

## ARTICLE 3: DISTRICT REGULATIONS

### Section 3.1 Single-Family Rural Residential (RR)

#### 3.1.1 Purpose of the District

The purpose of this district is to provide low-density single-family detached residential development, together with those public and semi-public uses and accessory uses as may be necessary or are normally compatible with residential surroundings. Since substantial tracts of vacant land are or may be included in the district, agricultural and open uses are permitted, but in general, urbanization is planned and utilities and public services exist or are planned for the types of development contemplated. Accessory dwelling units are permitted by special exception approved by the Board of Zoning Appeals. In addition, certain special care facilities and governmental, educational, recreational, and utility uses are permitted by special use permit.

#### 3.1.2 Permitted Uses

Uses permitted in the Rural Residential (RR) district shall be established in compliance with the standards of this Article, Article 5, and other applicable Town of Stuart Ordinances. Uses permitted shall be one (1) or more of the following uses:

- a. Detached single-family dwellings. Accessory dwelling units are permitted as a special exception by the Board of Zoning Appeals under Article 7.
- b. Manufactured home dwelling
- c. General agriculture, farming and forestry, including tilling the soil, raising of crops, truck gardens, field crops, orchards, or nurseries for growing or propagation and harvesting of plants, turf, trees, and shrubs and in general uses commonly classified as general agriculture; provided that temporary open air stands not exceeding 200 square feet in area for seasonal sales of products raised on the premises, and the raising of large animals, such as pigs, cows, horses, sheep, or goats, on a farm of ten acres or more, or the raising for sale of birds, bees, fish, rabbits, or other small animals on a lot of two acres or more shall be permitted only as a special exception; and provided that no retail or wholesale business office or store is permanently maintained on the premises, and not including commercial slaughtering or processing of animals or poultry.
- d. Churches and Sunday schools, rectories, parish houses, convents and monasteries, temples, and synagogues.
- e. Facilities and structures necessary for rendering public utility service for electric power distribution, broadband, gas, sewer, or water service
- f. Stables, private, or keeping of horses, ponies, or other livestock for personal enjoyment and not as a business, provided that any building for keeping of animals shall be located at least 100 feet from any side or rear lot line, and provided that no more than one such animal shall be kept for each acre of land on the premises, as a special exception
- g. Yard sale or garage sale for disposal of used household items, provided such sales are not conducted for more than three days per year, and include items assembled only from households in the immediate neighborhood. Signs associated with the sale shall comply with the district regulations and shall not be attached to trees or utility poles

- h Accessory buildings and uses, including but not limited to accessory private garages, farm buildings and structures, servants or caretakers quarters, hunting or fishing cabins, fishing docks for private use, guest houses, swimming pools, home occupations, accessory storage, accessory off-street parking and loading spaces, and accessory signs in accordance with Article 5

### 3.1.3 Uses Permitted by Special Use Permit

Special uses in the Single-Family Rural Residential (RR) district shall be permitted following a public hearing and approval as set forth in Article 6. Special uses shall be one (1) or more of the following uses

- a. Cemeteries
- b. Convalescent homes, rest homes, nursing homes, or homes for the aged.
- c. Bed and Breakfast establishments, lodges, or inns with 5 bedrooms or more
- d. Family care homes, foster homes, or group homes serving mentally retarded or other developmentally disabled persons.
- e. Hospital or clinic for humans
- f. Manufactured home parks.
- g. Temporary accessory mobile home
- h. Nursery schools, kindergartens, child care centers, day nursery, or day care centers.
- i. Private schools, colleges, or universities
- j. Greenhouse, accessory use.
- k. Public or governmental buildings and uses, including schools, community centers, fire and rescue stations (volunteer or otherwise), parks, parkways, and playgrounds, except those which have been approved as a part of a subdivision plan.
- l. Public utility buildings, treatment plants, water storage tanks, pumping or regulator stations, utility storage yards, substations, and major transmission lines
- m. Radio or television transmission or receiving tower more than 50 feet in height
- n. Recreational uses or facilities for a private membership, such as clubs and lodges, golf courses, game courts, swimming pools, archery ranges, fishing or boating lakes, picnic grounds, or similar activities, and accessory facilities, including sale of food, beverages, bait, incidentals, supplies, and equipment

### 3.1.4 Permitted Signs

Subject to the general sign regulations of Article 5 and consisting of accessory non-illuminated or indirectly illuminated signs as follows:

- a. A name plate or directional sign, limited in area to two (2) square feet, to identify the owner or occupant of a dwelling or building or a permitted home occupation
- b. No trespassing or no hunting signs, without limitations on number or placement, limited in area to two (2) square feet.

- c. A temporary, non-illuminated sign, limited in area to twenty (20) square feet, advertising real estate for sale or lease or announcing contemplated improvements of real estate on which it is placed
- d. A sign, limited in area to 32 square feet, for a church bulletin board or identification of permitted public or semi-public uses, recreational uses, or clubs.
- e. A sign, limited in area to 32 square feet, for identification of a subdivision.
- f. Temporary non-illuminated signs, limited in area to four square feet, directing the way to premises which are for sale or rent or on which a permitted yard sale is being conducted
- g. A temporary sign, limited in area to 32 square feet, erected in connection with new construction work and displayed on the premises only during such time as the actual construction work is in progress.
- h. Temporary signs at appropriate locations, on or off the premises, for direction of the traveling public, truck deliveries and employees to a subdivision or community, or visitor center or recreation facility in an isolated area of the town, limited in area to thirty-two (32) square feet and subject to approval of location, design, and wording by the Zoning Administrator. This permitted sign is not intended as an ordinary advertising device

**3.1.5 Lot Size Standards**

	Minimum	Minimum, Feet	
	<u>Lot Area</u>	<u>Lot Width</u>	<u>Lot Depth</u>
a. Single-family dwelling:			
1 ) Without either public sewer service or public water service	40,000 sq. ft	150	250
2 ) With public water service but not public sewer service	20,000 sq. ft.	100	150
3 ) With both public water & sewer service	15,000 sq. ft	100	100

Other uses same as for single-family dwelling or as specified in the district regulations.

Minimum lot area for individual or on-site sewage disposal systems is subject to Health Department requirements. Lot width is measured at the building line. Minimum street frontage is 25 feet.

Averaging lot area and cluster subdivisions are permitted in Article 5.

**3.1.6 Yard and Setback Standards**

	Minimum in Feet		
	<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>
a. Single-family dwelling.	35	15	30

Total width of both side yards shall be at least 35 feet.

Minimum front yard shall be 55 feet from the street center line if street right-of-way is less than 50 feet in width.

- b. Other principal structures same as single-family dwelling or as required in the district regulations.

- c Accessory structures attached to the main building shall be considered part of the main building and comply with side yard requirements. Detached accessory structures shall not be closer than five (5) feet to any property line.
- d The setback line for livestock barns, sheds or feeding areas, or other agriculture activity shall be one hundred (100) feet from the adjacent property line where the adjacent use is not agricultural

### 3.1.7 Special Provisions for Corner Lots

Each corner lot shall have two front yards and two side yards. Those yards abutting the street shall be considered the front

### 3.1.8 Height Standards

Buildings may be erected up to two-and-one-half stories and 35 feet in height except that.

- a The height limit for dwellings may be increased up to 45 feet and up to three stories provided there are two side yards for each permitted use of which is at least 15 feet plus one foot or more for each side yard for each additional foot of building height over 35 feet upon granting of a Special Exception by the Board of Zoning Appeals under Article 7.
- b A public or semi-public building, such as a school, church, or library, may be erected to a height of 60 feet from grade provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet
- c Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flag poles of any height, and television antennas up to 50 feet in height, are exempt from height regulations. Parapet walls may be up to four feet above the height of the building on which the walls rest.
- d No accessory structure which is within ten feet of any party lot line shall be more than one story in height. All accessory structures shall be of less height than the main buildings on the lot.

### 3.1.9 Off-Street Parking and Loading Standards

Off-street parking and loading standards and space requirements for particular uses are contained in Article 5

## Section 3.2 Low Density Residential 1 (LDR-1)

### 3.2.1 Purpose of the District

The purpose of this district is to provide for low density single-family detached residential development together with those public and semi-public uses and accessory uses as may be necessary or are normally compatible with residential surroundings. In general, urbanization is planned and utilities and public services exist or are planned for the type or types of development contemplated. Accessory dwelling units are permitted by special exception approved by the Board of Zoning Appeals. In addition, certain special care facilities and governmental, educational, recreational and utility uses are permitted by special use permit.