

## **SECTION 17-22.6.1. - "OTMU1" OLD TOWN MIXED USE 1 DISTRICT REGULATIONS**

(a) *Use.* A building or premise shall be used only for the following purposes:

- (1) Single-family dwellings.
- (2) Single-family attached dwellings, provided that no more than nine (9) dwelling units are attached in one continuous row or group, and provided that no dwelling unit is constructed above another dwelling unit.
- (3) Two-family dwellings (duplexes).
- (4) Multi-family dwellings. Projects shall be a minimum of two (2) acres in area on a single platted lot. A minimum of twenty (20) units must be built in the first phase of construction.
- (5) Church worship facilities.
- (6) Buildings and uses owned or operated by public governmental agencies.
- (7) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (8) Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, not involving the conduct of a retail business except as provided herein and for home occupations as defined by this ordinance.
- (9) A detached private garage with or without storeroom and/or utility room shall be permitted as an accessory building, provide that such garage shall be located not less than sixty (60) feet from the front lot line nor less than five (5) feet from any side or rear lot line and in the case of corner lots not less than the distance required for residences from side streets. A garage or servants' quarters constructed as an integral part of the main building shall be subject to the regulations affecting the main building.
- (10) A carport shall be permitted provided that such carport is not located in a required front or side yard, not less than five (5) feet from the rear property line, and fully open on the entrance side.
- (11) Bed and breakfast (SUP required).
- (12) Professional and administrative offices where only services are provided, no goods are offered for sale, no drive-thru's are allowed and no outside storage is provided on the premises.
- (13) Private Utility Plants or Sub-stations (including alternative energy) (SUP required).
- (14) Cemetery, columbarium, mausoleum and accessory uses (SUP required).

(b) *Single-family detached and two-family dwelling requirements.*

- (1) *Maximum height.* No building shall exceed thirty-five (35) feet or two and one-half (2-1/2) stories in height.
- (2) *Minimum dwelling size.* The minimum floor area of any single-family dwelling shall be one thousand seven hundred (1,700) square feet, exclusive of garages, breezeways and porches.
- (3) *Front yard.* No front setback is required.
- (4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five (5) feet.
- (5) *Rear yard.* There shall be a rear yard having a depth of not less than twenty (20) feet.

(c) *Single-family attached, multi-family and institutional building requirements.*

- (1) *Maximum height.* No building shall exceed shall not exceed forty-five (45) feet in height or three and one-half (3-1/2) stories in height.
- (2) *Minimum dwelling size.* The minimum floor area of any single-family attached dwelling shall be one thousand four hundred fifty (1,450) square feet. The minimum floor area of any multi-family dwelling shall be (650) square feet, exclusive of garages, breezeways and porches.
- (3) *Front yard.* No front setback is required.
- (4) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than five (5) feet.

- (5) *Rear yard.* There shall be a rear yard having a depth of not less than six and one half (6.5) feet except if a residential garage directly adjoins a rear alley, then the rear yard may be four (4) feet.
- (d) *Size of lot.*
  - (1) *Lot area.* No detached single-family dwelling or non-residential building shall be constructed on any lot of less than seven thousand five hundred (7,500) square feet. Attached single-family dwellings shall be constructed on lots with a minimum as illustrated on the adopted concept plan submitted with initial zoning change request. Multi-family dwelling projects shall be constructed on lots of a minimum of two (2) acres in size.
  - (2)
- (e) *Other setbacks.*
  - (1) The old town mixed use 1 district shall not be subject to the following setback provisions contained elsewhere in this ordinance:
    - a. "On a corner lot, the width of the yard along the side street shall not be less than any required front yard on the same side of such street between intersecting streets".
    - b. "...no accessory building shall be...closer than five feet to any rear or side lot line, and, in the case of corner lots, not less than the distance required for buildings from side streets".
    - c. "In any residential or MF district where 25 percent or more of the frontage upon the same side of a street between intersecting streets is occupied or partially occupied by a building or buildings having front yards of greater depth than is required by this chapter, no other lot upon the same side of such street between such intersecting streets shall be occupied by a building with a front yard of less than the least depth of any such existing front yards."
  - (2) There shall be a minimum ten (10) foot setback on the driveway side of a lot when there is not sufficient maneuvering space on site to allow vehicles to exit the lot without backing into the street.