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AMENDMENTS
 For Review & Discussion

February 5, 2010

Strikethrough indicates deletion. Capitalization and **BOLD** indicates new language.

Amendment # 1; Amend Section 3, Definitions by deleting all definitions for Accessory Building Attached;; Accessory Building Detached;; and Accessory Building or Uses, and by replacing with the following definitions, to read as follows;

ACCESSORY STRUCTURE:	AN UNATTACHED SUBORDINATE STRUCTURE, LOCATED ON THE SAME LOT AS THE MAIN BUILDING, THE USE OF WHICH IS CUSTOMARILY INCIDENTAL TO THAT OF THE MAIN STRUCTURE, OR TO THE USE OF THE LAND.
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ACCESSORY USE:	A USE SUBORDINATE TO THE MAIN USE ON THE LOT AND USED FOR PURPOSES CLEARLY INCIDENTAL TO THOSE OF THE MAIN USE.
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Amendment # 2; Amend Section 3, Definitions; Garage, Private: by deleting the entire definition and replacing with the following, to read as follows;

GARAGE:	AN ACCESSORY STRUCTURE OR A SEPARATE PORTION OF THE PRINCIPAL STRUCTURE ENCLOSED ON ALL SIDES, LOCATED ON THE SAME LOT, AND DESIGNED FOR THE SHELTER OR STORAGE OF MOTOR VEHICLES AND OTHER NORMAL HOUSEHOLD ACCESSORIES OF THE RESIDENTS.
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Amendment # 3; Amend Section 3, Definitions; Building Principal: by renaming this definition and rewording the definition, also to add new definitions for Main Use and Model Homes; to read as follows;

MAIN BUILDING:	A BUILDING IN WHICH IS CONDUCTED THE PRINCIPAL USE OF THE LOT UPON WHICH SAID BUILDING IS SITUATED.
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MAIN USE:	THE PRINCIPAL USE FOR WHICH THE PREMISES ARE DEVOTED AND THE PRINCIPAL PURPOSE FOR WHICH THE MAIN BUILDING EXISTS.
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MODEL HOME	A RESIDENTIAL DWELLING UNIT WITHIN AN APPROVED SUBDIVISION, TEMPORARILY USED FOR THE PURPOSE OF DISPLAYING AND PROMOTING THE SALE OF OTHER HOMES WITHIN A SUBDIVISION IN WHICH THE MODEL IS LOCATED, AND DOES NOT PROMOTE OTHER ACTIVITIES OF THE PROPERTY OWNER.
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Amendment # 4; Amend Section 3, Definitions; Structure: to delete the current language and to replace the language with up-dated language, to read as follows;

STRUCTURE:	ANYTHING CONSTRUCTED OR ERECTED, WHICH REQUIRES LOCATION IN OR ON THE GROUND, INCLUDING BUT NOT LIMITED TO SIGNS, FENCES, WALLS, BUILDINGS, LAKES, PONDS, AND SWIMMING POOLS. ON LOTS WHICH ARE USED FOR DWELLINGS IN ANY DISTRICT, THE FOLLOWING SHALL NOT BE INTERPRETED AS A STRUCTURE WHEN ESTABLISHED FOR PERSONAL USE BY THE OCCUPANT OF THE DWELLING UNIT: MAIL BOXES, SWING SETS, SAND BOXES, BIRD HOUSES AND FEEDERS, AREAS USED FOR BASKETBALL, FOOTBALL, TENNIS, VOLLEYBALL AND SOCCER. NOTE: THE WORD "STRUCTURE" INCLUDES THE WORD "BUILDING". (SEE GENERAL PROVISIONS)
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Amendment # 5; Amend Section 6R1.2.A, Residential Uses, to add a new item # 2, Model Homes, and to change item number 2 to number 3, to read as follows;

- 2. MODEL HOMES WITHIN AN APPROVED RESIDENTIAL SUBDIVISION, UTILIZED TO PROMOTE THE SALES OF HOMES WITHIN THE SUBDIVISION. THE PURPOSE OF WHICH IS TO PROVIDE A PUBLIC SHOWROOM INDICATING THE STYLE / TYPE OF HOMES TO BE CONSTRUCTED WITHIN THE SPECIFIC SUBDIVISION, AND TO THAT END MAY HAVE WITHIN; DISPLAY MAPS; PICTURES; BROCHUERES, SAMPLE BUILDING MATERIALS AND LIKE INFORMATION.**

- A. ONLY ONE MODEL HOME SHALL BE ALLOWED PER BUILDING COMPANY OPERATING WITHIN THE SUBDIVISION.
- B. MODEL HOMES SHALL CONFORM TO ALL DEVELOPMENT AND SITE PLANNING STANDARDS AS ESTABLISHED FOR THE APPLICABLE ZONING DISTRICT
- C. NO SALES TRAILERS SHALL BE ALLOWED ON SITE.
- D. UPON NINETY FIVE PERCENT (95%) COMPLETION (OWNER OCCUPIED DWELLING UNITS) OF THE SUBDIVISION, THE USE OF THE DWELLING UNIT AS A MODEL, SHALL CEASE AND THE UNIT SHALL BE LISTED FOR SALE WITHIN NINETY (90) DAYS

Amendment # 6; Amend Section 6R1.2.B. 1,2 & 3 Permitted Uses; Accessory Buildings, Structures and Garages; by deleting the entire subsection B and replacing with a new subsection, B, to read as follows;

- B. **ACCESSORY STRUCTURES AND GARAGES: ACCESSORY STRUCTURES AND GARAGES ARE PERMITTED PROVIDED SUCH USES ARE INCIDENTAL TO THE MAIN USE.**
 - 1. **STRUCTURES AND GARAGES ATTACHED TO THE MAIN BUILDING SHALL BE STRUCTURALLY A PART THEREOF AND SHALL COMPLY WITH THE REQUIREMENTS OF THE RESOLUTION APPLICABLE TO THE MAIN BUILDING. THE SIZE OF SUCH STRUCTURES OR GARAGES SHALL NOT EXCEED SIXTY PERCENT (60%) OF THE SQUARE FOOTAGE OF THE LIVING SPACE (AS ESTABLISHED IN SECTION 6R1.6) ON THE FOUNDATION**
 - 2. **ACCESSORY STRUCTURES SHALL HAVE A SIDE YARD, A REAR YARD AND A FRONT YARD SETBACK NOT LESS THAN REQUIRED FOR THE MAIN BUILDING, PROVIDED THAT AN ACCESSORY STRUCTURE SHALL NOT BE LOCATED CLOSER TO THE STREET RIGHT-OF-WAY THAN THE MAIN BUILDING, AND SHALL BE NO CLOSER THAN FIFTEEN (15) FEET FROM THE MAIN BUILDING.**

3. THE TOTAL SQUARE FOOTAGE OF ALL ACCESSORY STRUCTURES SHALL NOT EXCEED FOUR PERCENT (4%) OF THE TOTAL SQUARE FEET OF THE LOT AREA (EXCLUDING PUBLIC ROAD AREA).

EXAMPLES OF ALLOWABLE ACCESSORY STRUCTURE MAXIMUM SIZES			
LOT SIZE	SQ. FEET	ALLOWABLE SIZE	ZONING REFERENCE
½ ACRE	2178	871.2	
¾ ACRE	33,000	1320	6R1.4.C.1a / 6R2.4.1
1 ACRE	43,560	1742.4	
1 ½ ACRE	65,340	2613.6	6R1.4.C.3a
	66,000	2640	6R1.4a.1
2 ACRES	87,120	3484.8	6R1.4a.1
7 ACRES	304,920	12,196.8	6R1.4B.2

4. THE MAXIMUM HEIGHT OF AN ACCESSORY STRUCTURE SHALL NOT EXCEED THE ALLOWABLE HEIGHT OF THE MAIN BUILDING (THIRTY FIVE (35) FEET), AS ESTABLISHED IN SECTION 6R1.4A.7.

Amendment # 7; Amend Section 6R2.2.B. 1,2 & 3 Permitted Uses; Accessory Buildings, Structures and Garages; by deleting the entire subsection B and replacing with a new subsection, B, to read as follows;

B. ACCESSORY STRUCTURES AND GARAGES: ACCESSORY STRUCTURES AND GARAGES ARE PERMITTED PROVIDED SUCH USES ARE INCIDENTAL TO THE MAIN USE.

1. **STRUCTURES AND GARAGES ATTACHED TO THE MAIN BUILDING SHALL BE STRUCTURALLY A PART THEREOF AND SHALL COMPLY WITH THE REQUIREMENTS OF THE RESOLUTION APPLICABLE TO THE MAIN BUILDING. THE SIZE OF SUCH STRUCTURES OR GARAGES SHALL NOT EXCEED SIXTY PERCENT (60%) OF THE SQUARE FOOTAGE OF THE LIVING SPACE (AS ESTABLISHED IN SECTION 6R2.6) ON THE FOUNDATION**
2. **ACCESSORY STRUCTURES SHALL HAVE A SIDE YARD, A REAR YARD AND A FRONT YARD SETBACK NOT LESS THAN REQUIRED FOR THE MAIN BUILDING, PROVIDED THAT AN ACCESSORY STRUCTURE SHALL NOT BE LOCATED CLOSER TO THE STREET RIGHT-OF-WAY THAN THE MAIN BUILDING, AND SHALL BE NO CLOSER THAN FIFTEEN (15) FEET FROM THE MAIN BUILDING.**

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7 ACRES	304,920	12,196.8	6R1.4B.2

4. **THE MAXIMUM HEIGHT OF AN ACCESSORY STRUCTURE SHALL NOT EXCEED THE ALLOWABLE HEIGHT OF THE MAIN BUILDING (THIRTY FIVE (35) FEET), AS ESTABLISHED IN SECTION 6R2.4A.7.**