

CHAPTER 1125
Residential Districts: Detached One and Two-Family

1125.01 Intent.**1125.02 Permitted uses.****1125.03 Area, yard and height regulations: main buildings.****1125.04 Area, yard and height regulation; accessory buildings and structures.****1125.05 Home occupations; renting of rooms.****1125.06 Landscaping requirements.****1125.07 Visibility at intersections.****1125.08 Supplemental parking regulations.****1125.09 Keeping chickens.**

CROSS REFERENCES

Night parking of commercial vehicles - see TRAF. 351.15

Home occupation defined - see P. & Z. 1107.11

Signs permitted - see P. & Z. 1143.04(h)

1125.01 INTENT.

In addition to the applicable provisions of the intent stated in Section 1105.03, it is the intent of these district regulations to promote development of low-to-medium density housing under conditions which maximize safety and minimize environmental disturbances to residents.

(Ord. 2019-39. Passed 8-13-19.)

1125.02 PERMITTED USES.

In Detached One and Two-Family Residential Districts, buildings and land shall be used by right for only the main and accessory uses set forth below.

(a) Main Uses.

- (1) In R1-100, R1-60 and R1-50 Districts: one-family detached dwellings.
- (2) In an R2F District: one and two-family detached dwellings

(b) Accessory Uses.

- (1) Garages, driveways and walkways as regulated in Section 1125.04(a) and (b) of this Planning and Zoning Code.
- (2) Private swimming pools and other private recreational uses as regulated in Section 1125.04(d) of this Planning and Zoning Code.
- (3) Landscape features as regulated in Section 1125.06 of this Planning and Zoning Code.
- (4) Fences, walls and hedges as regulated in Chapter 1148 of this Planning and Zoning Code.
- (5) Central air-conditioner units, generators, heat pumps, as regulated in Section 1125.04 (e) and (f) of this Planning and Zoning Code.
- (6) Signs, as regulated in Chapter 1143 of this Planning and Zoning Code.
- (7) Home occupations, renting of rooms as regulated in Section 1125.05 of this Planning and Zoning Code.

(Ord. 2019-39. Passed 8-13-19.)

1125.03 AREA, YARD AND HEIGHT REGULATIONS: MAIN BUILDINGS.

Lots in R1 and R2F Districts shall be occupied by no more than one (1) main building per lot, and further, shall be developed and maintained in accordance with the following regulations.

	<u>R1-100</u>	<u>R1-60</u>	<u>R1-50</u>	<u>R2F</u> <u>1F/2F</u>
(a) Lot size, minimum (sq. ft.)	20,000	9,000	6,000	6,000/8,000
(b) Lot width at building line, minimum (ft)	100	60	50	50/60
(c) Street frontage: minimum (ft.)*	100	60	50	50/60
(d) Lot depth: minimum (ft.)	160	120	100	100/120

(e) Coverage by main building, maximum	18%	20%	24%	24%/27%
(f) Front yard setback, minimum (ft.)	50	35	30	30/30
(g) Side yard setback, minimum (ft.)				
w/attached garage: each side	10	5	3	3/5
total	24	12	8	8/12
w/detached garage: each side	14	5	3	3/5
total	28	15	12	13/15
corner lots, from side street **	10	10	10	10/10
(h) Rear yard setback, minimum (ft.)	50	40	30	30/30
	(or 30% of depth, whichever is less)			
(i) Dwelling unit area, minimum (sq. ft.)				
1 - story building	1,200	950	800	750/950
2 - 2 1/2 story building	1,500	1,250	1,100	800/1,100

*except as permitted in subsection (m) hereof

** except as regulated in subsection (n) hereof

(j) Height. The height of a dwelling shall not exceed thirty- five feet above finished grade. The Architectural Board of Review shall determine finished grade. Chimneys and antennae located on the dwelling may exceed this limitation but are limited to a maximum height of fifteen feet above the roof line.

(k) Projection of Building Features into Setbacks.

(1) Certain architectural features may project from a dwelling into any setback a maximum distance of three feet. However, no such feature shall extend to within three feet of a side lot line or into a setback any distance greater than a setback line that has been established by a variance. For purposes of this subsection, architectural features shall include awnings, balconies, bay windows, belt courses, canopies, cornices, projecting eaves and other overhangs.

(2) Entrance features not exceeding forty-eight (48) square feet may project into a setback a maximum distance of six feet provided that no projection shall extend into a setback any distance greater than a setback line that has been established by a variance. Entrance features shall include steps, landings, platforms and unenclosed porches not extending above the first floor.

(3) Structures such as porches, balconies, platforms, decks, patios, and similar architectural projections that exceed forty-eight (48) square feet shall meet the setback requirements of the main building.

(l) Modifications to Required Front Yard Setback. For a lot located on a block which is occupied along at least fifty percent (50%) of its frontage by one or two-family detached dwellings, the Planning and Zoning Commission may establish a front yard setback equal to the average existing setback of dwellings located within 100 feet on either side of the lot proposed for development. However, the front yard setback shall not be less than two-thirds of that established in subsection (f) hereof.

(m) Street Frontage on Curved Streets. For lots which front on a curved street segment, the minimum street frontage required in subsection (c) hereof shall be reduced in proportion to the degree of curvature. The

minimum permitted street frontage for such lots shall be that distance which results from side lot lines drawn as radials of the circle(s) formed from the front lot line.

- (n) Garages. Each dwelling unit shall be served by a garage located on the same lot. An attached garage is part of the main building when a wall or roof between the dwelling and attached garage has a minimum of forty percent (40%) of the length of the garage wall or roof in common with the dwelling wall or roof. For dwelling units located on a corner lot and having an attached garage with garage doors facing the side street, the minimum distance from the side street line to the garage portion of the main building shall be twenty feet.

(Ord. 2019-39. Passed 8-13-19.)

1125.04 AREA, YARD AND HEIGHT REGULATION; ACCESSORY BUILDINGS AND STRUCTURES.

Accessory buildings and structures shall not be located in setbacks except as permitted herein. However, landscape features and private gardens in conformance with applicable height and visibility regulations may be located in any setback. Accessory structures shall comply with the yard regulations of this Section.

- (a) Accessory Buildings Including Detached Garages. Accessory buildings, including detached garages, shall be in accordance with the following standards:
- (1) The minimum interior dimensions of a detached garage shall be twenty feet in length and nineteen feet in width.
 - (2) All accessory buildings and structures, including detached garages for each lot shall not exceed 700 square feet in total area and shall not occupy more than thirty percent (30%) of the rear yard.
 - (3) Such buildings shall be located only in rear yards, a minimum distance of three feet from each lot line. If the side or rear yard requirement is greater than three feet, architectural and entrance features may project into any setback a maximum distance of three feet, but in no event shall such feature extend to less than three feet from any lot line. For purposes of this subsection, architectural features shall include awnings, balconies, bay windows, belt courses, canopies, cornices, projecting eaves and other overhangs. Entrance features shall include steps, landings, platforms and unenclosed porches.
 - (4) For corner lots, the minimum distance from the side street line shall be five feet plus the setback for the main building.
 - (5) For through lots not abutting alleys, the minimum distance from the rear lot line shall be twenty feet plus the average front yard setback of the adjoining lots having street frontage on the street opposite the front line of the through lot. Where there are no adjoining lots, the minimum distance from the rear lot line shall be the required side yard setback plus five feet.
 - (6) The maximum height of an accessory building shall not exceed eighteen feet. The Architectural Board of Review may approve a height of no more than twenty-two feet for an accessory building to permit a roof pitch that is architecturally compatible with the main building on the lot and on property in proximity to the lot when required by Chapter 1146. Such approval shall be in accordance with the following compatibility requirements:
 - A. The maximum height shall not exceed twenty-two feet;
 - B. The maximum height shall not exceed that of the main building;
 - C. Regardless of the height of the building, the maximum height of the sidewalls of a garage shall not exceed ten feet from the floor of the garage to the top of the sidewall; and
 - D. The distance of an accessory building from the side and rear lot lines shall increase by one foot for each foot over eighteen feet in building height. Where the computation results in a fractional unit, the requirement shall be rounded up to the closest foot.
 - (7) No portion of an accessory building may be occupied for residential use.
- (b) Driveways. Driveways shall be permitted in accordance with the following standards:
- (1) Each dwelling unit shall be served by a driveway located on the same lot.
 - (2) Such driveway shall have a minimum width of eight feet and a maximum width of twenty feet at the intersection with the public right of way.
 - (3) The amount of improved area designed for parking and driveways in each setback shall not exceed twenty-five percent (25%) of the front yard and thirty percent (30%) of the rear yard.
 - (4) Driveways may be located in any setback with the exception of side yards less than ten feet in width. Additionally, each driveway shall be set back a minimum distance of two feet from any dwelling unit, except at the point of access to an attached garage. A driveway on one lot shall maintain a minimum distance of six feet from a driveway on an adjoining lot and two feet from any other adjoining lot line.
 - (5) Driveways on adjoining lots shall not be located in proximity to a common side lot line unless approved by the Planning and Zoning Commission for considerations of safety.

- (6) The centerline of each driveway shall be at least twenty feet from the right-of-way line of the nearest intersecting street.
- (7) Driveways that do not connect to a garage are prohibited.
- (c) Fences, Walls and Hedges. Fences, walls and hedges are permitted as regulated in Chapter 1148.
- (d) Recreational Uses.
 - (1) Swimming pools. Swimming pools shall be located only in rear yards and shall be set back a minimum distance of ten feet from each lot line. Any swimming pool in which water may collect to a depth in excess of one and one-half feet shall be enclosed by a wall or fence as regulated in Chapter 1148.
 - (2) Recreation courts. Tennis, basketball and other recreation courts shall be located only in rear yards and shall be set back from each lot line a minimum distance of ten feet as measured either from the enclosing fence or, if no fence is required, from the edge of the court surface. Tennis courts shall be enclosed by a metal chain link or mesh fence as regulated in Chapter 1148. This section shall not restrict the location of a basketball backboard that is not part of a basketball court but is attached to an existing structure or a pole located beyond the required front yard for a building or side yard for a driveway.
- (e) Central Air Conditioner Units, Heat Pumps. Air conditioner units and heat pumps shall be:
 - (1) Located at the side or rear of the dwelling in compliance with the setback requirements of the main building; and
 - (2) Screened from view with evergreen plant material or decorative fencing.
- (f) Generators. Generators shall be:
 - (1) Located at the side or rear of the dwelling in compliance with the setback requirements of the main building;
 - (2) Screened from view with evergreen plant material or decorative fencing;
 - (3) Installed in conformance with the manufacturer's specifications;
 - (4) Fueled by natural gas;
 - (5) Situated so as to exhaust into the interior of the lot on which they are located;
 - (6) Used only during periods of power outages, or, for periodic testing and necessary maintenance operation between the hours of 7:00 a.m. and 7:00 p.m.; and
 - (7) Equipped with sound attenuation equipment sufficient to ensure that the noise level produced during operation complies with the requirements of Section 1144.02(b). (Ord. 2019-39. Passed 8-13-19.)

1125.05 HOME OCCUPATIONS; RENTING OF ROOMS.

- (a) Home Occupations. Home occupations, including professional offices are permitted only if in conformance with the following standards:
 - (1) Employment. The occupation is conducted only by members of the family residing in the dwelling unit.
 - (2) Area. The occupation is conducted within a completely enclosed dwelling unit and any space used for sales, service or production occupies no more than twenty-five percent (25%) of the dwelling unit's floor area nor more than 150 square feet.
 - (3) Sales. All merchandise sold on the premises is produced on the premises.
 - (4) Environmental impact. No use shall create noise, dust, odor, glare, smoke, vibration, fire hazard or any other hazard to an extent or frequency greater than that usually experienced in a residential occupancy with no home occupation in the same district. nor shall hazardous chemicals or substances not ordinarily found in a home be permitted for a home occupation use.
 - (5) Exterior appearance. The residential character of the building in which the activity occurs is not diminished.
 - (6) Parking. The occupation does not necessitate the parking of more automobiles than can be accommodated in the dwelling's driveway.
 - (7) Nursery schools/group instruction. No class session exceeds an enrollment of twelve students, and no session begins before 9:00 a.m. nor continues after 10:00 p.m.
 - (8) No Interference. No home occupation shall include the repair of motor vehicles or equipment and any home occupation use shall not interfere with television, telephone, cable television or other communication signals or services, Wi-Fi or internet communication signals or connections, or cause electric line fluctuations,
 - (9) The use of the dwelling unit for a home occupation shall be clearly incidental to the main use as a dwelling.
 - (b) Renting of Rooms. Where the owner of a dwelling unit resides in such dwelling unit, not more than two rooms in such dwelling unit shall be occupied by a non-owner resident family and the number of renters in such dwelling unit shall be limited to two persons.
- (Ord. 2019-39. Passed 8-13-19.)

1125.06 LANDSCAPING REQUIREMENTS.

A zoning certificate for development under regulations of this chapter shall not be issued unless a plan which demonstrates compliance with the following landscaping requirements has been approved by the Administrator.

- (a) General. All portions of a lot not used for permitted structures, parking areas, driveways or walkways shall be properly planted with grass or other suitable vegetative ground cover and shall be maintained in good condition.
- (b) Tree Lawn. A strip of grass-covered land at least seven feet in width, known as the tree lawn, shall be reserved in a location between the roadway curb and the sidewalk contiguous to each lot where a sidewalk exists or is proposed.
- (c) Existing Vegetation. In the construction of new buildings or building additions, existing trees and other significant vegetation shall be retained, wherever feasible.
- (d) Street Trees. Trees shall be planted so that for every lot there is at least one tree on each tree lawn abutting a street. The minimum diameter of such trees, at planting, shall be three inches at twelve inches above ground level. The requirement of tree plantings on tree lawns shall not be applied to lots on which an existing mature tree is so situated in a yard that it would impede the eventual growth of a tree located on the tree lawn. All tree varieties shall be from a list of approved trees kept on file in the Building Department. Maintenance of Landscaping and Replacement of Landscaping. All landscaping required by this Planning and Zoning Code shall be maintained in good condition and, when necessary, shall be replaced with landscaping comparable to the landscaping required by the approved landscape plan. Any tree, shrub, or bush that is no longer in good condition, shall be replaced, at a minimum, with a tree, shrub, or bush that is comparable to the type and height of the tree, shrub, or bush specified for initial planting in the approved landscape plan. Any request to plant or maintain landscaping that is not comparable to the landscaping required by the approved landscape plan shall be reviewed by the Administrator and approved only if such landscaping is an improvement and enhancement, as determined by the Administrator, to the originally approved plan. The Administrator, in considering whether or not landscaping is an improvement and enhancement, shall consider the need for a visual barrier, the intent of the original landscaping plan, the contiguous properties, the current site conditions, including soil conditions and the success of a certain species growing in the area, and any other factor deemed relevant by the Administrator. (Ord. 2019-39. Passed 8-13-19.)

1125.07 VISIBILITY AT INTERSECTIONS.

Within a triangle formed by lines drawn between points on two street right-of-way lines twenty-five feet from their point of intersection, substantially unobstructed sight lines shall be maintained within a vertical height band two and one-half to six feet above curb level.

(Ord. 2019-39. Passed 8-13-19.)

1125.08 SUPPLEMENTAL PARKING REGULATIONS.

In addition to the applicable parking regulations of Chapter 1141, the following parking regulations shall apply in all R1 and R2F Districts.

- (a) Exceptions. Vehicles temporarily on the premises of a dwelling for the purposes of deliveries, repairs, construction, landscaping, maintenance, garbage removal or service calls to and from the dwelling are exempt from the requirements of this section.
- (b) Overnight Parking. Overnight parking of vehicles in front and side yards is prohibited with the following exceptions:
 - (1) The occupants of the premises and their guests may park a passenger vehicle that is not considered a large vehicle (hereafter defined) in a driveway provided that no part of any vehicle may extend over any public sidewalk or other right of way.
 - (2) A single vehicle having truck license plates and with a capacity rating of one (1) ton or less may be parked in a driveway provided that no part of any vehicle may extend over any public sidewalk or other right of way and that such truck is used solely by the occupant of the dwelling.
 - (3) A single recreational vehicle when authorized under Section 1125.08(d)(5) or Section 1125.08(d)(6).
- (c) Prohibited Activity. The rebuilding, overhauling or dismantling of an automotive vehicle or recreational vehicle or the storage of motor or body parts in an open yard is prohibited.
- (d) Recreational Vehicles. The outside parking and storage of recreational vehicles shall conform to the following:
 - (1) When not authorized under Section 1125.08(d)(5) or 1125.08(d)(6), a single recreational vehicle twenty-four (24) feet or less in overall length or eight (8) feet or less in width or twelve (12) feet or less in height, inclusive of any rooftop mechanical equipment may be parked or stored on the premises provided that the following requirements are satisfied:
 - A. The vehicle shall be located only in a rear yard, a minimum distance of three feet from any lot line plus the width of required screening. On a corner lot the vehicle may be parked no closer to the street than five feet plus the setback for the main building plus the width of required screening.
 - B. The Administrator may require an increase in setbacks if necessary, for the installation of adequate

screening.

- C. The vehicle shall be screened as required under Section 1125.08(f) so as to obscure it from contiguous parcels and public streets when viewed from contiguous parcels and public streets by a person standing at ground level. The Administrator may exclude from the screening requirement an area of sufficient width to serve as an approach drive for the vehicle.
- D. All parking areas and access drives to accommodate the vehicle shall comply with the requirements of Section 1125.04(b) and shall be paved with concrete, asphalt or other hard surface materials.
 - (2) Recreational vehicles parked or stored shall not have fixed connections for electricity, water, gas or sanitary sewer facilities, and at no time shall a recreational vehicle be used for dwelling, business, or commercial purposes or for any accessory uses.
 - (3) The wheels or any similar devices of any recreational vehicle shall not be removed except for repairs, nor shall such vehicle be otherwise permanently fixed to the ground in a manner that would prevent ready removal.
 - (4) No recreational vehicle shall be parked, stored or allowed to remain on a lot or parcel of land that is not improved with a main building being used for a permitted main use of the lot.
 - (5) One (1) recreational vehicle may be parked in a driveway for loading and unloading, for a period not to exceed forty-eight (48) consecutive hours as long as the location where the recreational vehicle is parked does not obstruct the view of vehicular and pedestrian traffic and no parking of such vehicles shall occur on more than a total of ten (10) days in any calendar year or any part of such days. The provisions of this subsection shall apply to any recreational vehicle, regardless of its length or width.
 - (6) A recreational vehicle that is not owned by a resident person may be parked in the driveway of a lot for not more than five (5) consecutive days. Within a calendar year, there shall be a maximum of two permissible periods that any such vehicle is so parked. The Administrator may allow an extension of the five (5) day period for an emergency.
 - (7) All recreational vehicles, when required by law, shall have current legal license tags and/or plates.
- (e) Large Vehicles and Trailers.
 - (1) Vehicles exceeding nineteen (19) feet in length or seven (7) feet in width, or eight (8) feet in height are considered large vehicles for the purpose of the Planning and Zoning Code. Unless otherwise permitted in this section, a large vehicle shall be stored in a garage and used solely by the occupants of the dwelling. No large vehicle shall be parked, stored or allowed to remain on a lot or parcel of land that is not improved with a main building being used for a permitted main use of the lot.
 - (2) When not considered a large vehicle, the outside parking and storage of trailers shall conform to the following:
 - A. The trailer shall be located only in a rear yard, a minimum distance of three feet from any lot line plus the width of required screening. On a corner lot, the trailer may be parked no closer to the street than five feet plus the setback for the main building plus the width of required screening.
 - B. The Administrator may require an increase in setbacks if necessary, for the installation of adequate screening.
 - C. The trailer shall be screened as required under Section 1125.08(f) so as to obscure it from adjacent parcels and public streets when viewed from adjacent parcels and public streets by a person standing at ground level. The Administrator may exclude from the screening requirement an area of sufficient width to serve as an approach for the trailer.
 - D. The wheels or any similar devices of any trailer shall not be removed except for repairs, nor shall such trailer be otherwise permanently fixed to the ground in a manner that would prevent ready removal.
 - E. No trailer shall be parked, stored or allowed to remain on a lot or parcel of land that is not improved with a main building being used for a permitted main use of the lot.
- (f) Screening. Screening shall consist of a planted area that provides a year-round, continuous, visual screen to an initial height of at least eight feet and an initial depth of at least ten feet. At a minimum, such planted area shall consist of two staggered rows of evergreen (non-deciduous) vegetation. Landscaped earth mounds and fencing may supplement the planted screen in order to achieve the required screen density and height. The Administrator shall determine the effectiveness of the selected screening. The screening requirement shall not apply where natural or man-made barriers exist which provide continual screening generally equivalent to that required by this Section. Screening shall be maintained in good condition at all times.

(Ord. 2019-39. Passed 8-13-19.)

1125.09 KEEPING CHICKENS.

The keeping of chickens may be permitted solely in the R1-100 District subject to the following:

- (a) A maximum of four (4) female chickens may be kept on the property. Roosters are not permitted.
- (b) Chickens shall be kept in an enclosure or fenced area, such as a coop or run at all times.
- (c) Chicken coops and runs must meet the following standards:
 - (1) Chicken coops and runs are allowed in the rear yard only.
 - (2) Chicken coops and runs shall be located a minimum of fifteen (15) feet away from the main building and all contiguous lot lines.
 - (3) The facility must be kept in good repair, maintained in a clean and in a sanitary condition, and free of vermin, obnoxious smells and substances. The facility shall not create a nuisance or disturb neighboring residents due to noise, odor, damage or threats to public health.
 - (4) The chicken coop and run shall be designed to ensure that the health and well-being of the animal is not endangered by the manner of keeping or confinement.
 - (5) The chicken coop and run shall be adequately screened from view with evergreen plant material or fencing.
- (d) Chicken manure shall not be stored on the premises.
- (e) Chickens shall be kept in coops from dusk to dawn.
- (f) Slaughtering of chickens on the premises is prohibited.
(Ord. 2019-39. Passed 8-13-19.)