

"R-5" RESIDENTIAL DISTRICT

The following regulations shall apply in the "R-5" District:

1. Uses Permitted: The following uses are permitted. A Zoning Certificate may be required as provided for in Section 10, B of this Resolution.
 - a. Agriculture.
 - b. One-family dwellings, permanent use. (8/06)
 - c. Churches or other places of worship.
 - d. Public schools, elementary and high, and private schools having a curriculum similar to public schools.
 - e. Public facilities owned and operated by public agencies. (6/91)
 - f. Home occupation as defined in Section 3.
 - g. Automobile parking spaces shall be provided as required in Section 5.
 - h. Multi-Family dwellings.
 - i. Accessory buildings.
 - j. Multiple dwelling buildings containing one (1) or more dwellings. (6/91)
 - k. Condominium development. (12/89)
 - l. Floating dwellings community/moorage, subject to the supplemental conditions established in Section 7, 1 of this Resolution. (9/08)

2. Conditional Uses: Subject to approval as provided for in Section 6 of this Resolution.
 - a. Hospitals or institutions, provided that the site is five (5) acres or more in size, the building does not occupy more than twenty (20) percent of the total lot area, and a setback from all yard lines of at least two (2) feet for each foot of building height is provided.
 - b. Nursing homes.
 - c. Non-commercial community buildings, recreational fields, swimming pools, or mooring basin owned, operated, and used exclusively by residents of abutting properties or subdivision.
 - d. Bed and Breakfast Inn as provided for in Section 7 of this Resolution.
 - e. Parks and playgrounds available to all members of the general public without fee charged for said use. (6/91)
 - f. Public parking areas on a lot abutting any "C" or "M" District when located and developed as required in Section 5. (8/06)

3. Lot Area, Width, and Depth (Excluding Multiple Family Dwellings or Condominiums): Every lot shall have a minimum width of eighty (80) feet; and a minimum depth of one-hundred and twenty-five (125) feet; however, it shall have a minimum area of not less than eleven thousand (11,000) square feet. A lot of less area or width which was recorded at the time of the adoption of this Resolution, as amended, and the owner thereof owns no adjacent land, may be occupied by any

permitted use in this section, except multiple family dwellings. Lot area excludes dedicated right-of-ways. (7/96)

4. Lot Area, Width, and Depth (Multiple Family Dwellings or Condominiums): Every lot for multiple family dwellings or condominiums shall have a minimum lot width of one-hundred fifty (150) feet and a minimum depth of one-hundred fifty (150) feet; however, it shall have a minimum area of not less than one (1) acre per multiple family development or condominium development. A lot of less area or width which was recorded at the time of adoption of this Resolution, as amended, and the owner thereof owns no adjoining land, may be occupied by any use permitted in this section, provided the lot area per dwelling unit is complied with. The minimum lot area per dwelling unit shall be twenty thousand (20,000) square feet for the first unit and six thousand (6,000) square feet for each additional unit for each multiple family dwelling or condominium, but every separate building used as dwelling space shall be in an area of land not smaller than ten thousand (10,000) square feet. All lands used for calculating the number of dwelling units permitted shall be identified in the Zoning Permit, and none of those lands shall be sold separately, or diverted to other use, or counted again to justify more units. A copy of the Zoning Permit showing the restrictions on use of the land so counted shall be filed with the County Recorder under the General Docket. Measurements of lots shall be made to the street right-of-way line. Lot area excludes dedicated right-of-ways and land below 574 feet above sea level. (12/89)
5. Front Yard: There shall be a front yard of not less than thirty-five (35) feet, except as provided in Section 7, A.
6. Side Yard: There shall be a side yard of not less than thirty-five (35) feet for multiple family dwellings or condominiums and single family dwellings on lots greater than one-hundred twenty (120) feet wide. For single-family dwellings on lots less than one-hundred twenty (120) feet wide, there shall be side yard of not less than ten (10) feet, except as provided in Section 7, A, 2. (6/88)
7. Rear Yard: There shall be a rear yard of not less than thirty-five (35) feet. (7/96)
8. Building Separation: Buildings designed for living purposes shall be separated from each other by a minimum distance of twenty (20) feet. (12/89)
9. Dwelling Size: Shall be provided as required by Section 7, F and as specified herein.

One Story	1,000 square feet (7/96)
One and One-Half Story	800 square feet on the first

Two or More Stories floor (7/96)
500 square feet on each of
the first two floors
(7/96) (8/06)

Dwelling size does not include open or enclosed porches,
patios, breeze-ways, and garages. (5/13)

10. **Lot Coverage:** The total lot coverage of all buildings and structures, (not including parking lots) shall not exceed thirty-nine (39) percent of the total actual land area excluding street right-of-way and land under 574 feet above sea level. (5/13)
11. **Building Height:** The maximum building height shall be thirty-five (35) feet measured to the peak and thirty (30) feet measured to the eaves.
12. **Open Space:** A minimum of ten (10) percent of all land included in the development shall be set aside for open space. Open space shall consists of natural areas including grass, trees, and the like and shall not include recreational facilities or submerged land. (12/89)
13. **Off-Street Parking:** Shall be provided as required by Section 5 and as listed herein.
 - a. One-family dwellings: Two (2) parking spaces per dwelling unit including seasonal units.
 - b. Multi-family dwelling or condominium: Two (2) parking spaces per dwelling unit.
 - c. Churches and schools: One (1) parking space for each four (4) seats in the main auditorium.
 - d. Clubs and lodges: One (1) parking space for each five (5) members.
 - e. Hospitals or institutions: One (1) space for each eight-hundred (800) square feet of floor area.
14. **Accessory Building:** Accessory buildings not exceeding fifteen (15) feet in height shall occupy a total area of not more than five-hundred (500) square feet per dwelling unit. No accessory building shall be closer to the front line than the main building may be, closer than five (5) feet to any main building, nor closer than twenty (20) feet to any other lot line, except as provided in Section 7, A, 2.

Non-commercial boat docks shall be considered structures accessory to the principal use of the premises on which they are built. Their area shall be included in the total area permitted for accessory buildings.
15. **Signs:** Shall be **permitted** as stated in Section 7, C, non-illuminated, and as stated herein.
 - a. For one (1) family dwellings, **the following signs are permitted:** one (1) name plate not exceeding one

and one-half (1 1/2) square feet in area, including the name and address of the occupant and one (1) sign not exceeding one and one-half (1 1/2) square

feet in area indicating the name and permitted home occupation of the occupant. (5/13)

- b. For multi-family dwellings or condominiums and for buildings other than dwellings, **the following signs are permitted:** a single identification sign not exceeding twelve (12) square feet in area and indicating only the name and address of the building and the name of the management thereof. (5/13)
- c. For churches, **the following signs are permitted:** one (1) church bulletin board not exceeding fifteen (15) square feet in area and one (1) identification sign not exceeding forty-eight (48) square feet in area including the supporting structure.(5/13)
- d. Directional signs not exceeding one and one-half (1 1/2) square feet.
- e. **For subdivisions, condominiums, or other developments, a single identification sign not exceeding forty-eight (48) square feet in area including the supporting structure shall be permitted. (5/13)**

16. Fences: The following conditions shall apply to fences:

- a. Fences or hedges may not exceed four (4) feet in height in the required front yard and may not exceed seven (7) feet in height in any other location on the lot. However, no barbed wire fence shall be constructed; and
- b. On property located at street and/or highway intersections, no fence, wall, hedge, shrubbery, or other structure or planting which obstructs the view of motorists and thereby creates a traffic hazard shall be erected, placed, planted, or maintained within a triangular area formed by connecting with a straight line two (2) points locating on the respective right-of-way, twenty-five (25) feet distance from their point of intersection.
- c. The requirements of Section 7, M. shall be met. (7/12)

17. Swimming Pool Requirements - Private: No private swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one-hundred (100) square feet, shall be allowed except as an accessory use and unless it complies with the following conditions and requirements:

- a. The pool is intended and is to be used solely for the enjoyment of the occupants of the property on which it is located;
- b. It may not be located closer than the required setback line for the District in which it is located; and

- c. The swimming pool or the entire property on which it is located shall have a wall, fence, or barrier to prevent uncontrolled access from the street or adjacent property. Such fence or wall shall be maintained in good condition with a gate and lock.

Temporary inflatable pools intended for the private use of the property owner shall not be required to meet these requirements. (8/06)

18. Parking Exceptions: Only one (1) automotive vehicle or recreational vehicle (7/12) of any type without current license plates shall be parked or stored on any lot or storage may be in the rear yard.
19. Land Under Water: All submerged lands below low water datum are a part of that District to which their abutting above water lands are assigned, and shall be bounded by extension of the boundary lines of each abutting natural above water property. Two (2) or more adjacent Districts which extend onto submerged lands shall be separated by extension of their above water common boundary line.