



Proposed Amendment for Public Hearing

Section 310.05 – Yard Requirements for O-C, R-1, R-2, and R-V Districts

Section 310.05 Existing:

Principal buildings shall be located on a lot in a manner that maintains the minimum required yards set forth in this section for the district in which the lot is located, except as otherwise regulated in Chapter 320 for planned residential developments. Every part of a required yard shall be unobstructed and open to the sky.

The following shall be completed within 1 year of final inspection and/or occupancy, whichever occurs first:

- Final grading and final stabilization (see Chapter 150) of soil
 - Grass seeding or placement of sod
- A. Required Front Yard. Each lot shall maintain a front yard in compliance with the following:
1. Each front yard shall not be less than the depth specified in Schedule 310.05, measured from the street right-of-way line. If there is no established right-of-way line for any road or street, the right-of-way line shall be deemed to be 30 feet from the centerline of the roadway.
 2. Notwithstanding subsection A.1, in areas where there are dwelling units on at least 40 percent of the lots within 200 feet of and on the same side of the street as the lot for which a zoning certificate has been requested, the minimum required front yard shall not be less than the average front yard depth of such existing dwellings. However, in no case shall the required front yard be less than 25 feet, measured from the street right-of-way line.
 3. Corner lots and through lots shall comply with the front yard setback for each street on which the lot has frontage.
- B. Required Side Yards. Each interior and through lot shall have and maintain two side yards. Schedule 310.05 sets forth the minimum width of any one side yard and the minimum total width of both side yards. Corner lots shall maintain one side yard that shall comply with the minimum width set forth in Schedule 310.05.
- C. Required Rear Yards. Each lot shall maintain a rear yard as specified in Schedule 310.05.

D. Schedule 310.05: Minimum Yard Requirements.

	O-C	R-1	R-2	R-3 ^(a)	R-V
1. Front					
(a) State highway	70 ft.	70 ft.	70 ft.	--	40 ft.
(b) All other streets	70 ft.	70 ft.	40 ft.	--	40 ft.
2. Side					
(a) Minimum	25 ft.	10 ft.	8 ft.	--	8 ft.
(b) Total both sides	50 ft.	30 ft.	20 ft.	--	20 ft.
3. Rear yard	50 ft.	30 ft.	30 ft.	--	20 ft.
<u>Notes to Schedule 310.05:</u>					
^(a) See Section 310.06 for R-3 District regulations.					

Section 310.05 Proposed (shown in bold):

Principal buildings shall be located on a lot in a manner that maintains the minimum required yards set forth in this section for the district in which the lot is located, except as otherwise regulated in Chapter 320 for planned residential developments. Every part of a required yard shall be unobstructed and open to the sky.

The following shall be completed within 1 year of final inspection and/or occupancy, whichever occurs first:

- Final grading and final stabilization (see Chapter 150) of soil
- Grass seeding or placement of sod

A. Required Front Yard. Each lot shall maintain a front yard in compliance with the following:

1. Each front yard shall not be less than the depth specified in Schedule 310.05, measured from the street right-of-way line. If there is no established right-of-way line for any road or street, the right-of-way line shall be deemed to be 30 feet from the centerline of the roadway.
2. Notwithstanding subsection A.1, in areas where there are dwelling units on at least 40 percent of the lots within 200 feet of and on the same side of the street as the lot for which a zoning certificate has been requested, the minimum required front yard shall not be less than the average front yard depth of such existing dwellings. However, in no case shall the required front yard be less than 25 feet, measured from the street right-of-way line.
3. **Front yards shall be assigned as the street address side.**
4. **On a corner lot or a lot with any number of yards fronting on a street, the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the zoning district for which such structures are located.**

- B. Required Side Yards. Each interior and through lot shall have and maintain two side yards. Schedule 310.05 sets forth the minimum width of any one side yard and the minimum total width of both side yards. ~~Corner lots shall maintain one side yard that shall comply with the minimum width set forth in Schedule 310.05.~~
- C. Required Rear Yards. Each lot shall maintain a rear yard as specified in Schedule 310.05.
- D. Schedule 310.05: Minimum Yard Requirements.

	O-C	R-1	R-2	R-3 ^(a)	R-V
1. Front					
(a) State highway	70 ft.	70 ft.	70 ft.	--	40 ft.
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