

**The Following must be submitted for Zoning Review:**

1. Zoning Review permit completely filled out
2. Copy of survey to scale
3. Plans (one set) need the following information on them:
  - a. Site Plan/plot plan
  - b. 4 elevations
    1. Must include height of building measured per ordinance and noted on plans
    2. Height of basement from grade to first floor to verify FAR
    3. Floor plans ( must show all existing and proposed)
    4. Zoning Chart (must have requirements, existing and proposed)

**Example attached**

5. If using the non conforming exemption 125-32 (below) – Please add to your site plan/plot plan the distance from the neighboring structure (4) to verify that the applicant meets the requirements

**§ 125-32. Nonconforming lots, uses and structures.**

C. **Enlargement of valid nonconforming residential building or structure.** Any existing one-family residential building or structure which does not conform to the Schedule of Area, Yard and Building Requirements EN may be enlarged without the necessity of variance relief, provided that all of the following criteria are met: [Added 8-19-2008 by Ord. No. 2119-2008]

- (1) The property in question is a one-family dwelling in a zone permitting one-family dwellings.
- (2) The existing use of the premise remains unchanged as a one-family dwelling.
- (3) Only one principal structure exists on the property in question.
- (4) The existing nonconforming side or front yard setbacks are not less than 50% of the required side or front yard setbacks, but in no case closer than 12 feet to the existing dwelling on the adjoining property.
- (5) The existing nonconforming height is not more than five feet higher than the maximum permitted height.
- (6) The portion of the proposed nonconforming building footprint or coverage consisting of new construction shall not reduce the required front or side yard setback areas by more than 20 square feet. Reduction of the required rear yard setback is not permitted.
- (7) The nonconformity of the property in question with regard to undersized yards or excess height must have existed prior to the first date of adoption of this subsection, April 15, 1987.
- (8) For horizontal enlargement:
  - (a) The addition does not increase the degree of any existing nonconforming front, side or rear yard setback dimension.
  - (b) The additional does not exceed the maximum height requirement listed on the schedule.
- (9) For vertical enlargement:
  - (a) The addition does not increase any existing nonconformity as to height.
  - (b) The addition does not involve the increase of a third-story floor area.
  - (c) The addition does not intrude into the required front and side yards.

## **Definitions to assist in filing your Zoning Permits**

**BUILDING COVERAGE** -- The ratio of the building footprint of all buildings on a lot, exclusive of decks, patios and steps, to the total lot area.

**IMPERVIOUS COVERAGE** -- That portion of the lot that is covered or occupied by a surface that has been compacted or covered with a layer of material that is highly resistant to infiltration by water, including but not limited to buildings, parking areas, driveways, service areas, streets, walkways, patios, pools and plazas. All required parking areas which are permitted to remain unimproved shall be considered as impervious surfaces.

**BUILDING HEIGHT** -- The vertical distance from a point in the center of the street opposite and within 100 feet of the center of the building wall facing said street, to the highest point of the roof surface of a flat roof, the decline of a mansard roof or the mean height of a gable or hip roof or the mean vertical distance between the ridge line and the knuckle of a gambrel roof. A parapet, not exceeding three feet in height may be added to a flat roof and shall not be included in the computation of height. If the property on which said building is situated adjoins more than one street, the mean grades of the several points so determined shall be used. If the building is more than 100 feet from the center of a street, the vertical distance shall be measured from the average finished grade of the ground within 50 feet of the perimeter of the building. The height of any detached single-family dwelling, semi-detached single-family dwelling, townhouse/attached single-family dwelling or two-family dwelling shall be measured from a point in the center of the street opposite and within 100 feet of the center of the building wall facing said street to the highest point of the roof surface of a flat roof, the decline of a mansard roof or the actual height of a gable, hip or gambrel roof or of the actual ridgeline height of the building. All measurements for determining the height of any detached single-family dwelling, semi-detached single-family dwelling, townhouse/attached single-family dwelling or two-family dwelling shall be based upon existing grade of the ground.

**COVERAGE, DECK** -- That portion of a lot covered or occupied by a deck or other unroofed seating area designed to permit percolation of stormwater into the land, as existed in its natural condition; provided, however, that such deck or other seating area does not have a roof or walls and is open to the air.

4) Terraces. A paved terrace shall not be considered in the determination of yard sizes or lot coverage, provided that such terrace is unroofed and without walls, parapets or other form of enclosure and the floor which shall not exceed three feet in height above the adjoining ground at any point. Such terrace, however, may have an open guard railing not over three feet six inches high. Such terrace shall not project into any yard to a point closer than four feet to any lot line. For the purpose of this section, **"terrace" shall include patio, deck or porch without roof or walls.**

**FLOOR AREA RATIO** -- The sum of the gross floor area of all floors, divided by the total lot area. Any garage, accessory structure or attic being used as habitable space shall be included within the floor area ratio. For the purpose of this chapter, floor area ratio shall not include the floor area of unenclosed porches and porticoes, decks and patios, garages of less than 400 square feet and used solely for nonhabitable storage purposes, and cellars and basements whose exposed exterior walls face rear yards or whose exterior foundation wall faces a street and the height of the exposed foundation wall is less than three feet above the finished grade. Where a lot is a corner lot, floor area of a cellar or basement shall only be excluded from floor area ratio if both exterior foundation walls facing a street are less than three feet. Any basement area or cellar area not specifically excluded shall be included with the definition of floor area ratio

O. For all one-family or two-family dwellings, the floor area ratio (FAR) shall be as follows:

- (1) Properties having a lot area ranging in size from 5,000 square feet and under to 6,500 square feet shall provide a floor area ratio of 0.40.
- (2) Properties having a lot area ranging in size from 6,501 square feet to 7,500 square feet shall provide a floor area ratio of 0.37.
- (3) Properties having a lot area ranging in size from 7,501 square feet and above shall provide a floor area ratio of 0.40.
- (4) Properties having any interior space which exceeds a floor-to-ceiling height of 12 feet shall double the floor area of such interior space for purposes of calculating the FAR.

**REQUIREMENTS**

	R-1-1	R-1-2	R-1-3
Lot Area	10,000	7500	6500
Lot Dimensions	75 X 100	75 X 100	65 X 100
Front yard setback	35'	30'	25'
Rear yard setback	20'	20'	20'
Side Yard setback	15'	12'	10'
Building Height	30'	30'	30'
Building Coverage	25%	25%	25%
Impervious Coverage	35%	35%	35%
Deck Coverage	5%	5%	5%

LAND DEVELOPMENT

SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS  
(Chapter 125, Article III)  
[Amended 3-27-2001 by Ord. No. 1849-2001; 7-17-2007 by Ord. No. 2083-2007]

Zone	Type of Use	Area (S.F.)				Minimum Lot Dimensions				Principal Building				Accessory Building or Structure				Maximum Building Coverage	Maximum Impervious Coverage	Maximum Density (DU/Acre)	Maximum Deck Coverage of Lot	Floor Area Ratio
		Interior Lot	Corner Lot	Interior Lot	Corner Lot	Width (Ft.)	Depth (Ft.)	Maximum Height	Stories	Front Yard	Side Yard	Rear Yard	Street	Front Yard	Side Yard	Rear Yard	Street					
R-1-1	1 Family Dwelling	75	75	100	100	30	30	35	15	15	35	20	20	45	0 <sup>(H)</sup>	35	0 <sup>(H)</sup>	25%	30% <sup>(B)</sup>	---	5%	(0)
R-1-2	1 Family Dwelling	75	75	100	100	30	30	30	12 <sup>(A)</sup>	10 <sup>(A)</sup>	20	20	20	40	0 <sup>(H)</sup>	30	0 <sup>(H)</sup>	25%	35% <sup>(B)</sup>	---	5%	(0)
R-1-3	1 Family Dwelling	65	75	100	100	30	25	30	10 <sup>(A)</sup>	10 <sup>(A)</sup>	25	20	15	35	0 <sup>(H)</sup>	25	0 <sup>(H)</sup>	25%	35% <sup>(B)</sup>	---	5%	(0)
R-2	2 Family Dwelling	100	100	100	100	30	25	30	15	15	25	20	20	35	0 <sup>(H)</sup>	25	0 <sup>(H)</sup>	25%	35% <sup>(B)</sup>	---	5%	(0)
R-2	1 Family Dwelling	65	75	100	100	30	25	30	10	10	25	20	15	35	0 <sup>(H)</sup>	25	0 <sup>(H)</sup>	25%	35% <sup>(B)</sup>	---	5%	(0)
R-3-1	Multifamily Dwelling	150	150	120	120	30	25	30	15	15	25	20	15	35	10	35	10	20%	45% <sup>(B)</sup>	18	5%	(0)
R-3-1	2 Family Dwelling	100	100	100	100	30	25	30	15	15	25	20	15	35	10	35	10	25%	35% <sup>(B)</sup>	---	5%	(0)
R-3-1	1 Family Dwelling	65	75	100	100	30	25	30	10	10	25	20	15	35	6	25	10	25%	35% <sup>(B)</sup>	---	5%	(0)
R-3-2	Multifamily Dwelling	150	150	120	120	30	25	30	15	15	25	20	15	35	10	35	10	15%	45%	20	5%	(0)
R-3-2	2 Family Dwelling	100	100	100	100	30	25	30	15	15	25	20	15	35	10	35	10	25%	35% <sup>(B)</sup>	---	5%	(0)
R-3-2	1 Family Dwelling	65	75	100	100	30	25	30	10	10	25	20	15	35	6	25	10	25%	35% <sup>(B)</sup>	---	5%	(0)
R-4	Special Multifamily	(Reserved)	(Reserved)	(Reserved)	(Reserved)	30	25	30	10	10	25	20	15	35	6	25	10	20%	45%	15	5%	(0)
R-5-1	Townhouses	140	140	200	200	30	25	30	15	15	25	20	15	35	10	35	10	20%	45%	7	5%	(0)
R-5-1	1 Family Dwelling	75	75	100	100	30	25	30	12	12	30	20	20	40	6	30	10	25%	35%	---	5%	(0)
R-5-2	Townhouses	140	140	200	200	30	25	30	15	15	25	20	15	35	10	35	10	20%	45%	10	5%	(0)
R-5-2	1 Family Dwelling	75	75	100	100	30	25	30	12	12	30	20	20	40	6	30	10	25%	35%	---	5%	(0)
R-5-3	Townhouses	Same as R-5-1 and R-5-2, and as set forth in §125-22	Same as R-5-1 and R-5-2, and as set forth in §125-22	Same as R-5-1 and R-5-2, and as set forth in §125-22	Same as R-5-1 and R-5-2, and as set forth in §125-22	30	25	30	12	12	30	20	20	40	6	30	10	25%	35%	---	5%	(0)
R-6	(Reserved)	(Reserved)	(Reserved)	(Reserved)	(Reserved)	30	25	30	12	12	30	20	20	40	6	30	10	25%	35%	---	5%	(0)
C-R	Combined Residential	10,000	100	100	100	26	20 <sup>(B)</sup>	10 <sup>(A)</sup>	20 <sup>(B)</sup>	20 <sup>(B)</sup>	25 <sup>(B)</sup>	20	20	30	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	35%	90%	17.65	5%	(0)
B-1	Restricted Business	12,000	100	100	100	30	25	30	15	15	25	20	20	35	10	25	10	25%	35%	---	5%	(0)
B-1	2 Family Dwelling	6,500	65	75	100	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
B-1	1 Family Dwelling	See § 125-24B(4)	See § 125-24B(4)	See § 125-24B(4)	See § 125-24B(4)	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
B-2	General Business	5,000	50	100	100	26	20 <sup>(B)</sup>	10 <sup>(A-F)</sup>	20 <sup>(B)</sup>	20 <sup>(B)</sup>	25 <sup>(B)</sup>	15	15	30	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	35%	90%	---	5%	(0)
B-2	2 Family Dwelling	12,000	100	100	100	30	25	30	15	15	25	20	20	35	10	25	10	25%	35%	---	5%	(0)
B-2	1 Family Dwelling	6,500	65	75	100	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
B-2	Self-storage warehousing as a conditional use	See § 125-24B(4)	See § 125-24B(4)	See § 125-24B(4)	See § 125-24B(4)	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
B-3	Business	5,000	50	100	100	40	20 <sup>(B)</sup>	10 <sup>(A-F)</sup>	20 <sup>(B)</sup>	20 <sup>(B)</sup>	25 <sup>(B)</sup>	15	15	30	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	35%	90%	---	5%	(0)
B-3	2 Family Dwelling	12,000	100	100	100	30	25	30	15	15	25	20	20	35	10	25	10	25%	35%	---	5%	(0)
B-3	1 Family Dwelling	6,500	65	75	100	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
B-3	Self-storage warehousing as a conditional use	See § 125-24B(4)	See § 125-24B(4)	See § 125-24B(4)	See § 125-24B(4)	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
B-4	River Road Business	5,000	50	100	100	33 <sup>(D)</sup>	5 <sup>(H)</sup>	12 <sup>(A)</sup>	5 <sup>(H)</sup>	5 <sup>(H)</sup>	20 <sup>(B)</sup>	15	15	30	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	40%	90%	---	5%	(0)
B-5	River Road Business	5,000	50	100	100	26	5 <sup>(H)</sup>	12 <sup>(A)</sup>	5 <sup>(H)</sup>	5 <sup>(H)</sup>	20 <sup>(B)</sup>	15	15	30	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	40%	90%	---	5%	(0)
OBS-1	Office & Business Services	10,000	100	100	100	26	20 <sup>(B)</sup>	10 <sup>(A)</sup>	20 <sup>(B)</sup>	20 <sup>(B)</sup>	25 <sup>(B)</sup>	20	20	30	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	35%	90%	---	5%	(0)
OBS-1	2 Family Dwelling	12,000	100	100	100	30	25	30	15	15	25	20	15	35	10	25	10	25%	35%	---	5%	(0)
OBS-1	1 Family Dwelling	6,500	65	75	100	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
OBS-2	Office & Business Services	10,000	100	100	100	40	20 <sup>(B)</sup>	10 <sup>(A)</sup>	20 <sup>(B)</sup>	20 <sup>(B)</sup>	25 <sup>(B)</sup>	20	20	30	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	35%	90%	---	5%	(0)
OBS-2	2 Family Dwelling	12,000	100	100	100	30	25	30	15	15	25	20	15	35	10	25	10	25%	35%	---	5%	(0)
OBS-2	1 Family Dwelling	6,500	65	75	100	30	25	30	10	10	25	20	15	35	6	25	10	25%	35%	---	5%	(0)
I-1	Restricted Industry	3 acres	500	300	300	40	65	50 <sup>(A)</sup>	65	50 <sup>(A)</sup>	65	50 <sup>(A)</sup>	65	100	50 <sup>(A)</sup>	65	50 <sup>(A)</sup>	40%	60%	---	5%	(0)
I-2	Industry	5,000	50	100	100	40	20	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	25 <sup>(B)</sup>	20	20	15	35	10	25	40%	80%	---	5%	(0)
I-2	Commercial Antenna	5,000	50	100	100	40	20	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	25 <sup>(B)</sup>	20	20	15	35	10	25	40%	80%	---	5%	(0)
CA	Commercial Antenna	Same as set forth for the respective zones in §125-29A(2)	Same as set forth for the respective zones in §125-29A(2)	Same as set forth for the respective zones in §125-29A(2)	Same as set forth for the respective zones in §125-29A(2)	40	20	0 <sup>(A-F)</sup>	20	0 <sup>(A-F)</sup>	25 <sup>(B)</sup>	20	20	15	35	10	25	35%	80%	---	5%	(0)

## Notes for Schedule of Area, Yard and Building Requirements

- A. If abutting property zoned or used for residence, the interior side yard dimension shall equal or exceed maximum height of building being erected.
- B. If abutting property zoned or used for residence, the rear yard shall equal or exceed 1 1/2 times the height of building being erected.
- C. If abutting property zoned or used for residence, the rear yard dimension shall equal or exceed maximum height of building being erected.
- D. (Reserved)
- E. Front setback or street side yards may be reduced to: The average setbacks of existing buildings within the same block and on the same side of the street as the proposed building or within 100 feet on each side of the property being developed (whichever is less). Vacant properties, other than the one being developed, shall be considered as having 20 feet setbacks for the purpose of this calculation.
- F. Provides that a ten-foot safety access be provided between the building erected and the building on adjacent property on at least one side. If adjoining property is vacant, a five-foot side yard adjoining said vacant lot shall be considered to meet this criteria.
- G. Properties with rear yards abutting railroad: no rear yard is required.
- H. Accessory building or shed 50 square feet or smaller: yard = three feet; over 50 square feet: yard = four feet; but in no case closer than 10 feet to existing dwelling on adjoining property.
- I. Including parapet, for slopes of 2% or less or 26 feet for sloped roof buildings as defined.
- J. Maximum of 10 feet.
- K. Adjacent buildings may have no more than one common adjoining side yard of zero feet. If vehicular access to rear of a building or structure is required in, the side yard shall be 12 feet.
- L. The interior side yard setback for the principle building shall be reduced from 12 feet to 10 feet, provided that the front yard lot line of the property is less than 75 feet and provided further that there is no increase in the curb cut.
- M. The interior side yard setback for the principle building shall be reduced from 10 feet to eight feet, provided that the front yard lot line of the property is less than 65 feet and provided further that there is no increase in the curb cut.
- N. For all one- or two-family dwellings, any principle building with a detached garage on an undersized lot for that zone shall not have that portion of its driveway calculated from the most front footprint of the principle building to the detached garage for the purpose of determining the impervious coverage permitted.
- O. For all one-family or two-family dwellings, the floor area ratio (FAR) shall be as follows:
- (1) Properties having a lot area ranging in size from 5,000 square feet and under to 6,500 square feet shall provide a floor area ratio of 0.40.
  - (2) Properties having a lot area ranging in size from 6,501 square feet to 7,500 square feet shall provide a floor area ratio of 0.37.
  - (3) Properties having a lot area ranging in size from 7,501 square feet and above shall provide a floor area ratio of 0.40.
  - (4) Properties having any interior space which exceeds a floor-to-ceiling height of 12 feet shall double the floor area of such interior space for purposes of calculating the FAR.