

# **ARTICLE 27 RESIDENTIAL GENERAL R-2A DISTRICT**

## Statement of Intent

This district is designed for certain medium to high concentrations of residential uses with a variety of housing types of a non-transient nature, and composed of certain open areas where similar development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life. Certain non residential uses which are necessary to provide for the recreational, educational and public service needs of a residential community are allowed with a conditional use permit.

## **DIVISION ONE - USE REGULATIONS**

### **27-1 Permitted Uses**

Within the Residential General, R-2A Zoning District, a building and/or land shall be used only for the following purposes:

- a. Accessory Structures.
- b. Duplexes.
- c. Governmental Buildings.
- d. Minor Home Occupations.
- e. Private Boat Piers.
- f. Public utilities such as poles, lines, distribution transformers, pipes, meters and other facilities necessary for their provision and/or maintenance, except that storage yards and sewage treatment facilities are prohibited.
- g. Single Family Dwellings.

### **27-2 Conditional Uses (Conditional Use Permit Required)<sup>1</sup>**

Notwithstanding 27-1 of this Article, the following uses require a Conditional Use Permit. After review of the application and public hearing, thereon, in accordance with Article 16 herein, the Town Council finds as a fact that the proposed use is consistent with the intent of the Land Use Plan, and is in the public interest, the following uses may be permitted.

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<sup>1</sup> Section Amended - April 11, 2002 (Ordinance 477)

- a. Assisted Living Residence.<sup>2</sup>
- b. Boathouses.
- c. Civic, Social or Fraternal Facilities.
- d. Churches.
- e. Day Care Centers.
- f. Family Day Homes.
- g. Major Home Occupations.
- h. Medical Clinics.
- i. Multi-Family Dwellings.
- j. Neighborhood Convenience Stores.
- k. Nursing Homes.
- l. Parks and Playgrounds.
- m. Professional Offices.
- n. Schools.
- o. Single Family Attached Dwellings.

## **DIVISION TWO - GENERAL REGULATIONS**

### **27-3 Purpose**

Division Two provides the regulations generally applicable throughout this district.

### **27-4 Area Regulations**

- a. The minimum lot area shall be five thousand (5,000) square feet.

### **27-5 Front Yard Setback Regulations**

- a. For all main structures on interior lots, the minimum front yard setback from the street right of way upon which the structure fronts shall be thirty (30) feet.
- b. For all main structures on corner lots there shall be two front yard setbacks, one for each side of the lot which fronts upon a street. The remaining yards shall be considered side yards.

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<sup>2</sup> Section Added - May 15, 1999 (Ordinance 430)

### **27-6 Minimum Street Frontage Regulations**

- a. For all lots abutting a cul-de-sac or located on the outside curve of a street, the minimum street frontage shall be thirty (30) feet.
- b. For all other lots the minimum street frontage shall be fifty (50) feet.

### **27-7 Lot Width Regulations**

For main structures, the minimum lot width at the setback line shall be fifty (50) feet.

### **27-8 Side Yard Setback Regulations**

For main structures, the minimum side yard shall be five (5) feet, and the total width of the two required side yards shall be fifteen (15) feet.

### **27-9 Rear Yard Setback Regulations**

For main structures, the minimum rear yard shall be twenty-five (25) feet.

### **27-10 Height Regulations**

Permitted structures may be erected up to thirty-five feet from grade with the following exceptions:

- a. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, television antennae, and radio aerials are exempt.
- b. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

### **27-11 Accessory Structure Regulations**

- a. Accessory structures shall be located behind the front corners of the main structure.
- b. Accessory structures, including roof overhang, shall be no closer than three feet to any property line.
- c. Accessory structures shall be no more than twenty (20) feet high.
- d. Accessory structures shall be no more than six hundred (600) square feet in total area. Area may be larger if it does not result in more than thirty (30) percent of total lot area coverage by all buildings.

**27-12 Additional Requirements Including But Not Limited To:**

- a. Chesapeake Bay Act: refer to Article 22 of this Ordinance.
- b. Flood Plain: refer to Article 21 of this Ordinance.
- c. Landscaping: refer to Article 24 of this Ordinance.
- d. Off-Street Parking: refer to Article 13 of this Ordinance.
- e. Signs: refer to Article 12 of this Ordinance.
- f. Site Plan Requirements: refer to Article 14 of this Ordinance.

**27-13 -27-15 Reserved**

**DIVISION THREE - REGULATIONS FOR DUPLEXES**

**27-16 Purpose, Conflict of Regulations within Article**

Division Three provides the regulations specifically applicable to duplexes, as defined in Article 20 of this Ordinance, located in this district. These specific regulations override and control any conflicting provisions located in Division Two. Where no specific regulation is provided in this division, the provisions of Division Two shall control.

**27-17 Area Regulations**

For duplexes, the minimum lot area shall be eight thousand (8,000) square feet.

**27-18 Street Frontage Regulations**

- a. For all lots abutting a cul-de-sac or located on the outside curve of a street, the minimum street frontage shall be sixty (60) feet.
- b. For all other lots, the minimum street frontage shall be eighty (80) feet.

**27-19 Lot Width Regulations**

For duplexes, the minimum lot width at the setback line shall be eighty (80) feet.

**27-20 Front Yard Setback Regulations**

For duplexes, the minimum front yard setback shall be thirty (30) feet.

### **27-21 Rear Yard Setback Regulations**

For duplexes, the minimum rear yard setback shall be twenty-five (25) feet.

### **27-22 Side Yard Setback Regulations**

For duplexes, the minimum side yard shall be ten (10) feet, and the total width of the two required side yards shall be twenty (20) feet.

**27-23-27-25 Reserved.**

## **DIVISION FOUR - REGULATIONS FOR SINGLE FAMILY ATTACHED DWELLINGS**

### **27-26 Purpose, Conflict of Regulations within Article**

Division Four provides the regulations specifically applicable to single family attached dwellings, as defined in Article 20 of this Ordinance, located in this district. These specific regulations override and control any conflicting provisions located in Division Two. Where no specific regulation is provided in this division, the provisions of Division Two shall control.

### **27-27 Area Regulations**

- a. Development sites associated with single family attached dwellings shall be five thousand (5,000) square feet for the first single family attached dwelling and an additional three thousand (3,000) square feet for each additional dwelling unit within the development site.
- b. The minimum lot area for a single family attached dwelling shall be two thousand (2,000) square feet.

### **27-28 Lot Width Regulations**

- a. For single family attached dwellings located on interior lots, the minimum lot width at the setback line shall be twenty (20) feet.
- b. For single family attached dwellings located on exterior lots, the minimum lot width at the setback line shall be thirty (30) feet.

### **27-29 Minimum Street Frontage Regulations**

- a. For single family attached dwellings located on interior lots, the minimum street frontage shall be twenty (20) feet.
- b. For single family attached dwellings located on exterior lots, the minimum street frontage shall be thirty (30) feet.

### **27-30 Front Yard Setback Regulations**

- a. For single family attached dwellings, the minimum front yard setback shall be fifteen (15) feet.
- b. For single family attached dwellings on corner lots there shall be two front yard setbacks, one for each side of the lot which fronts upon a street. The remaining yard shall be considered a rear yard.

### **27-31 Side Yard Setback Regulations**

For single family attached dwellings, the minimum side yard at each end of every grouping shall be ten (10) feet.

### **27-32 Rear Yard Setback Regulations**

For single family attached dwellings, the minimum rear yard setback shall be twenty-five (25) feet.

### **27-33 Common Area Regulations**

- a. Common areas including, but not limited to, recreational facilities, private streets, walkways, and parking areas, shall be maintained by and be the sole responsibility of the developer or owner of the development until such time as the developer or owner conveys such common area to a nonprofit homeowner's association consisting of at least all of the individual owners of the dwelling units in the development. Common areas shall then be maintained by, and be the sole responsibility of such association.
- b. All structures and accessory uses located in a common area shall be no closer than fifteen (15) feet from the development site boundary line.
- c. Accessory structures and uses located in a common area shall not be subject to Sections 27-11(a) and 27-11(d) of this Article.
- d. A minimum of twenty-five percent (25%) of the common area within the development site shall be green space as defined in Article 20 of this Ordinance.
- e. Any common area provided or reserved for the acceptance and collection of refuse shall be screened from view.

### **27-34 Additional Regulations for Single Family Attached Dwellings**

- a. Each Single Family Attached Dwelling not having direct rear access to a public street shall have direct rear access to an easement of at least twelve (12) feet in width for the purpose of access by emergency vehicles, equipment, and personnel. Such easement shall be located on land controlled by the homeowner's association.
- b. Single Family Attached Dwellings shall vary in the following manner:
  - 1. Front yards shall vary in depth by at least two (2) feet so that no more than four (4) units in each grouping will have the same front yard depth, and
  - 2. Facades of dwelling units shall vary in architecture and design so that no more than four (4) units in each grouping shall have the same architectural treatment of facades and roof lines.
- c. No more than eight (8) single family attached dwellings shall be included in any grouping.

**27-35 - 27-40 Reserved.**

## **DIVISION FIVE - REGULATIONS FOR MULTI-FAMILY DWELLINGS**

### **27-41 Purpose, Conflict of Regulations within Article**

Division Five provides the regulations specifically applicable to multi-family dwellings, as defined in Article 20 of this Ordinance, located in this district. These specific regulations override and control any conflicting provisions located in Division Two. Where no specific regulation is provided in this division, the provisions of Division Two shall control.

### **27-42 Area Regulations**

- a. Development sites associated with multi-family dwellings shall be eleven thousand (11,000) square feet for the first three dwelling units and an additional two thousand, seven hundred (2,700) square feet for each additional dwelling unit within the development site.
- b. Development sites associated with multi-family dwellings shall have a maximum density of fifteen (15) dwelling units per acre.

### **27-43 Development Site Width Regulations**

For development sites associated with multi-family dwellings, there shall be no minimum lot width required.

#### **27-44 Street Frontage Regulations<sup>3</sup>**

For multi-family dwellings, there shall be no minimum street frontage required, however provisions shall be made for adequate ingress and egress to a public street.

#### **27-45 Front Yard Setback Regulations**

For all structures and uses located within a multi-family development site, the minimum front yard setback shall be thirty (30) feet.

#### **27-46 Side Yard Setback Regulations**

For all structures and uses located within a multi-family development site, the minimum side yard setback shall be thirty (30) feet.

#### **27-47 Rear Yard Setback Regulations**

For all structures and uses located within a multi-family development site, the minimum rear yard setback shall be thirty (30) feet.

#### **27-48 Common Area Regulations**

- a. Common areas including but not limited to recreational facilities, private streets, walkways, and parking areas, shall be maintained by and be the sole responsibility of the developer or owner of the development until such time as the developer or owner conveys such common area to a nonprofit homeowner's association consisting of at least all of the individual owners of the dwelling units in the development. Common areas shall then be maintained by, and be the sole responsibility of such association.
- b. A minimum of twenty-five percent (25%) of the common area within the development site shall be green space as defined in Article 20 of this Ordinance.

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<sup>3</sup>

Section Amended - May 15, 1999 (Ordinance 430)

- c. Accessory structures and uses located in a common area shall not be subject to Sections 27-11(a) and 27-11(d) of this Article.
- d. Any common area provided or reserved for the acceptance and collection of refuse shall be screened from view.

**27-49 Additional Regulations for Multi-Family Dwellings**

- a. All structures and uses shall be located at least fifteen (15) feet from any common, parking area, or interior drive or any other structure or use.
- b. Notwithstanding Section 27-49(a), when two or more buildings devoted to multi-family dwelling units are located on the same lot, common yards of not less than twenty-five (25) feet shall be provided between such buildings.
- c. Each multi-family dwelling unit shall have a minimum of one thousand two hundred (1,200) square feet of living space.<sup>4</sup>

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Section Amended - March 9, 2000 (Ordinance 442)

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