



Sec. 44-404. Dimensional regulations.

- (a) *Calculation and rounding of requirements.*
 - (1) When making calculations as directed in this Chapter, for example, off-street parking requirements, round to the next highest whole number.
 - (2) No portion of a lot used in connection with an existing or proposed building, structure or use and which is necessary for compliance with the area, height and/or placement regulations of this Chapter shall, through sale or otherwise, be used again as part of the lot required in connection with any other building, structure, or use.
- (b) *Dimensional Standards.* Except as specifically provided in this Chapter, regulations governing the density, maximum permitted floor area ratio, minimum lot size and width, required front, side and rear setbacks, maximum permitted height of structure, and gross leasable area are shown in Table 44-404-1 - Dimensional Standards.

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Table 44-404-1. Dimensional standards.

	Density (maximum dwelling units per acre)	Floor Area Ratio (maximum)	Lot Size (minimum, square feet)	Lot Width (minimum, feet)	Front Setback (minimum, feet)	Side Setback (minimum, feet)	Rear Setback (minimum, feet)	Height (maximum, feet) ⁽³⁾	Gross leasable area (GLA) max. per development, square. feet
Rural Conservation (RCon)	0.2	-	217,800 (5acres)	250	100	30	50	45	-
Residential (R-80)	0.5	-	Single family-80,000	150 ⁽⁴⁾	30	15	30	45	-
			Duplex – 120,000						
Residential (R-40)	1.0	-	Single family– 40,000	100 ⁽⁴⁾	30 ⁽¹⁾	15	30	45	-
			Duplex– 60,000						
Residential (R-30)	1.5	-	Single family – 30,000	75	30	15	30	45	-
			Duplex –45,000						
Residential (R-20)	2.0	-	Single family – 20,000 or 15,000 with public water and/or sewer	75	30	15	30	45	-
			Duplex –30,000 or 22,500 w/ public water and/or sewer						
Residential (R-15)	3.0	-	Single family - 15,000	75	30	15	30	45	-
			Duplex – 22,500						
Residential (R-12)	3.6	-	Single family – 12,000	75	20	10	20	45	-
			Duplex –18,000						
Residential (R-10)	4.4	-	Single family – 10,000	60	20	10	20	45	-
			Duplex –15,000						
Residential (R-7)	6.2	-	Single family - 7,000	60	20	10	20	45	-
			Duplex –10,500						
Office-Institutional (O-I)		1:5	20,000	100	30	20	30	45	-
Rural Commercial (RC)		1:5	20,000	100	30	20	30	45	15,000
Highway Commercial (HC)		1:3	40,000	150	35	20	35	70	50,000
Light Industrial (LI)		1:3	40,000	100	30	25	35	70	-
General Industrial (GI)		1:2.5	60,000	150	40	25	35	70	-



Notes:

- (1) Applies to the lot line or lot edge that abuts an internal subdivision road.
- (2) Applies to the lot line or lot edge that abuts an existing external road(s).
 - a. For existing lots of record which are vacant prior to the effective date of the UDO (February 6, 2007), the 80-foot setback requirement must be met if land area is available that can accommodate the house, septic system and well. If the required setback cannot be achieved, then the average setback of the surrounding housing units should be utilized in order to obtain uniformity; however, in no case can the minimum yard setback be less than 30 feet. Appeals to the setback requirement can be made to the Board of Adjustment in accordance with Sec. 44-202.
 - b. For existing lots of record which have a permitted residence, accessory structures must meet a 30-foot front setback.

In lieu of the 80-foot setback for new lots created after the effective date of the UDO (February 6, 2007) one of the following must be provided:

- a. If 500 feet of road frontage is available, a 40-foot setback containing a 30-foot wide berm with accompanying landscaping along all existing external road frontage; or
 - b. If 500 feet of road frontage is available, a 40-foot setback containing a 30-foot wide landscaped strip containing a solid landscaped screen along all existing external road frontage. The landscaped strip would contain a combination of trees, shrubs and ground cover (grass, mulch, etc.), either in a straight line or off-set, to cover a 30 foot wide area.
- (3) Churches/synagogues and places of worship, that apply for and qualify for tax exempt status with the County, may have a maximum height of 70 feet. In addition, steeples and belfries, which project above the total height of the structure, are allowed to have additional height, equal to that of the worship structure.
 - (4) Lots on the turning circles of cul-de-sacs may have a minimum 75 feet of lot width.

(Ord. No. 2007-22, 11-19-2007) (Ord. No. 2008-17, 10/20/08)

- (c) *Density.* Density refers to dwelling units per gross acre, and applies only to cluster subdivisions as defined in Sec. 44-544 and multi-family or mixed-use buildings, if permitted in the zoning district.
- (d) *Floor area ratio.* Floor area ratio is the gross floor area of all non-residential buildings or structures on a lot, divided by the total lot area. See definitions for calculation example.
- (e) *Lot area.* The area of a lot means the total area within its boundaries, excluding all rights-of-way. Minimum lot area is the minimum square footage required for a lot by this Chapter. The minimum area does not include submerged lands nor



street rights-of-way. The minimum lot size for a duplex is 1.5 times the lot size of a single-family dwelling, as indicated in Table 44-404-1.

(f) *Frontage and lot width.*

(1) *Generally.* Lot width shall be measured across the required front setback line, except as provided in Subsection (2) below. The front setback line is construed to be parallel to the front lot line. In determining the front lot line for different lot types, as defined in Subsection (i) below and depicted in Figure 44-404-1 - Lot Types, the following rules shall be used:

- a. On interior lots, the front lot line is the lot line that abuts a street.
- b. On corner lots, the lot lines parallel to each of the streets are both considered to be front lot lines for regulatory purposes.
- c. On multiple frontage lots, all portions adjacent to streets are considered to be front lot lines for regulatory purposes.

(2) *Lot frontage.* Lot frontage shall not be less than 80% of the required minimum lot width except for lots on the turning circles of cul-de-sacs or at similar points of street curvature where the radius of the right-of-way line is less than 90 feet. In the case of a cul-de-sac or where a right-of-way radius is less than 90 feet, the minimum frontage shall be 45 feet. Figure 44-404-1 indicates the relationships involved.