

**ARTICLE VI. R-1 SINGLE-FAMILY RESIDENTIAL -
LOW DENSITY**

Section 601: Purpose. R-1 zoning districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences as desired by large numbers of people. These districts are free from other uses which are incompatible with single-family homes.

Section 602: Determining if an Area is Suitable for Inclusion Within an R-1 District. The factors contained in Section 410 of this Ordinance must be thoroughly considered by the Planning Commission as well as the Mayor and Council when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Molena.

Section 603: Boundaries of R-1 Districts. The Official Map (Section 2301 of this Ordinance) shows the boundaries of all R-1 Districts within Molena. Article XXIII also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

Section 604: Permitted Uses.

- A. The following **Principal Uses** are permitted in R-1 districts:
1. Site-built single-family detached dwelling with a floor area of at least ~~1,200~~ ^{1,500} square feet.
 2. Industrialized home with a floor area of at least ~~1,200~~ ^{1,300} square feet.
 3. Local, State, or Federal government building.
 4. Family Personal Care Home.
 5. Publicly owned and operated park or recreation area.
 6. Subdivision recreation area owned, operated, and maintained by a homeowner's association exclusively for the use of residents and their guests.

7. Agriculture.
8. Utility substations meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a wovenwire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer must be maintained along the side and rear property lines.

B. The following Principal Uses are permitted as **Special Exceptions** in R-1 districts:

1. None.

C. The following **Accessory Uses** are permitted in R-1 districts:

1. Private garage or carport not to exceed the storage capacity of three (3) automobiles per dwelling unit.
2. Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
3. Structure for a children's playhouse and the storage of children's play equipment.
4. Private swimming pool and bath house or cabana meeting the following development standards:
 - a. All such swimming pools which are at least three (3) feet deep must be completely enclosed by a fence that is at least four (4) feet high.
5. Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.

mi-1
Suite
would be
Second primary
if detached
not allowed

6. Non-commercial garden, including a greenhouse and other customary garden structures not over eight (8) feet high.
7. Deck, patio, barbecue grill, or other such facility.
8. Fence, wall, exterior lighting fixture, or other general landscaping and site development facility.
9. Antenna--satellite, television, radio, etc.
10. Temporary building for storage of materials meeting the following development standards:
 - a. Permitted only in conjunction with construction of a building;
 - b. Allowed either on the same lot where construction is taking place or on adjacent lots;
 - c. Such a use must be terminated upon completion of construction.
11. The parking of one (1) unoccupied travel trailer, motor coach, or pleasure boat.
12. Sign as permitted by the Molena Sign Ordinance. (Appendix F).
13. Home Occupation, excluding Public Garage and Repair Garage.

D. The following **Accessory Uses** are permitted as **Special Exceptions** in R-1 districts:

1. Manufactured home for temporary use is case of Certified hardship meeting the following development standards:
 - a. A person having a Certified hardship shown according to the procedure contained in this section and meeting any one (1) of the following conditions may apply to the Board of Appeals for this Special Exception Permit.
 - a'. The applicant for the Special Exception is to be the owner and occupant of the temporary unit and is 65 years of age or older.

b'. The applicant for the Special Exception is to be the owner and occupant of the temporary unit; at least one (1) member of his family who will reside in the unit is 65 years of age or older.

c'. The applicant for the Special Exception is to be the owner and occupant of the temporary unit and is physically disabled and requires frequent attendance by others for medical or physical care.

d'. The applicant for the Special Exception is to be the owner and occupant of the temporary unit and at least one (1) member of his family is physically disabled and requires frequent attendance by others for medical or physical care.

e'. The applicant for the Special Exception is not to be the owner and occupant of the temporary unit but at least one (1) of the residents of the unit is a member of the applicant's family and is 65 years of age or older.

f'. The applicant for the Special Exception is not to be the owner and occupant of the temporary unit but at least one (1) of the residents of the unit is a member of the applicant/owner's family and is physically disabled and requires frequent attendance by others for medical or physical care.

b. In order to determine if the need for the Special Exception Permit presented by the applicant is a certified hardship, the Board of Appeals will require a doctor's certificate currently dated, attesting to the health of the person who is asserted to be physically disabled and also attesting to the need for frequent attendance upon such a person by other people. The certificate will be requested by the Board of Appeals directly from the doctor in attendance upon the person who is asserted to be disabled. The applicant will be required to sign a release to the doctor for such information to be

supplied to the Board of Appeals prior to any action by the Board of Appeals to obtain the certificate from the doctor and any possible subsequent issuance of the Special Exception Permit.

c. The procedure for applying for a Special Exception Permit for a temporary manufactured home for certified hardship is as follows:

a'. Application should be made to the Board of Appeals for the Special Exception Permit for a temporary manufactured home for certified hardship.

b'. The Board of Appeals will explain to the applicant all conditions and limitations attached to such a permit and will secure the written certification of the applicant that he understands and will abide by those conditions if issued the Special Exception Permit.

c'. The Board of Appeals will consider such applications, and upon determining that all requirements have been met for such a permit, will issue the Special Exception Permit.

d. Upon being granted a Special Exception Permit to allow a temporary manufactured home for certified hardship, the applicant must then apply to the Administrative Officer for a Building Permit for the installation of the temporary manufactured home. The procedure is as follows:

a'. Plans for a water/well and sewage/septic system suitable for the temporary manufactured home proposed to be installed on the site must be submitted to the Pike County Health Department for its review and approval.

b'. Upon securing concurrence of the Pike County Health Department of the proposed water and sewage systems to serve the proposed temporary manufactured home, the owner should present evidence of such approval to the

Administrative Officer and apply for a Building Permit for installation of the proposed temporary manufactured home, including the water and sewage systems.

c'. Upon approval of the Administrative Officer and receipt of the Building Permit, the owner should proceed with installation of the proposed temporary manufactured home, including water and sewage systems. The Administrative Officer will provide required inspections of these systems during and upon completion of construction.

e. The following conditions apply to Special Exception Permits issued for temporary use of a manufactured home for hardship:

a'. It is temporary and valid only for a specific period of time.

b'. A development plan must be submitted showing the proposed locations of the principal building, the water and sewage systems, and the temporary manufactured home. That development plan must be approved by the Board of Appeals before issuing the temporary Special Exception Permit.

c'. During its period of approval, the temporary manufactured home must be connected to the approved water and sewage systems.

d'. The temporary manufactured home must be removed within thirty (30) days of either the expiration of the Special Exception Permit for the temporary manufactured home or upon finding of the Board of Appeals, upon its own application or that of any aggrieved party and after giving due notice to all concerned parties and granting full opportunity for a hearing, that the conditions for which the Special Exception was granted no longer exist--whichever is earlier.

e'. The temporary manufactured home must be either a Class B or Class C manufactured home.

f'. No more than one (1) such unit is permitted per lot.

g'. The unit must be located entirely within the rear yard of the principal dwelling, as shown on the approved development plan.

E. All accessory uses must meet the following standards:

1. They must be located in the rear yard.
2. They may not be located closer than five (5) feet from any property line.
3. They may not be located in any front or side yard.
4. Accessory buildings and structures not attached to the principal building must be located at least twelve (12) feet from the principal building on the lot.

F. All uses not permitted within R-1 districts by this Section are specifically prohibited.

Section 605: Development Standards for R-1 Districts. In addition to the development standards contained in Article IV of this Ordinance, the following standards are required within R-1 districts:

A. Minimum Floor Area per Dwelling Unit:

1,200 square feet.

B. Minimum Lot Area:

1,600

1. Unsewered Areas:

As specified by the Pike County Health Department, but in no case less than 43,560 square feet 1 (acre); however, a lot of record lawfully existing at the time of passage of this Ordinance and having an area of less than 1 acre (non-conforming) may nevertheless be developed with a use which is permitted within an R-1 district if approved by the Pike County Health Department.

2. Sewered Areas:

43,560 square feet (1 acre); however, a lot of record lawfully existing at the time

of passage of this Ordinance and having an area of less than 1 acre (non-conforming) may nevertheless be developed with a use which is permitted within an R-1 district.

- C. **Minimum Lot Width:** 150 feet.
- D. **Minimum Front Yard:**
1. Arterial Street/Roads: 80 feet. The front of all buildings must be at least 35 feet from the front property line.
 2. Collector Streets/Roads: 65 feet. The front of all buildings must be at least 35 feet from the front property line.
 3. Other Streets/Roads: 55 feet. The front of all buildings must be at least 35 feet from the front property line.
- E. **Minimum Side Yard:** 15 feet.
- F. **Minimum Rear Yard:** 40 feet.
- G. **Maximum Bldg. Height:** 35 feet; however, this height limit does not apply to projections not intended for human habitation--except for satellite, television, and radio antennas, to which this limit does apply. For buildings and structures with such projections, the minimum required yards must be increased one (1) foot for every two (2) feet (or part of two (2) feet) of height greater than 35 feet.
- H. **Maximum Lot Coverage by Building:** 25 percent.

- I. **Sight Distance:** In order to assure maintenance of adequate sight distances at intersections, no fence, wall, shrubbery, or other obstruction to vision between the heights of three (3) feet and fifteen (15) feet above the ground is permitted within twenty (20) feet of the intersection of the right-of-ways of streets or of streets and railroads.
- J. **Applicability to Land, Buildings, and Open Space:** No building, structure, land, or open space may be used or occupied--and no building or structure or part of a building or structure may be erected, constructed, reconstructed, moved, or structurally altered--unless in conformity with all of the regulations specified for the district in which it is located.
- K. **Every Use Must Be on a Lot:** No building or structure may be erected or use established unless upon a lot as defined by this Ordinance.
- L. **Only One Principal Building Per Lot:** Only one (1) principal building and its accessory buildings may be erected on any lot, except for planned developments or as otherwise provided.
- M. **Open Space Not to Be Encroached Upon:** No open space may be encroached upon or reduced in any manner except in conformity with the yard, setback, off-street parking spaces, and other such required development standards contained in the Ordinance. Shrubbery, driveways, retaining walls, fences, curbs, and buffers are not considered to be encroachments of yards. Open space areas as required by this Ordinance must be permanently maintained as open space in accordance with the requirements of this Ordinance.
- N. **Reduction of Yards or Lot Area:** Except as otherwise provided in this Ordinance, no lot existing at the time of passage of this Ordinance may not be reduced, divided, or changed so as to produce a tract of land which does not comply with the minimum dimension or area requirements of this Ordinance for the district in which it is located unless that reduction or division is necessary to provide land which is needed and accepted for public use.
- O. **Lots with Multiple Frontage:** In case of a corner lot or double frontage lot, front yard setback requirements apply to all lot lines abutting a street.
- P. **Landlocked Lots:** In the case of a landlocked lot (a lot without direct access to a public street or road) lawfully existing as of the effective date of this Ordinance, the property owner is entitled to one

(1) Building Permit, as long as all of the following requirements are met:

1. No other principal building exists or is being constructed on the property.
2. No other valid Building Permit has been issued prior to the effective date of this Ordinance and is currently valid.
3. The property was and continues to be under single ownership since the effective date of this Ordinance.
4. The property owner has acquired a thirty (30) foot easement to a City-, County-, or State-maintained street or road, and the easement has been duly recorded and made a part of the property deed.
5. In the event the property is divided, no additional permits will be issued.

Q. Street Frontage: No principal building may be erected on any lot which has less than (30) feet of immediate frontage on at least one (1) public street.

R. Yards and Other Spaces: No part of a yard, other open space, off-street parking, or loading space required for another building may be included as a part of the yard, off-street parking, or loading space required for another building, except as specifically provided for in this Ordinance.

S. Substandard Lots: Any lot existing at the time of the adoption of this Ordinance, which has an area or a width which is less than required by this Ordinance, is subject to the following exceptions and modifications:

1. Adjoining Lots in Same Ownership: When two (2) or more adjoining and vacant lots within a non-approved development with continuous frontage are in a single ownership at the time of application and such lots have a frontage or lot area less than is required by the district in which they are located, such lots must be replatted or re-parcelled so as to create one or more lots which conform to the minimum frontage and area requirements of the district.

2. Single Lot: When a lot has an area or frontage which does not conform with the requirements of the district in which it is located, but was a lot at the effective date of this Ordinance, such a lot may be used for any use allowed in the zoning

district in which it is located as long as all other requirements of this Ordinance are met.

- T. **Encroachment on Public Rights-of-Way:** No building, structure, service area, required off-street parking, or loading/unloading facility is permitted to encroach on public rights-of-way.
- U. **Physical Design Standards:** Minimum design standards for driveways, loading areas, and other such physical site improvements are contained in applicable development regulations of Molena. Consult the Administrative Officer for specific requirements.
- V. **Off-Street Parking and Service Requirements:** Minimum standards for Off-Street Parking and Service Requirements are contained in the Pike County Standard for Off-Street Parking and Service Facilities (Appendix I).
- W. **Other Applicable Development Regulations:** Information concerning any other applicable development regulations may be obtained by consulting the Administrative Officer.
- X. **Signs:** Minimum design and location standards are contained in the Pike County Sign Ordinance (See Appendix F). Consult that document for specific requirements.

