

ARTICLE VIII-A - RESIDENTIAL DISTRICT R-3 MH²

8-1A USE REGULATIONS

In Residential District R-3 MH, structures to be erected or land to be used shall be for one or more of the following uses:

- 8-1.1A Single-family dwellings. Dwellings shall be of conventional site-built construction; modular homes (industrialized building units) according to the Uniform Statewide Building Code (USBC); or shall be “on-frame” modular or manufactured homes with a minimum roof pitch of 4/12 and on a permanent foundation or with a permanent foundation or underpinning.⁷⁰
- 8-1.2A Multiple-family dwellings.
 - 8-1.2-1A Permanent mobile home and/or manufactured home parks.⁴¹
- 8-1.3A Existing structures may be converted to multiple-family dwellings accommodating not more than four (4) family units, provided all requirements of this article are met.
- 8-1.4A Home occupations and Home Occupations - Internet Based as defined herein.⁸³
- 8-1.5A Rest homes.
- 8-1.6A Tourist homes.
- 8-1.7A Rooming and boarding houses.
- 8-1.8A Professional offices, such as medical, dental, legal, engineering and architectural conducted within a building which conforms substantially to the architectural design of houses or other buildings located in close proximity thereto.
- 8-1.9A Public and semi-public uses, such as schools, churches, libraries, hospitals (not special care), and private schools with conditional use permit.³

- 8-1.10A Public or community operated playgrounds, parks and similar recreational facilities.
- 8-1.11A Public utilities: poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewerage facilities.
- 8-1.12A Accessory buildings, structures, and/or apparatus permitted as defined; however, garages, carports or other accessory structures attached to the main building shall be considered part of the main building. No accessory building may be closer to any property line as provided hereinafter, with exception that this shall not apply to an alley line. Accessory buildings are permitted in rear yards only. The total ground area occupied by accessory buildings may not exceed twenty-five (25) percent of the rear yard area. Accessory buildings on corner lots may not be closer to the street line than the minimum side yard for a dwelling on such lots.⁴⁰ Satellite dish antennas larger than three (3) feet in diameter shall be considered accessory structures and shall be setback at least five (5) feet from the property line.⁴⁹
- 8-1.12B Semi-trailers which are licensed shall be permitted as defined in the Definitions section of this ordinance.⁵⁷
- 8-1.12C Shipping containers shall be permitted as defined in the Definitions section of this ordinance.⁵⁷
- 8-1.13A Signs permitted under Chapter 21 of this Ordinance regulating outdoor advertising.²⁴
- 8-1.14A Deleted 4-27-87.²⁴
- 8-1.15A Deleted 4-27-87.²⁴

- 8-1.16A Off-street parking as required by this Ordinance.
- 8-1.17A Homestay.⁹⁸
- 8-1.18A Temporary Family Health Care Structure.¹⁰⁰
- 8-2A AREA REGULATIONS
- 8-2.1A For residential lots containing or intended to contain a single-family dwelling served by public water and sewage disposal, the minimum lot area shall be nine thousand (9,000) square feet.
- 8-2.2A For residential lots containing or intended to contain a single-family dwelling served by public water systems but having individual sewage disposal, the minimum lot area shall be fifteen thousand (15,000) square feet.
- 8-2.3A For residential lots containing or intended to contain a single-family dwelling served by individual water and sewage disposal systems, the minimum lot area shall be fifteen thousand (15,000) square feet.
- 8-2.4A For residential lots containing or intended to contain a multiple-family dwelling served by public water and sewage disposal systems, the minimum lot area shall be eleven thousand (11,000) square feet for two-family dwelling, thirteen thousand five hundred (13,500) for three-family dwelling and sixteen thousand (16,000) square feet for four or more families.¹
- 8-2.5A For residential lots containing or intended to contain a multiple-family dwelling served by public water and individual sewage disposal systems, the minimum lot area shall be subject to approval of the Health Department but in no case be less than sixteen thousand (16,000) square feet.

8-2.6A For residential lots containing or intended to contain a multiple-family dwelling served by individual water and sewage disposal systems, the minimum lot area shall be subject to approval of the Health Department but in no case be less than sixteen thousand (16,000) square feet.

8-2.7A For a lot on which there is an existing structure, which is to be converted to a multiple-family dwelling as provided herein, the minimum lot area for the conversion of such structure shall comply with the lot area requirements of this district.¹⁵

8-2.8A For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The administrator may require a greater area if considered necessary by the health official.

8-2.9A Where a public water system is not available, the private water system shall be approved by the health official.

8-3A SETBACK REGULATIONS

In the R-3 Residential District, no building shall be erected, reconstructed or altered nearer to the street line on which it faces than the average setback observed by the buildings on the same side of the street and fronting thereon but in no case less than fifteen (15) feet. The setback measurements within the same block shall be determined from the street line to the front wall of the building, provided there is no front porch, or if the front porch does not extend beyond the front wall. If the front porch extends beyond the front wall, or if there are future plans for a front porch, the depth of such porch must be added to the setback measurements.

8-3.1A The side line of a building on a corner lot shall not be a factor in establishing the setback line.

- 8-3.2A Deleted 7-23-79.⁷
- 8-3.3A Where there is no building on either side of the street within the block, the setback shall not be less than twenty-five (25) feet provided that on a hillside street if the natural slope of the ground on either side of a street and within a block is such that the average difference in elevation between the sidewalk grade and the lot grade at the setback line provided for herein is greater than five (5) feet, the setback line shall be established at a distance back where such difference in elevation is five (5) feet, provided further that no such line shall be less than fifteen (15) feet from the street line.
- 8-3.4A In no case shall the required setback be more than forty (40) feet.

8-4A FRONTAGE REGULATIONS

For single-family dwellings, the minimum lot width at the setback line shall be sixty (60) feet, and for each additional dwelling unit, there shall be at least twelve (12) feet of additional lot width at the setback line. See Section 3-55 for 7-23-79 changes.

8-5A YARD REGULATIONS

- 8-5.1A Side--The minimum side yard for a single-family dwelling shall be twelve (12) feet and the total width of the two required side yards shall be twenty-four (24) feet.¹⁰² For multiple-family units, the minimum side yard requirement as stated for a single-family dwelling shall be increased by three (3) feet for each family unit over one (1). The maximum, in such case, need not exceed thirty (30) feet.
- 8-5.2A Rear--Each single-family dwelling shall have a rear yard with a minimum depth of twenty-five (25) feet. For multiple-family units, the minimum rear yard requirement

as stated for a single-family dwelling shall be increased by six (6) feet for each family over one (1). The maximum, in such case, need not exceed forty-three (43) feet.

8-6A HEIGHT REGULATIONS

Buildings may be erected up to thirty-five (35) feet in height from grade except that:

8-6.1A The height limit for dwellings may be increased up to fifteen (15) feet provided there are two (2) side yards, each of which is fifteen (15) feet or more.

8-6.2A A public or semi-public building, such as a school, church, library, professional building, or hospital, may be erected to a height of sixty (60) feet from grade provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.

8-6.3A Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, television antennae and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest. Television and radio aerials shall not be for commercial use and shall be for receiving only, except for amateur or "ham" radio aerials.⁴⁹

8-6.4A Accessory buildings with an eave height of twelve (12) feet or more shall be located not less than ten (10) feet from any party lot line; accessory buildings with an eave height of eight feet six inches (8'6") but less than twelve (12) feet shall be located not less than five (5) feet from any party lot line; accessory buildings with an eave height of less than eight feet six inches (8'6") shall be located not less than three (3) feet from any party lot line; eave height is measured from the ground to the eave of

the roof.³²

8-7A SPECIAL PROVISIONS FOR CORNER LOTS

8-7.1A Of the two sides of a corner lot the front may be deemed to be either of the two sides fronting on streets.¹⁵

8-7.2A For subdivisions platted after the enactment of this Ordinance, each corner lot shall have a minimum width at the setback line of seventy (70) feet or more.

8-8A SPECIAL PROVISIONS FOR RESIDENCES

8-8.1A Each residence shall have at least two (2) rooms, one of which shall be a full bath.

8-8.2A Each residence shall have a minimum floor area outside the walls, excluding garages, porches, carports and terraces, of not less than nine hundred (900) square feet.¹⁵

8-8.3A Each residence shall occupy a minimum ground area figured to the outside of the foundation walls, excluding garages, porches, carports and terraces, of not less than six hundred (600) square feet.¹⁵

8-8.4A Each residence shall be equipped with a central heating system or the equivalent capable of adequately heating all rooms.

8-8.5A Each residence shall be connected to the Town sewer system where connection to such is available, and in the absence of availability, to an approved septic tank system.

8-8.6A For multiple-family units, the minimum floor area of six hundred fifty (650) square feet, as provided for a single-family residence, shall be increased by a minimum of three hundred twenty-five (325) square feet for each additional living unit over one (1).

- 8-8.7A For multiple-family units, the minimum ground area of five hundred (500) square feet, as provided for a single-family unit, shall be increased by a minimum of two hundred fifty (250) square feet for each additional living unit over one (1). However, the ground area for a multiple-family structure need not exceed a maximum of fifteen hundred (1,500) square feet.
- 8-8.8A Swimming pools, both semi-permanent and permanent, shall be constructed only in a rear yard.
- 8-8.9A No fence or wall more than fifty percent solid or more than four (4) feet high shall be erected in any front or side yard. No solid fence more than eight (8) feet high shall be erected in any rear yard. For the purposes of this section, a side yard will be deemed to extend to the rearmost portion of the main structure or dwelling. Also, the term "solid" shall mean that when the fence is viewed perpendicular to its length from one side, no break or opening may be seen. The percentage of solidity must be uniform along the length of the fence. Fences shall not obscure sight lines on the right of way. Fences shall be set back from the right of way line or terminated so that sight lines are not obstructed.⁵²

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