

ARTICLE 4
RESIDENTIAL LIMITED R-1 DISTRICT

Statement of Intent

The general intent of this district is to promote single-family dwelling units and open areas. The district is established to protect and enhance the essential characteristics of residential communities and to promote a suitable environment for family life. The housing pattern is a typical suburban style with a density of 2 to 4 units per acre. Single-family residential properties of various types and sizes are contributing to a collaborative and harmonious community.

4-1 Permitted Principal Uses:

- A. Within this Zoning District, a building and/or land shall be used for the following purposes with an approved site plan:
1. Church/House of Worship
 2. Family day homes
 3. Group homes
 4. Minor home occupations.
 5. Parish house
 6. Public parks/playgrounds
 7. Private boat pier
 8. Public facility
 9. Single-family dwelling
 10. Subdivisions (major and minor)

4-2 Accessory Uses:

- A. Within this Zoning District, a building and/or land shall be used for the following. All accessory uses shall need to be shown on the approved site plan. Accessory uses cannot be established until the principle use has been established.
1. Accessory Apartment
 2. Accessory structures
 3. Church cemetery accessory with Place of Worship
 4. Family healthcare structure
 5. Fence(s)
 6. Home gardens
 7. Storage of operable motor vehicles and operable recreational vehicles, trailers, and marine vehicles provided the vehicles are parked in the side or rear yards in accordance with Article 18 of this ordinance.
 8. Storm water management facilities/BMP
 9. Yard sales

4-3 Conditional Uses (Conditional Use Permit Required)

- A. The following uses require a Conditional Use Permit. If after a review of the application and public hearing, in accordance with Article 16, if the Town Council finds that the proposed use is consistent with the intent of the Land Use Plan, and is in the public interest, the following uses may be permitted. Subject to an approved site plan and any conditions imposed by Town Council.

1. Accessory Apartment in excess of 750 square feet
2. Assisted living facility
3. Bed & Breakfast
4. Community center
5. Library
6. Major home occupation
7. Nursing home/Convalescent center
8. School

4-4 Bulk & Area Regulations

Table 4.4-1 Principal Structure Requirements

Zoning District – R-1: Bulk & Area Regulations for the Principle Structure	
Minimum lot area	12,000-square feet
Maximum lot coverage w/out mitigation	36%
Front Setback minimum	20-feet from Road Right-of-way
Front Setback maximum	35-feet from Road Right-of-way
Rear Setback minimum	35-feet
One-side setback	7-feet
Sum of side setbacks (left & right)	15-feet
Minimum street frontage	50-feet
Minimum street frontage on cul de sac/curve	30-feet
Minimum lot width at front setback	50-feet
Maximum height	35-feet above finished grade
Off-street parking	2-spaces (380 sq. ft. total)
Flood proofing	3-feet above base flood elevation
Landscaping (new construction)	2-Street trees in the front yard
Minimum caliper (size) of street trees	2.5 inches at time of planting
Floor area ratio (FAR)	0.4

Table 4.4-2 Accessory Structure Requirements

Zoning District – R-1: Bulk & Area Regulations for the Accessory Structure	
Front setback	Must be located in rear/side yard
Rear setback	3-feet
Side setback	3-feet
Setback from principal structure	10-feet
Maximum size	30% of gross square footage of principal structure
Maximum height	34-feet above finished grade or 1-foot below principal structure or whichever is less
Flood Proofing	3-feet above base flood elevation
Fence height in Front Yard	4-feet
Fence height in Side & Rear Yards	6-feet (per USBC)
Fence Setback	0-feet; except corner lots
Fence Setback for Corner Lots	15-ft; from intersection (sight triangle)
Accessory structures cannot have separate meters/service connections for utility services	

Table 4.4-3 Accessory Apartment Requirements

Zoning District – R-1: Regulations for the Accessory Apartment	
Number of Units	1 permitted with single family dwelling
Bedrooms	Maximum of 2
Entrances	Located to the side or rear of the principal structure (not facing a public right-of-way) or to the side/above of accessory structure.
External Appearance	Consistent with single-family dwelling
Maximum size*	750 square feet or 25% of the habitable space of the principal structure with a maximum building footprint of 20 ft. by 20 ft.
Addresses & Utilities	No separate 911 addresses or utility connections. Billing registration shall be in the name of the owner(s) of the principal structure
Parking	1 additional space (190 square feet)
Use	The accessory apartment shall be used as a residential structure and no commercial or home occupation may be conducted from the accessory apartment
Building Code	All accessory apartments shall be subject to the requirements of the Statewide Uniform Building Code in particular sections 309, 406 and 508
Deed Restriction	Prior to occupying an accessory apartment a deed restriction stipulating the accessory apartment will be constructed, used, occupied and maintained in accordance with these provisions. The owner must reside in either the principal structure or the accessory structure.
Setbacks:	
Attached	Adhere to the setbacks of the principal structure (Table 4.4-1)
Detached	Adhere to setbacks for accessory structure (Table 4.4-2)
Height	35-feet maximum
None of the following may be used as an accessory apartment: travel trailers, campers, motor homes/recreational vehicles, tents, camp cabins, shipping containers, auto-trailers or semi-trailers, or mobile/manufactured homes.	

***Note:** An accessory apartment (AA) in excess of the 750-square feet or 25% of the habitable space may be permitted by conditional use provided the maximum size of the accessory apartment does not exceed 950-square feet or 40% of the habitable space, whichever is less. Accessory apartments in existence at the time of adoption of this ordinance are grandfathered and are not subject to these regulations.

4-5 Fencing

- A. Fences cannot impair vehicular or pedestrian visibility
- B. Finished sides shall face toward neighboring properties
- C. Fences shall not be taller than six (6) feet above finished grade

4-6 Development Standards for the R-1 District

A. R-1 Development Standards

1. The following standards apply to all new construction or redevelopment within this district. All development standards shall be shown on the approved site plan(s).
2. Surveys/site plans shall be required to be submitted and approved prior to approval of zoning/building permits. Surveys shall be consistent with the requirements of Article 14 of this ordinance.
3. Site surveys shall provide for the management of stormwater in accordance with State regulations
4. All mechanical equipment whether rooftop or ground level shall be screened from view of public rights-of-way and designed as an integral part of the structure
5. No portion of the principal building that is constructed of unadorned concrete block or corrugated and/or sheet metal shall be visible from any public right-of-way(s)
6. Curb, gutter and sidewalks shall be installed prior to Certificate of Occupancy at the developer's expense on all undeveloped lots. If during construction of an existing site sidewalk/curb is broken the entire section of curb/sidewalk shall be replaced in accordance with Town standards at the developer's/applicant's expense.
7. Minor home occupations may have a sign which is no more than three (3) square feet in size (1.5 feet long and 1.5 feet wide).
 - i. Sign shall not be illuminated
 - ii. Sign shall be affixed to exterior wall of the principal structure
8. Minor home occupations may see clients on an appointment only basis
9. All principal structures shall be placed on a permanent foundation.
10. Barbed or razor wire fence is prohibited.
11. Setbacks shall be measured from exterior foundation walls.
12. Projections beyond the foundation wall may extend up to 3-feet into the setback.
13. Projections shall be incorporated into the structure so as to appear as an integral part of the building. Such features shall not be considered in determination of setbacks.
14. Accessory structures, parking areas, decks, trash collection areas and other utilitarian areas shall be located in a manner that is sensitive to adjacent structures and screened from public rights-of-way.
15. Any development or redevelopment project must have a harmonious and compatible relationship with the surrounding neighborhood.

4.7 Additional Standards

- A. See Article 22 of this ordinance for site specific requirements concerning the Chesapeake Bay Act
- B. See Article 12 for Sign Regulations and Article 18 Supplementary Regulations