ARTICLE V - RESIDENCE R-1 DISTRICTS

A. PERMITTED BUILDING, STRUCTURES AND USES: Reference ARTICLE XIV – LAND USE TABLES

B. YARD, AREA AND HEIGHT PROVISIONS

FRONT YARDS: No building, exclusive of open porches, no more than (10) feet in depth, shall extend nearer to the front property line than fifty (50) feet. However, where there are existing building or buildings, with a setback more or less than the required minimum of fifty (50) feet, the setback shall be determined by the mean distance of setback of the building or buildings, other than accessory buildings, within one hundred fifty (150) feet on each side of proposed building and fronting on the same side of the street. No building shall be required to be placed more than sixty (60) feet back from the front property line or shall no building be placed closer than thirty (30) feet to the front property line. In the case of a corner lot, either street may be taken as the front line and any building may be placed to within twenty (20) feet of the side street line.

SIDEWALKS: By approval of the Zoning Inspector, a subdivision developed after the effective date of this amendment and sidewalks are included in this development, the minimum front setback as stated above may be reduced to thirty-five (35) feet.

REAR YARD: There shall be a rear yard not less than forty (40) feet deep.

SIDE YARD: There shall be two (2) side yards with a total width of not less than twenty-four (24) feet except that, when a lot platted prior to the time of enactment of this ordinance is less than sixty (60) feet wide, the total width of the two (2) side yards may be reduced by nine inches (9") for each foot of difference, to a total width not less than sixteen (16) feet. The width of the narrowest of the two (2) side yards shall not be less than eight (8) feet. The overall side yard requirement may be reduced by four (4) feet for a dwelling with an attached garage providing it does not extend nearer than eight (8) feet to a side lot line.

AREA AND FRONTAGE: No lot shall have an area less than twelve thousand (12,000) square feet and a frontage less than seventy (70) feet at the right-of-way/property line, or less than eighty (80) feet at the building line. No lot shall be less than one hundred fifty (150) in depth, provided however, that nothing in this ordinance shall prevent the use for residential purposes of a lot platted prior to the time of enactment of this amendment, provided the front yard, rear yard and side yard requirements, as set forth above or as stipulated in Article XII, Sub-section B- (2) are met. For lots platted on cul-de-sacs, there shall be no less than sixty (60) feet at the front property line and the minimum depth shall be measured at the center of the lot.

MINIMUM SQUARE FOOTAGE REQUIRED: The minimum square footage of a dwelling shall be one thousand (1000) square feet of livable area exclusive of basement, garage, and/or open porches.

HEIGHT: No structure in a residential district shall exceed thirty-five (35) feet in height.

C. AIR CONDITIONING UNITS

For all dwellings constructed after 1994 heating units and cooling coils or evaporative condensers shall be considered part of the structure and must be placed in the rear yard.

D. PRIVATE GARAGES AND OTHER OUT-BUILDINGS

No detached garage (including a portable-canvas garage) or other outbuilding shall be placed nearer to a side or rear property line than five (5) feet. No detached garage (including a portable-canvas garage) or other outbuilding shall be placed nearer to a front building setback line than forty (40) feet or nearer to a side street property line than twenty (20) feet for corner lots. The above, however, shall not prevent the construction of a garage as a structural part of a dwelling.

There shall be no more than one (1) detached garage per lot. Said garage is limited to one (1) story and a maximum height of sixteen (16) feet as measured from the finished floor to the top peak of the roof. There shall be no living quarters in a detached garage. No detached garage shall exceed six hundred seventy six (676) square feet in area. The square footage calculation includes proposed roof overhangs designed for carports, porches, or storage areas.

There shall be no more than one (1) outbuilding other than a detached garage per residential lot. An outbuilding shall be no larger than 225 square feet.

E. FENCING

Fencing of residential properties shall be permitted provided that any fence or wall in excess of three (3) feet in height extends no nearer to the front street property line than the front yard requirement of the dwelling and further provided the fence or wall does not exceed six (6) feet in height. In the case of a corner lot, no fence or wall in excess of three (3) feet may extend nearer to the side street property line than sixteen (16) feet. It shall be the responsibility of the property owner erecting the fence to provide for maintenance of the out side of the fence or wall. The finished surface shall in all cases be the outside, with all posts, braces, etc. to the inside. Fences or walls may be placed on interior property lines. No fence, wall, and/or planting shall be placed in such a manner as to obstruct the view of motorists or pedestrians. Where a property has a frontage on two right-of-ways, a fence or wall in excess of three feet shall not extend nearer to the front street property line on the secondary right-of-way than the mean distance of the front setbacks of the nearest dwellings within one hundred-fifty (150) feet on the same side of the street.

F. OPEN FRONT, SIDE, AND REAR PORCHES

An open front porch may not extend nearer to a front property line than ten (10) feet or nearer to the side yard property line than the side yard requirements of the dwelling. An open side porch may not extend nearer to a side yard property line than the side yard requirements of the dwelling. An open rear porch may not extend nearer to a rear property line than twenty-five (25) feet or nearer to a side yard property line than the side yard requirements of the dwelling. An open porch is defined as open on three (3) sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash, or an enclosed railing more than three (3) feet in height as measured from the finished floor elevation.

G. GAZEBOS

Gazebos must be placed a minimum of forty (40) feet from the front foundation of the dwelling and a minimum of five (5) feet from a side or rear property line. In the case of corner lot, no gazebo shall be placed nearer than

twenty (20) feet to a side street property line. Gazebos shall not be constructed for habitable purposes.

H. HOT-TUBS

Hot tubs and their appurtenances must be placed at the rear of the dwelling. Hot tubs and their appurtenances may not extend nearer to a rear property line than twenty-five (25) feet or nearer to a side yard property line than the side yard requirements of the dwelling.

I. CARPORTS

Attached carports may not extend nearer to a rear property line than twenty-five (25) feet or nearer to a side yard property line than the side yard requirements of the dwelling. Detached carports are subject to the requirements as stipulated for detached garages and other out-buildings.

J. DRIVEWAYS

The driveway leading from the street right-of-way to the single-family dwelling shall be constructed as a hard surface driveway, consisting of brick, concrete, asphalt, or other surface approved by the Zoning Inspector.

K. SATELLITE DISHES

Satellite dishes in excess of 36 inches in diameter are subject to the requirements of "Article XII-Exceptions and Special Provisions" Section T".

L. SWIMMING POOLS

A receptacle for water having a water surface area of more than one hundred (100) square feet and a depth greater than twenty-four (24) inches shall be considered to be a private swimming pool for the purpose of this ordinance and shall be subject to the following restrictions:

A Zoning Permit shall be required for such pool, and these specifications shall apply to all lands encompassed within the zoning ordinance, irrespective of how zoned.

1. PERMANENT IN-GROUND SWIMMING POOL

(a) No portion of such pool shall be permitted to be closer than ten (10) feet from any side or rear property line.

(b) The pool area shall be entirely enclosed by a fence. All fence openings into the pool area enclosure shall be equipped with doors or gates equipped with self-closing and self-latching devices. The fence and gate shall be not less than four (4) feet and not over six (6) feet in height above ground level, commencing at grade level and extending vertically.

(c) If pool structure is less than four (4) feet above ground it shall be deemed to be a permanent in-ground pool and the rules of paragraph (a) shall apply.

2. PERMANENT ABOVE GROUND SWIMMING POOLS FOUR FEET (4') OR ABOVE

(a) No portion of such pool shall be permitted to be closer than ten (10) feet from any side or rear property line.

(b) All entrance gates shall be equipped with self-closing and self-latching devices.

3. TEMPORARY PORTABLE SWIMMING POOLS SUMMER USE ONLY

(a) "Summer use only" **means** the pool cannot be erected before May 1st and must be dismantled by October 1st. If a temporary portable pool is left up beyond the above-mentioned dates it becomes a permanent pool and the rules for permanent above ground pools shall apply.
(b) No portion of such pool shall be permitted to be closer than ten feet (10') from any side or rear property line.
(c) No zoning permit shall be required for a temporary portable swimming pool.

M. EASEMENTS

No structures shall be placed on recorded easements. It is the property owner's responsibility to know if an easement(s) exists.