

CHAPTER 9A

R1-A RESIDENCE ZONE

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10-9A-1: GENERAL OBJECTIVES AND CHARACTERISTICS OF ZONE: The objective in establishing the R1-A Residence Zone is to provide a residential environment within the City which is characterized by somewhat denser residential environment than is characteristic of the R-1 Residence Zone. Also characteristic of this zone are residential amenities adequate to maintain desirable residential neighborhoods. The principal permitted uses in the R1-A Residence Zone shall be one family dwellings and one structure containing two (2) single one family dwellings as ordinarily referred to as townhouses and certain other public facilities which are necessary to promote and maintain sable residential neighborhoods.

In order to accomplish the objectives and purposes of this ordinance and to promote the essential characteristics of this zone, the following regulations shall apply in the R1-A Residence Zone.

10-9A-2: USE REQUIREMENTS: The following uses shall be permitted in the R1-A Residence Zone:

(A) Single family attached dwellings with no more than two (2) single family units in any one structure and with no more than one (1) structure on any designated lot.

10-9A-3: AREA REQUIRMENTS: For detached dwellings, the minimum requirements of the R-1 zone as specified in 10-8-2 apply. For buildings containing two (2) dwelling units an area of not less than ten thousand (10,000) square feet shall be required. No minimum area shall be required for other main buildings, except as may be required for conditional uses permitted in the zone.

10-9A-4: WIDTH REQUIREMENTS: The minimum width of any building site or residential building lot for each building containing one (1) dwelling unit shall be as specified in 10-8-2. The minimum width of any building site or residential building lot not previously platted or subdivided according to the records of the City for each building containing more than one (1) dwelling unit shall be one hundred (100) linear feet, measured at the building setback line.

10-9A-5: LOCATION OF BUILDINGS AND STRUCTURES:

- (A) Setback. All buildings shall be set back a minimum distance of thirty (30) feet from the property line adjacent to any public street or from any granted easement of vehicular access, except as herein provided and required under the provisions of this ordinance.
- (B) Side Yard. Subject to 10-8-2, there shall be a side yard on each side of a main building of not less than eight (8) inches for each foot of building height, except that no side yard shall be less than eight (8) feet. Side yard requirements for accessory buildings shall be the same as for main buildings, except that subject to 10-8-2, no side yard shall be required for accessory buildings which are located more than twelve (12) feet in the rear of the main building, provided that the auxiliary building's drip line remains within the property. There shall be no side yard setback requirement for the property line between single family attached dwellings where the dwelling units are attached by party wall or walls. The side yard requirements shall be maintained for the exterior boundaries of any units, which are attached by party walls. All accessory buildings shall comply with the setback requirements set forth above.
- (C) Rear yard. Subject to 10-8-2, for main buildings there shall be a rear yard of not less than twenty-five (25) feet. Subject to 10-8-2 for accessory buildings, no rear yard shall be required, provided that the auxiliary building's drip line remains within the property, except where an alley is located at the rear of a lot, in which case a three (3) foot rear yard is required.

10-9A-6: HEIGHT REQUIREMENTS: No buildings shall be erected to a height of greater than two (20) stories. Roofs above the square of the building, chimneys, flag poles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

10-9A-7: SIZE OF BUILDINGS: The floor area of the first story above grade of any single family dwelling unit shall be not less than one thousand (1000) square feet, excluding garage space and open porches and carports. For dwellings containing more than one story above grade, the floor space of the first story above grade may be reduced below this level provided the total floor area of all stories located above grade is not less than one thousand five hundred (1500) square feet. (Only those stories which are more than fifty percent (50%) above grade shall be considered to be above grade.) For other buildings, there shall be no minimum floor area requirements.

10-9A-8: SPECIAL PROVISIONS REGARDING SINGLE FAMILY ATTACHED DWELLINGS:

- (A) No single family attached dwelling shall be located above another dwelling unit, either in whole or in part.
- (B) Each single family attached dwelling shall have at least one direct pedestrian access from the interior of the dwelling to the exterior boundaries of the lot and

no pedestrian access may be held in common with another single family dwelling unit.

(C) Except as noted below, a single family attached dwelling shall have no facilities or property in common with another single family attached dwelling and all dwellings shall be structurally and functionally independent from each other. All single family attached dwellings shall have separate electrical service, water service lines, and sanitary sewer service lines. Common facilities or property are allowed for the following:

1. Common party walls constructed in accordance with the International Building Code.
2. Foundations supporting attached or party walls.
3. Flashing at the termination of the roof covering over any attached walls.
4. Roofs
5. Vehicular access to a dedicated street for off street parking facilities or detached garages.

(D) No certificate of occupancy shall be issued for a single family attached dwelling unless a common facility or party wall agreement or Declaration of Condominium, together with a separate legal description for each living unit has been filed with the Gingham County Recorder's Office and a copy provide to the City of Shelley, for each such dwelling unit which shar4es common facilities with another unit. Such agreement shall include a legal description of the individual dwelling units sharing common facilities and shall allocate responsibility as and between the owners of such lots for the use, maintenance, and ownership of all common facilities.