

3.2.7 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.

3.2.8 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 10 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

3.2.9 Off-Street Parking and Loading Standards

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

3.2.10 Landscaping and Screening

Regulations for landscaping and screening are contained in Article 5.

Section 3.3 Low-Medium Density Residential 2 (LDR-2)

3.3.1 Purpose of the District

The purpose of this district is to provide low medium-density single-family detached and duplex 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 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.

3.3.2 Permitted Uses

Uses permitted in the Low-Medium Density Residential (LDR-2) 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 for one (1) or more of the following uses:

- a. Detached single-family dwellings. An accessory dwelling unit in an accessory building is permitted as a special exception by the Board of Zoning Appeals under Article 7

- b Two-family or duplex dwellings, detached or semi-detached, subject to the special regulations below. (Dwellings in accessory buildings are not permitted if there are two dwelling units in the main building or if the main building is semi-detached).
- c Churches and Sunday Schools, rectories, parish houses, convents and monasteries, temples, and synagogues
- d Tourist residences for not more than five (5) guests, provided the property owner/operator obtains an annual tourist residence permit from the Zoning Administrator.
- e Facilities and structures necessary for rendering public utility service for electric power distribution, broadband or communication service, and underground pipelines or conduits for gas, sewer or water service
- f 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.
- g 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.

3.3.3 Uses Permitted by Special Use Permit

Special uses in the Low-Medium Density Residential (LDR-2) 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. Bed and breakfast facility
- b. Convalescent homes, rest homes, nursing homes, or homes for the aged.
- c. Family care homes, foster homes, or group homes serving mentally retarded or other developmentally disabled persons.
- d. Hospital or clinic for humans
- e. Nursery schools, kindergartens, child care centers, day nursery, or day care centers.
- f. Private schools, colleges, or universities.
- g. Public or governmental buildings and uses, including schools, fire stations (volunteer or otherwise), parks, parkways and playgrounds, except those which have been approved as a part of the subdivision plan
- h. Public utility buildings, treatment plants, water storage tanks, pumping or regulator stations, utility storage yards, substations, and major transmission lines
- i. Radio or television transmission or receiving tower more than 50 feet in height.
- j. 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, incidentals, supplies, and equipment

- k Single-family or two-family manufactured or mobile home

3.3.4 Permitted Signs

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

Any sign permitted in the LDR-1 Low-Density Residential District.

3.3.5 Lot Size Standards

	Minimum <u>Lot Area</u>	Minimum, Feet	
		<u>Lot Width</u>	<u>Lot Depth</u>
a <u>Single-family dwelling:</u>			
1) Without either public sewer service or public water service	20,000 sq. ft.	100	150
2) With public water service but not public sewer service	12,000 sq. ft.	85	125
3) With both public water service and public sewer service	10,000 sq. ft.	75	100
b. <u>Two-family dwelling:</u>			
1) Without either public sewer service or public water service	20,000 sq. ft.	100	150
2) With public water service but not public sewer service	15,000 sq. ft.	100	125
3) With both public water service and public sewer service	12,000 sq. ft.	85	100

See sections below for special regulations on sale of dwelling units of a two-family dwelling. If units are to be sold separately, minimums for each unit for lot area and lot width are one-half of values above

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 for detached dwellings

The dwelling units and individual lots of a two-family dwelling may be sold separately if separate utility systems are provided and if separate lots for all dwelling units in a building are created at the same time and in conformance with Subdivision Regulations

3.3.6 Yard and Setback Standards

a Single-family or two-family duplex dwellings:	Minimum in Feet		
	<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>
	35	10	25

Total width of both side yards shall be at least 25 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.

3.3.7 Special Provisions for Corner Lots

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3.3.8 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.

3.3.9 Off-Street Parking and Loading Standards

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3.3.10 Landscaping and Screening

Regulations for landscaping and screening are contained in Article 5.

Section 3.4 Medium Density Residential 2 (MDR)

3.4.1 Purpose of the District

The purpose of this district is to provide for a variety of residential housing types and styles including single-family detached, duplex, and medium-density townhouse 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 for the type or types of development contemplated. Certain special care facilities and governmental, educational, recreational, and utility uses are permitted by special use permit.