

## CHAPTER VI

### R-1 RURAL ESTATE DISTRICT

**SECTION 6.01 DESCRIPTION AND PURPOSES.** This Zoning District is intended for large rural residential estates and farming.

**SECTION 6.02 USE REGULATIONS.** Land, BUILDINGS or STRUCTURES in this Zoning District may be used for the following purposes only:

- (a) General farming, together with farm DWELLINGS and BUILDINGS and other installations necessary to such farms, but excluding greenhouses and nurseries except as provided in (b) below. Temporary housing for migratory workers is prohibited.(Amended Ordinance No. 118, 2-20-02)
- (b) Greenhouses and nurseries, primarily a wholesaling operation, when authorized as a SPECIAL USE by the Planning Commission. In considering such authorization, the Planning Commission shall consider the following standards and Chapter XVII:
  - (1) The size, nature and character of the operation;
  - (2) The proximity of the operation to adjoining properties;
  - (3) Potential traffic congestion on account of the operation; and
  - (4) The effect of the operation on the surrounding neighborhood. (Amended Ordinance No.118, 2-20-02)
- (c) SINGLE FAMILY DWELLINGS. (Amended Ordinance No. 54. 4-13-92)
- (d) Home occupations, when authorized as a SPECIAL USE by the Planning Commission utilizing the same standards as are provided in Section 5.02(g).
- (e) Removal and processing of topsoil, stone, rock, sand, gravel, lime or other such soil or mineral resources when authorized as a SPECIAL USE by the Planning Commission utilizing the same standards as are provided in Section 5.02(h); provided however, in addition to any standards and/or limitations provided in Section 5.02(h), the removal and processing of topsoil, stone, rock, sand, gravel, lime or other such soil or mineral resources in this Zoning District may only be accomplished when incidental to the preparation of or use of a parcel of land for those purposes otherwise specifically allowed in this Zoning District, and in any event such removal and processing of such soil or

mineral resources may not exceed fifteen thousand (15,000) cubic YARDS from any specific parcel of land or twenty-five percent (25%) of the total area of a specific parcel of land, whichever is less. (Amended Ordinance No.36, 2-22-90)

- (f) Parks, playgrounds, cemeteries, community centers, and governmental or administration or service BUILDINGS, owned and operated by a governmental agency or a noncommercial organization, when authorized as a SPECIAL USE by the Planning Commission. In considering such authorization, the Planning Commission shall consider the following standards and Chapter XVII: (1) the necessity for such use for the surrounding neighborhood; (2) the proximity of the intended use to adjoining properties specifically including proximity to occupied DWELLINGS; (3) the size, nature and character of the proposed use; (4) potential traffic congestion which might be occasioned by the intended use; (5) PARKING facilities to be provided for the proposed use; and (6) the effect of the proposed use on adjoining properties and the surrounding neighborhood. (Amendment Ordinance No. 105 5-12-99)
- (g) The keeping of DOMESTIC ANIMALS as an ACCESSORY USE as per Section 14.21. (Amended Ordinance No. 59, 11-11-92)
- (h) Mobile homes as a temporary use when authorized by the Planning Commission in accordance with Section 5.02(e).
- (i) Real estate SIGNS, identifying SIGN, and nameplate.
- (j) Bed and breakfast operations, when authorized by the Planning Commission as a SPECIAL USE. In considering such authorization, the Planning Commission shall consider the following standards, in addition to Chapter XVII: (Amended Ordinance No. 45, 4-10-91)
  - (1) The number of bed and breakfast sleeping rooms;
  - (2) The effect of the proposed operation on the adjoining properties and the surrounding neighborhood;
  - (3) Potential traffic which will be generated by the proposed bed and breakfast operation;

- (4) Available PARKING; and
  - (5) The ability of the proposed bed and breakfast operation to comply with all requirements of the Laketown Township Bed and Breakfast Licensing Ordinance, as amended.
- (k) Eliminated (Amendment Ordinance No.105, 5-12-99)
- (l) KENNELS and STABLES and the keeping of POULTRY and SMALL FUR BEARING ANIMALS in excess of the number allowed by the table in Section 14.21 as a SPECIAL LAND USE authorized by the PLANNING COMMISSION. In considering such authorization, the PLANNING COMMISSION shall consider the following standards and Chapter XVII: (Amended Ordinance No. 59, 11-11-92)
- (1) The size, nature and character of the PROPOSED SPECIAL LAND USE.
  - (2) The proximity of the PROPOSED SPECIAL LAND USE to adjoining properties.
  - (3) Potential traffic congestion caused by the PROPOSED SPECIAL LAND USE.
  - (4) The effect of the operation of the PROPOSED SPECIAL LAND USE on the surrounding neighborhood.
  - (5) The nature and character of the land, BUILDINGS or STRUCTURES to be utilized for the operation of the PROPOSED SPECIAL LAND USE.
- (m) The keeping of EXOTIC ANIMALS as a SPECIAL LAND USE authorized by the PLANNING COMMISSION. In considering such authorization, the PLANNING COMMISSION shall consider the following standards and Chapter XVII: (Amended Ordinance No.59, 11-11-92)
- (1) The size, nature and character of the EXOTIC ANIMAL(S).
  - (2) The proximity of the EXOTIC ANIMAL(S) to adjoining properties.
  - (3) Potential traffic congestion caused by the EXOTIC ANIMAL(S).
  - (4) The effect of the EXOTIC ANIMAL(S) on the surrounding neighborhood.
  - (5) The nature and character of the land, BUILDINGS or STRUCTURES to be utilized for the keeping of the EXOTIC ANIMAL(S).
- (n) Private and public schools, libraries, museums, art galleries and similar uses, when owned, operated,

licensed or chartered by a governmental agency or nonprofit organization and when authorized by the Planning Commission as a SPECIAL USE. In considering such authorization, the Planning commission shall consider the following standards and Chapter XVII; (1) size, nature and character of the proposed use; (2) the proximity of the proposed use to adjoining properties; (3) the PARKING facilities provided for the proposed use; (4) any traffic congestion or hazards which will be occasioned by the proposed use; and (5) how well the proposed use harmonizes with, and enhances adjoining properties and the surrounding neighborhood. (Amendment Ordinance No.105, 5-12-99)

- (o) Churches when authorized by the Planning Commission as a SPECIAL USE. In considering such authorization, the Planning Commission shall consider the following standards and Chapter XVII; (1) the size, character and nature of the church BUILDING; (2) the proximity of the church to adjoining properties; (3) the off-street PARKING which is to be provided for the church; (4) the potential traffic congestion and hazards which will be caused by the church use; (5) the degree with which the church harmonizes, blends with, and enhances adjoining properties and the surrounding neighborhood; and (6) the effect of the church on adjoining properties and the surrounding neighborhood. (Amendment Ordinance No.105 5-12-99)
- (p) One (1) or more lots may be permitted in this Zoning District, even if the lot or lots do not meet the area regulations in Section 6.04(d) of this Ordinance, if authorized as a SPECIAL USE by the Planning Commission. (Amended Ordinance No. 134, 7-14-04).

The Planning Commission may issue a SPECIAL USE for such a lot or lots only if all of the following requirements are met.

- (1) The property upon which the lot or lots will be located must be designated for Low Density Residential (LDR) use by the Township's Future Land Use Map in the Township's Master Plan, as amended.
- (2) Each lot must have not less than one hundred twenty five (125) feet of road frontage, and not less than one and one quarter (1 ¼ ) acre in area.

- (3) The lot or lots must meet all other requirements of Chapter VI of this Ordinance.

When considering a SPECIAL USE request for such a lot or lots, the Planning Commission shall consider the standards in Chapter XVII of this Ordinance, as well as the following standards:

- (1) Whether or not the property should, at the time of the request, be rezoned to the R-2 Zoning District or retained in the R-1 Zoning District;
- (2) The accessibility of the property;
- (3) The accessibility of the surrounding property if the special land use is granted; and
- (4) The nature of the surrounding neighborhood.

**SECTION 6.03 HEIGHT REGULATIONS.** No BUILDING or STRUCTURE shall exceed thirty-five (35) feet in height. (Amended Ordinance No.89 03-12-97)

**SECTION 6.04 AREA REGULATIONS.** No BUILDING or STRUCTURE nor any enlargement thereof shall be hereafter erected except in conformance with the following YARD, lot area, and BUILDING coverage requirements.

- (a) Front YARD - There shall be a front YARD of not less than forty (40) feet. Also see Section 14.13 - Additional Setbacks for STRUCTURES Adjacent to Major Streets.
- (b) Side YARD - For residential BUILDINGS and STRUCTURES, there shall be total side YARDS of not less than fifty (50) feet; provided, however, that no side YARD shall be less than twenty (20) feet. For all other BUILDINGS, there shall be two (2) side YARDS of not less than fifty (50) feet each.
- (b) Rear YARD - There shall be a rear YARD of not less than forty (40) feet between the rear lot line and the nearest portion of the main BUILDING (excluding any roof overhang but including the nearest portion of a deck or porch which has structural walls or a roof), and not less than twenty-five (25) feet between the rear lot line and the nearest portion of a deck which has no structural walls or roof. (Amendment Ordinance No. 68, 5-11-94)

- (d) Lot Area - No parcel of land shall have less than two hundred (200) feet of road frontage nor shall be less than two and a half (2 1/2) acres in area. (Amended Ordinance No. 54, 4-13-92)

**SECTION 6.05 MINIMUM FLOOR AREA.** Each DWELLING unit, unless specified elsewhere, shall have a minimum of one thousand (1,000) square feet of usable FLOOR AREA and a minimum of eight hundred (800) square feet of ground coverage.