

SECTION X
R-1, R-1A and R-1HA DISTRICTS

10.1 - Intent

R-1, R-1A and R-1HA districts are intended to provide for the orderly expansion of low and medium single-family development in areas where adequate public services, utilities and transportation facilities exist. These districts also seek to exclude those uses not compatible with low and medium density single-family residential development thereby preserving and protecting the characteristics of single-family neighborhoods.

10.2 - Compliance With Other Provisions of Ordinances

Uses of land and structures in the **R-1, R-1A and R-1HA** districts shall comply with all other applicable provisions of the ordinance, including, but not limited to, Sections V, VI, VII and VIII.

10.3 - Permitted Uses and Structures

Permitted uses and structures in **R-1, R-1A and R-1HA** districts are as follows:

- 1) Single-family dwellings.

10.4 - Uses and Structures Allowed By Special Exception

The following uses and structures are permitted by special exception in the **R-1, R-1A and R-1HA** districts, and, unless specific provision is made otherwise in the grant of the special exception, such uses and structures shall conform to the following:

- 1) Horses and ponies, provided they are kept only for private riding use and if a place of shelter is provided, it shall be no closer than 100 feet to any residence of different ownership. Such horses and ponies shall be kept in a fenced enclosure maintained in a manner that is sufficient to restrict the animals from being any closer than 25 feet to any private property line.
- 2) Animals other than household pets, subject to conditions as may be provided by the Zoning Board of Adjustment in a grant of special exception to protect the public health, safety or general welfare.
- 3) Home occupations, subject to the following conditions:
 - (a) No person other than a person residing on the premises of the family residing on the premises shall be engaged in such occupation; provided, however, additional employees may be allowed in the granting of the special exception.
 - (b) The use of the premises shall be clearly incidental and subordinate to its use for residential purposes and shall, under no circumstance, change the residential character thereof.
 - (c) There shall be no change in outside appearance of building or premises or other visible evidence of the conduct of such home occupation, except that two signs

may be permitted, one not exceeding two square feet in area, non-illuminated, mounted flat against the wall of the principal building and another non-illuminated sign, no larger than two square feet, mounted or supported so that the top of the sign is not more than 36 inches above grade and located on private property within 25 feet of the access drive leading to the residence.

- (d) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
 - (e) No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses on or off the lot. In the case of electrical interference, no equipment or process shall be used that creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
 - (f) The giving of art, music or other instructions or lessons shall be limited to not more than six persons at any one time.
 - (g) Fabrication of articles that are commonly classified under the term "arts and handicraft" may be deemed a home occupation, subject to other applicable terms and conditions.
- 4) Off-street parking lot, provided such lot adjoins premises requiring off-street parking, provided there is no intervening street or alley and further provided:
- (b) Screening complies with Section 7.209.

Cross Reference - Landscaped Buffers, Section 5.6; Buffers Between Districts, Section 5.13.

- (b) No source of illumination for such lots shall be uncomfortably harsh or glaring to the vision from any window in any residence in the district.
- (c) There shall be no sales or service activity of any kind on such lot.
- (d) Vehicles prohibited from parking in the district shall not be permitted to park on such lot.

Cross Reference - Parking of Heavy Vehicles, Section 5.10.

- 5) Mobile homes, in accordance with the following:
- (a) A mobile home may be permissible in a circumstance where additional living accommodations are necessary to accommodate a clearly demonstrated medical hardship that prevails upon a family member of the head of household. The medical hardship must be substantiated with a written certification from a licensed physician that a medical hardship requires constant or re-occurring physical care and assistance. The mobile home must be removed within six months after the medical hardship need / situation has ended. Additional six month extensions may be granted by the Town Clerk.

- (b) A mobile home may be permissible in conjunction with the construction of a principal dwelling structure, provided that all building and construction related permits are secured and construction commenced within 90 days. This exception may be granted for an initial period of six months each if construction has been diligently pursued. The mobile home must be tied down and connected to approved sanitary and utility systems in accordance with the applicable laws and regulations.
- 6) Cemeteries, mausoleums or columbariums, but not funeral homes or mortuaries.
- 7) Private elementary and high schools with academic curriculum similar to those of public elementary and high schools.
- 8) Churches (but not temporary revival establishments).
- 9) Golf course, provided the parcel of land for such use contains not less than 60 acres.
- 10) Parks and recreational areas.
- 11) Essential public services.
- 12) Bed and breakfast inns.

Cross Reference - Special Exceptions, Section 3, Division 4, et seq.

10.5 - Accessory Uses and Structures

Accessory uses and structures are permitted in the **R-1, R-1A and R-1HA** districts provided such uses and structures are of a nature customarily incidental and clearly subordinate to a permitted or permissible principal use or structure and, unless otherwise provided, are located on the same lot (or contiguous lot in the same ownership) as such principal use. Where a building or portion thereof is attached to a building or structure containing such principal use, such building or portion shall be considered as a part of a principal building and not an accessory building. Accessory uses shall not involve operations or structures not in keeping with the character of the district and shall be subject to the following:

- 1) Accessory structure for the housing of persons such as guest houses or servant quarters, shall not be located in any required yard.
- 2) Except as provided in paragraph (1), detached accessory structures that are separated from the main structure by not less than ten feet, may be located in a required side or rear yard, but not less than three feet from any lot line.
- 3) Air conditioning compressors or other equipment designed to serve the main structure may be located in any required side or rear yard, but no closer than five feet from any lot line.
- 4) Household pets are a permitted accessory use.
- 5) Accessory uses and structures include non-commercial greenhouses, plant nurseries, gardens and groves, servant quarters and guest houses, private garages and boat houses or shelters, provided such accessory area may not exceed 1,000 square feet in area.

- 6) In this paragraph, "private swimming pool" means any pool, pond, lake or open tank located either above or below the existing finished grade of the side, not located within a completely enclosed building and exceeding 150 square feet in surface area and two feet in depth, designed, used or intended to be used for swimming or bathing purposes. A private swimming pool shall be allowed as an accessory use only if it fully complies with the following conditions:
 - (a) The pool is intended and is to be used solely for the enjoyment of the occupants or bona fide guests.
 - (b) The pool may be located no nearer than five feet from any property line, provided, however, that it may not be located in any required front yard.
 - (c) The pool shall be constructed and enclosed in compliance with the requirements set forth in the Standard Swimming Pool Code as adopted and amended by the Town.
- 7) Satellite antennas / receivers (i.e., "dishes") are allowed, provided:
 - (a) In addition to building-mounted antennas, one freestanding antenna is permitted per lot.
 - (b) Antennas / receivers over 36 inches in diameter shall only be installed as a freestanding unit.
 - (c) Any number of antennas or stations with diameters of 36 inches or less shall be permitted on a lot provided they are mounted on a building.
 - (d) No antenna / receiver shall be located so as to impair the vision of traffic.
 - (e) Unless mounted on a building, antennas or stations are prohibited in the side or front yard.
 - (f) No portion of an antenna / receiver in a rear yard shall be located closer than two feet from the side or rear property lines and one foot from any easement.
 - (g) Free standing antennas or stations shall not exceed 14 feet.

Cross Reference - Use of Mobile Homes Allowed In Certain Circumstances, Section 5.9

10.6 - Minimum Lot Requirements

- A) The minimum lot width in the **R-1** district is 100 feet. The minimum lot area in the **R-1** district is 15,000 square feet.
- B) The minimum lot width in the **R-1A** district is 75 feet. The minimum lot area in the **R-1A** district is 7,500 square feet.
- C) The minimum lot width in the **R-1HA** district is 100 feet. The minimum lot area in the **R-1HA** district is 21,780 square feet.

***Note:** unless both central water and sewer are provided to the property, minimum lot size is as follows: one-quarter of an acre if either is provided; one-half of an acre if neither is provided.

10.7 - Minimum Yard Requirements

The minimum yard requirements in the **R-1, R-1A and R-1HA** districts are as follows:

- 1) Front yards - 35 feet.
- 2) Side Yards - 10 feet.
- 3) Rear Yards - 20 feet.

Cross Reference - Yards, Section 5.2, 5.3.

10.8 - Building Restrictions

The maximum building height in the **R-1, R-1A and R-1HA** districts is 35 feet. The maximum lot coverage is 35 percent.

Cross Reference - Height Exceptions, Airport Zoning, etc., Section 6.1, et seq.