§ 9.2.10 R-2 RESIDENTIAL ZONE (one residential unit/one half (.5) acre)

(A) PURPOSE AND INTENT. The purpose of this Section is to allow residential development permitted in this zone at one dwelling unit~~s~~ per one half (.5) acre in conformance with the Village Master Plan, except as noted below in §9.2.10 (E)(1). This zone includes large and small lot mixed residential and commercial development, and historic clusters of homes as well as the traditional *tripas* and ditch irrigation.

(B) PERMISSIVE USES. A building or premise shall be used only for the following purposes:

(1) Any permissive use as allowed and regulated in §9.2.7 A-1 Zone.

(C) CONDITIONAL USES. The following uses shall be allowed when approval has been obtained as set forth in § 9.2.25, Application and Approval Process:

(1) Any conditional use as allowed and regulated in §9.2.7 A-1 Zone.

(D) ACCESSORY USES. Uses customary and incidental to primary use of the lot, that are in conformance with the zone.

(E) AREA REGULATIONS.

(1) The minimum lot area shall be three-fourths (¾) of an acre (32,670 square feet), except where community water and sewer facilities are available, the lot area shall be reduced to half (½) of an acre (21,780 square feet). Minimum lot width shall be sixty (60) feet.

(2) Setbacks. Setback limits apply to all buildings and/or structures, including swimming pools.

(a) The minimum front setback shall be twenty (20) feet; the minimum side setback shall be ten (10) feet; and the minimum rear setback shall be fifteen (15) feet. For any property bounded by an irrigation ditch or drain, the minimum setback along the ditch or drain shall be twenty-five (25) feet.

1. Where lots have double frontage, the required front setback shall be provided on both sides.

(b) For very narrow tripa, unusually small, and/or unusual shaped lots one side yard setback may be reduced to less than ten (10) feet providing building height meets the conditions of this Section.

(F) FLOOR AREA RATIO for residential buildings for all R-2 zoned properties in the Village with Floor Area, Total as defined in § 9.2.3(B), Definitions.

(1) The floor area ratio of all single family residential units shall be determined by the allowable floor area listed in the adopted 20% All Village FAR TABLE for the net lot area as defined in § 9.2.3(B), Floor Area Ratio (FAR).

(G) HEIGHT LIMITATIONS.

(1) Height of residential buildings shall be limited to twenty-six (26) feet from existing grade (the existing surface of the ground), to the top of the pitch, top of the parapet or top of the mansard roofline.

(2) Single Story Buildings shall not exceed seventeen (17) feet in height. The first floor building height shall be measured at seventeen (17) feet from the existing grade.

(a) If the single story height exceeds seventeen (17) feet, that portion of the building shall be considered a second floor and shall be counted as square

footage for Floor Area Ratio purposes. Second floors shall be regulated by the second floor percentages and limitations of § 9.2.10(G)(3)(a).

(b) Detached garages, including those for recreational vehicles, shall not be more than seventeen (17) feet in height.

(3) **Two Story Buildings** shall not exceed twenty-six (26) feet in height measured from the existing grade, to the top of the pitch, top of the parapet or top of the mansard roof line.

(a) Second floor areas, including all covered patios, porches, portals, balconies, and other open and accessible living areas, shall be limited to a total of sixty percent (60%) of the first floor enclosed square footage, as defined by § 9.2.3(B), Enclosed Area.

(4) **Height Of Facades.**

(a) No single façade wall length shall be greater than fifteen percent (15%) of the calculated perimeter of façade walls of the first floor and exceed seventeen (17) feet in height. Any portion of a façade wall exceeding the fifteen percent (15%) perimeter length shall be limited to seventeen (17) feet in height or shall be stepped back by four (4) feet or equal to a 45° plane drawn from a perpendicular point on the adjacent property line. (See Illustration §9.2.7(G)(3)).

(5) **Other Structures.**

(a) Chimneys shall not exceed twenty-nine (29) feet in height.

(b) Flag Poles shall not exceed forty (40) feet in height.

(c) Non-commercial radio towers regulated by the Federal Communications Commission shall not exceed forty (40) feet in height.

(d) Windmills (both wind generators and water) shall not exceed forty (40) feet in height.

(H) **FENCES AND WALLS.**

(1) No open fence located in the setback areas shall exceed six (6) feet in height.

(2) No solid wall or fence located within the rear or side setback area shall exceed six (6) feet in height.

(3) No solid wall or fence located within the front yard setback area shall be more than four (4) feet in height. Open fencing may be placed upon the four (4) foot solid wall to a maximum height of six (6) feet.

(4) No solid wall or fence shall be located within the clear sight triangle of a driveway and a public or private right-of-way.

(5) No solid wall or fence located within the side or rear setback area, and along a public or private right-of-way shall be more than six (6) feet in height.

(6) No solid wall or fence shall be constructed unless a building permit has been approved by the Village.

(7) Concertina (razor wire) wire is prohibited.

(8) Gate entrance pillars may reach a maximum height of eight (8) feet and must observe the clear sight triangle distance from the street and shall not exceed more than two (2) feet width on either side of the gate itself.

(I) **SOLAR ACCESS.** Building Height Limitations to Preserve Solar Access: For any new construction submitted after May 19, 2008, the height of any building shall not

exceed a 31° angle plane drawn upward from a horizontal line located two feet above the existing grade, ten feet within the northern property line (See illustration §9.2.7(G)(4)(a)).

(I) SUBDIVISION. No land containing existing structures shall be subdivided into an area less than the allowable lot size for the Floor Area Ratio of the existing structures on the land.

(K) EXISTING STRUCTURE. If an existing structure(s) is to be demolished, the demolition must take place within one (1) year of the final approval of the subdivision.

(L) PERMEABLE SURFACES.

(1) Permeable surfaces shall be a minimum of sixty percent (60%) of lot area.

(M) DARK SKIES REGULATIONS. As set forth in § 9.2.20.