.

No structures in the R-1 Residential District shall be located closer than thirty-five (35) feet to any street right-of-way which is fifty feet or greater in width, or closer than sixty (60) feet to the centerline of any street right-of-way less than fifty feet in width; except that no building

need be set back more than the average setback of the two adjacent structures on either side. This shall be known as the “setback line”. However, if either of the adjacent structures is not in compliance with the applicable setback requirements and has not received a variance therefore, or is not a nonconforming structure by reason of inadequacy of setback, this exception shall not apply. A vacant lot shall be assumed to be occupied by a building housing a minimum setback.

Sec. 70- 24 Frontage Regulations.

(a.) The minimum lot width at the setback line in the R-1 Residential District shall be one-hundred (100) feet.

(b.) The minimum width of any lot that fronts on a cul-de-sac, as defined, shall not be more than a forty (40) percent reduction at the setback line.

Sec. 70- 25 Yard Regulations.

(a.) Side. The minimum side yard in the R-1 Residential District shall be ten (10) feet.

(b.) Rear. Each main structure shall have a minimum rear yard of thirty (30) feet.

Sec. 70- 26 Height Regulations.

(a.) Buildings may be erected up to two and one-half stories, or thirty-five (35) feet in height from grade.

(b.) A public or semi-public building such as a school, church or library may be erected up to a height of sixty (60) feet from grade, provided that the required front, side and rear yards shall be increased one foot for each foot in height over thirty-five (35) feet.

(c.) Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennae, and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building upon which the walls rest.

Sec. 70- 27 Lot Coverage.

The buildings of resorts, country club, memorials, golf courses and private clubs and organizations shall not cover more than ten (10) percent of the site.

Sec. 70- 28 Special Provisions.

(a.) Corner lots.

1. Of the two sides of a corner lot, the front shall be deemed to be the shortest of the two sides fronting on streets; however, this provision may be waived by the planning

commission, upon recommendation by the zoning administrator, in instances when it is determined that the interests of safety and/or practicality are best served by the granting of such a waiver.

2. The side yard on the side facing the side street shall be thirty (30) feet or more for both main and accessory buildings.

3. For subdivisions platted after the enactment of this chapter, each corner lot in the R-1 District shall have a minimum width at the setback line of not less than one-hundred (100) feet.

(b.) Recreational uses.

1. Indoor recreational facilities shall be adequately soundproofed.

2. Lighting of any outdoor recreational facility must be directed so as to eliminate or mitigate glare onto any residential use or roadway.

(c.) Agricultural uses.

1. The minimum area for any agricultural use in the R-1 Residential District shall be three (3) acres.

2. Permitted uses, with a conditional use permit, shall include the following: general farming; pasturing; grazing; horticulture; outdoor plant nurseries; orchards; truck farming; forestry; sod farming; wild crop harvesting; and greenhouses.

3. The following uses are prohibited: packing plants; dairies; the keeping and/or raising of swine or poultry; and abattoirs.