

ARTICLE VII GENERAL REGULATIONS

This article establishes conditions that must be met except as otherwise provided in this Ordinance:

Section 7.1 USE OF LAND AND STRUCTURES

- 7.1.1 No land, building or structure shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, converted constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

Section 7.2 HEIGHT AND DIMENSIONAL REGULATIONS

- 7.2.1 No building shall be erected, converted, enlarged, reconstructed, or structurally altered except in conformity with the area and height regulations of the district in which the building is located.
- 7.2.2 The minimum building lines, parking spaces, open spaces, and lot areas, required by this Ordinance for each existing building or for any building hereafter erected, shall not be encroached upon nor reduced.
- 7.2.3 No lot, even though it may consist of one (1) or more adjacent lots of record or lots in the same ownership, shall be reduced below the minimum dimensions required by this Ordinance. This section shall not apply when a portion of a lot is acquired for public purposes.
- 7.2.4 No part of a yard, or other open space, or off-street parking or loading space required in connection with any building for the purpose of complying with this Ordinance shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

Section 7.3 ONE PRINCIPAL BUILDING ON LOT

Every principal building or structure hereafter erected shall be located on one lot, tract or parcel as defined herein. However, more than one (1) principal building on one (1) lot, plus its accessory buildings is permitted in business or industrial zoning districts; for permitted attached dwelling developments; and for permitted agricultural uses, except as specified otherwise by the regulations of the district in which the building is located. Further, permitted dwellings in the A-R Agriculture-Rural Residential District that meet the following requirements may be permitted as a Conditional Use upon approval of the Planning Commission.

- 7.3.1 Two single-Family Detached Dwellings or Manufactured Homes or combination of each on one (1) lot with a minimum land area of two (2) acres.

7.3.2 More than two (2) Single-Family Detached Dwellings, Mobile Homes or combination of each on one (1) lot provided:

that only one (1) individual area of two (2) acres is permitted to have two (2) such dwelling units located on it;

that dwelling units in excess of two (2) shall be located on separate two (2) acre areas of land that contain no other dwelling unit;

that a distance of at least two hundred (200) feet shall be maintained between all dwelling units in excess of two (2) dwelling units; and

further, that the overall density of the entire tract of land on which all of the dwelling units are located shall not exceed an average of one (1) dwelling unit per two (2) acres regardless of the requirements set forth above in this Section.

7.3.3 The Planning Commission may, at its discretion, limit the number of dwelling units permitted as a conditional use under this provision as the intent is to allow reasonable use and development to meet the personal needs of property owners and to limit the promotion of development that is not in character with rural residential communities.

7.3.4 A request for approval of this conditional use shall be accompanied by a site plan that: shows the delineation of each two (2) acre area of land; provides the dimensions of each two (2) acre area of land; and indicates the location of each dwelling unit within the boundaries of each individual two (2) acre area of land. If the request for conditional use is approved, the site plan shall become an enforceable condition of the approval and be noted on the Zoning Map.

Section 7.4 LOT OF RECORD

Where a lot of record at the time of the effective date of this Ordinance had less area or less width than herein required for the district in which it is located, said lot may be used as a building site, provided the Board of Adjustment determines that the yard space and other requirements conform as closely as possible to the requirements for the district in which it is located.

Section 7.5 CORNER LOTS

On corner lots there shall be two (2) front yards which shall be designated as those yards bordering the intersecting streets, and at least one (1) side and one (1) rear yard. The rear yard shall be defined at the time a building permit is issued.

Section 7.6 INTERSECTION AND RAILROAD CROSSING VISIBILITY

On lots at intersections and at railroad crossings, no structure or planting which materially obstructs traffic visibility shall be permitted or maintained between the height of two (2) feet and ten (10) feet above the finished street grade within a triangular space bounded by the two intersecting right-of-way lines of streets or of streets and railroads and a straight line connecting the right-of-way lines twenty (20) feet from their intersection.

Section 7.7 THROUGH LOTS

7.7.1 On lots having frontage on two streets, the required front yard shall be provided on each frontage street.

7.7.2 On lots having frontage on more than two streets, the required front yard shall be provided on at least two of the frontage streets. The front yard setback on the other frontage or frontages may be reduced up to one-half (1/2) of the required front yard distance, provided that the setback shall not be reduced to less than fifteen (15) feet.

Section 7.8 STREET FRONTAGE

No building shall hereafter be erected on a lot that does not have access to a public street.

Section 7.9 ABANDONED RIGHT-OF-WAY

Whenever any street, alley or other public way is vacated or abandoned by official action of the Town of Fort Deposit, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of same and all area included therein shall then be subject to all appropriate regulations of the extended district.