

ARTICLE 5

R-1AA, R-1A, R-1B ONE FAMILY RESIDENTIAL DISTRICTS

5.01

INTENT

These districts are the most restrictive of the residential districts. The purpose and intent is to provide for an environment of predominantly low density single unit dwellings plus certain other facilities which serve the residents living in the district and to regulate transient occupancy within the city to protect and preserve the permanency of residential neighborhoods, protect property values, and ensure the comfort and safety of the residents.

5.02

PERMITTED PRINCIPAL USES

(1) One family dwellings, not including trailers or tent dwellings.

(2) Churches and similar places of worship: Provided such use is adjacent to a school or commercial area and/or access is by means of roads designated on primary or secondary thoroughfares by the Major Thoroughfare Plan.

(3) Parks and playgrounds.

(4) Public and private elementary, junior and senior high schools.

(5) Parish houses and convents in conjunction with churches or schools.

(6) Nursery schools operated and housed in a church building or other established house of worship.

5.03

ACCESSORY USES

(1) Private garage for storage of vehicles of residents and employees.

(2) A home occupation is an occupation conducted in a dwelling unit, provided that:

(a) A home occupation shall be conducted entirely within the principal residential structure with no more than 25% of the total floor area to be used in connection with the home occupation. No home occupation shall be conducted in any accessory structure, nor shall the storage of equipment related to the home occupation be contained within any accessory structure;

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(b) There shall be no change in the external appearance of the building or premises resulting from the home occupation nor shall there be any storage of products, equipment or materials on the lot. No more than one sign, not to exceed 1 square foot in total sign area, is permitted on the building, which shall be non-illuminated and mounted flat against the wall of the principal building;

(c) Only members of the household residing on the premises where the home occupation occurs may be employed full or part-time in the home occupation. In no case shall a home occupation be permitted to operate earlier than 8 AM or later than 6 PM. An exception to this requirement is for direct sale of consumer products where parties for the purpose of taking orders or selling merchandise are held;

(d) Traffic generated by the home occupation shall not create safety hazards nor be substantially greater in vehicular size nor exceed on any continual basis the average number of vehicle trips that would normally be expected. Vehicles having a cargo area greater than twenty-two (22) feet in length or having dual rear axles are prohibited;

(e) No area on the residential property may be created to park any vehicles or equipment related to the home occupation. Any home occupation which requires the creation of parking in addition to the parking areas already provided for the single family residence shall not be operated within a residential zoning district. The use of a home occupation shall not reduce or render unusable areas provided for required off-street parking for the dwelling unit;

(f) A home occupation shall not produce heat, cold or dampness, create noise, vibration, fire, explosion, light, glare, dust, smoke, fumes or odor, electric or electronic disturbances detectable to normal sensory perception by a person located off the premises or beyond the walls of the dwelling; and

(g) A home occupation shall be conducted in accordance with all other city regulations and state and federal laws and licensing requirements.

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(3) Pools: Swimming pools for use by residents and guests only: See Accessory Buildings (Section 18.05); and Fences: Walls and Hedges (Section 18.06).

(4) Signs Permitted as Accessory Uses: See Permitted Signs (Section 18.20).

5.04

CONDITIONAL USES

The following uses are allowed in any R-1 residential district provided a conditional use permit is granted by the Board of Zoning Appeals as provided in Section 20.08 of this Ordinance, and further provided, that all buildings allowed by such conditional use permit shall be set back from all lot lines a minimum of three (3) feet for each one foot of building height.

(1) Public recreation and community center buildings and recreation areas or buildings operated by membership clubs for the benefit of their members and not for gain; provided that any principal building, accessory building or outdoor swimming pool shall be located not nearer than 200 feet from any adjoining land zoned for a residential use.

(2) Public owned or leased buildings, public utility buildings, telephone exchanges, transformer stations and sub-stations, and garages and maintenance buildings.

(3) Institutions of higher learning and libraries.

(4) Cemeteries, when extension of existing cemeteries.

(5) Golf courses.

(6) Public and private school facilities (excluding buildings used for instructional purposes, which are permitted principal uses in R-1AA, R-1A, R-1B, R-2 and R-3 districts).

5.05

YARD REQUIREMENTS

See Section 7.09, Schedule of Yard and Lot Requirements.

5.06

BUILDING HEIGHT REGULATIONS

In any R-1 residential district, no building shall be erected in excess of two and one half (2 ½) stories or thirty-five (35) feet in height.

5.07

ACCESSORY PARKING

Two car spaces for each dwelling unit. Parking for other uses; see Section 18.16.

All driveways and parking spaces located in the front, side and rear yards shall be required to have a paved surface which shall be defined as a hard, smooth surface made principally of asphalt, concrete, portland cement, brick or pavers that will bear travel. Existing unpaved driveways or parking spaces located in the front or side yards must be paved if additions or extensions are proposed to be made to any part of the unpaved driveway or parking space in the front or side yards. The parking of vehicles on the lawn or in other areas not designated for parking, shall be prohibited.

No more than two (2) recreational vehicles may be parked upon any lot within these residential zoning districts at any time.

5.08

SIGNS

See Section 18.20 for sizes and location of permitted signs.

5.09

TRANSIENT RENTAL REGULATIONS:

No dwelling unit or dwelling, one family or a portion of any thereof in the R-1AA, R-1A, or R-1B districts shall be used as a transient rental.