

Division 3-I-5 Residential District R-1

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3-113 Intent

This district is composed of certain quiet, low-density residential areas plus certain open areas where similar residential 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 a suitable environment for family life and at the same time permit certain home occupations and/or activities of a character unlikely to develop concentrations of traffic, noise, crowds of customers or outdoor advertising. To these ends, development is limited to relatively low concentration, and permitted uses are limited basically to single-unit dwellings providing homes for the residents plus certain additional uses such as schools, parks, churches and certain public and private facilities that do not detract from this low-intensity residential use. Manufactured homes as residences are prohibited.

3-114 Permitted Uses

1. Only one main building and its accessory buildings may be erected on any lot or parcel of land in the Residential District R-1. Structures to be erected or land to be used shall be for the following uses:
 1. Single-family dwellings.
 2. Public and semipublic uses such as schools, churches, playgrounds and parks.
 3. Accessory buildings, as defined; however, garages or other accessory buildings, such as carports, porches and stoops attached to the main building shall be considered part of the main building. No portion of any accessory building, including roof, may be closer than three feet to any side or rear property line, except that no portion of any swimming pool other than the apron shall be located closer than 10 feet to any side or rear property line. No accessory building shall be located in a front yard.
 4. Public utilities: poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewage facilities.
 5. Off-street parking as required by Section 3-180 of this article.
 6. Parking of one commercial vehicle per dwelling unit subject to the following limitations:

1. No garbage, truck, tractor and/or trailer of a tractor-trailer truck, dump truck with a gross weight of 12,000 pounds or more, cement-mixer truck, wrecker with a net weight of 12,000 pounds or more or similar such vehicles or equipment shall be parked on any public street in any residential district.
2. Any commercial vehicle parked in any residential district shall be owned and/or operated only by the occupant of the dwelling unit at which it is parked.

3-115 Permitted Accessory Uses

1. Uses which are customarily accessory and clearly incidental and subordinate to permitted principal uses are permitted accessory uses, including:
 1. Home occupations.

3-116 Special Uses

1. The following uses are permitted when authorized by the Town Council of Bowling Green after a recommendation from the Planning Commission:
 1. Guest rooms.
 2. Family care homes.
 3. Two-family dwellings created by conversion of an existing single-family dwelling into a two-family dwelling.
 4. Day-care center.
 5. Bed and Breakfast Establishment.
 6. Minor Event Facilities.
 7. Mixed Use Development - a residential use and a business use that is compatible with the neighborhood.

HISTORY

Amended by Ord. O-2018-002 on 3/1/2018

Amended by Ord. O-2019-006 on 1/2/2020

3-117 Specifications And Requirements

1. Area.
 1. For residential lots containing or intended to contain only a single-family dwelling served by public water and sewage disposal, the minimum lot area shall be 12,000 square feet.
 2. For residential lots containing or intended to contain only a single-family dwelling served by public water systems but having individual sewage disposal systems, the

minimum lot area shall be 15,000 square feet. The Administrator may require a greater area if considered necessary by the Health Officer.

3. For residential lots containing or intended to contain a single-family dwelling served by public sewage disposal systems but having individual water systems, the minimum lot area shall be 15,000 square feet. The Administrator may require a greater area if considered necessary by the Health Officer.
 4. For residential lots containing or intended to contain a single-family dwelling served by individual water and sewage systems, the minimum lot area shall be 20,000 square feet or more if considered necessary by the Health Officer.
 5. For residential lots containing or intended to contain a two-family dwelling served by public water and sewage disposal systems, the minimum lot area shall be 18,000 square feet.
 6. For residential lots containing or intended to contain a two-family dwelling served by public water systems but having individual sewage disposal systems, the minimum lot area shall be 22,000 square feet.
 7. For residential lots containing or intended to contain a two-family dwelling served by public sewage disposal systems but having individual water systems, the minimum lot area shall be 22,000 square feet.
 8. For residential lots containing or intended to contain a two-family dwelling served by individual water and sewage disposal systems, the minimum lot area shall be 26,000 square feet.
 9. For permitted uses utilizing individual sewage disposal systems, the required area for such use shall be approved by the Health Officer. The Administrator shall require a greater area if considered necessary by the Health Officer.
2. Setback.
1. Structures shall be located 35 feet or more from any street right-of-way which is 50 feet or greater in width or 60 feet or more from the center of any street right-of-way less than 50 feet in width. This shall be known as the "setback line."
 2. Permitted exceptions to Front Yard Requirements. When a residential structure is non-conforming due to encroachment into the required Front Yard Setback, such structure may be expanded or extended on either side or both sides provided that the following conditions are met:
 1. Such addition or extension shall not come any closer to the front property line or further encroach into the front yard to any greater extent than the front corner of the existing structure on the side proposed for the addition or extension; and

2. All other requirements of the Zoning Ordinance for the zoning designation of the property, including the side and rear yard setback requirements shall be met.
3. Frontage. The minimum lot width at the setback line shall be 100 feet or more.
4. Yards.
 1. Side. The minimum side yard for each main structure shall be 15 feet.
 2. Rear.
 1. Each main structure shall have a rear yard of 35 feet or more.
 2. Certain architectural features, those being sills, belt courses, bay windows, cornices, eaves, roof overhangs, chimneys, entrance stairs and stoops, and similar architectural features of a building may project into required yards by not more than five (5) feet. These provisions shall be applied to all lots, conforming and non-conforming.
 3. Unenclosed additions on the rear of houses, those being un-walled, unenclosed additions designed specifically and particularly for outdoor activities and attached to the rear of a dwelling, may extend into a required rear yard area. Extension of such unenclosed addition into a required rear yard may encroach up to a maximum of fifteen (15) feet. In no case shall more than 25% of the required total area of a rear yard be covered by such encroachment. Such extensions may include, but are not limited to decks, porches, patio or deck covers. Screening is considered an enclosure and is therefore not permitted by this Section. In no case may any such addition extend into a required front or side yard, except as otherwise provided herein. These provisions shall be applied to all lots, conforming and non-conforming.
5. Height. Buildings may be erected up to 35 feet in height, except that:
 1. The height limit for dwellings may be increased up to 45 feet and up to three stories, provided that each side yard is 30 feet plus one foot or more of side yard for each additional foot of building height over 35 feet.
 2. A public or semipublic building, such as a school, church or library, may be erected to a height of 60 feet from grade, provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.
 3. Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.
 4. No accessory building which is within 20 feet of any party side or rear lot line shall be more than one story in height. All accessory buildings shall be less than the main building in height.

6. Corner lots.

1. Of the sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
2. The side yard on the side facing the side street shall be 35 feet or more for both main and accessory buildings.
3. For subdivisions platted after the enactment of this article, each corner lot shall have a minimum width at the setback line of 125 feet or more.
4. To reduce traffic hazards, landscaping of corner lots shall be limited to planting, fences or other landscaping features of no more than three and one-half feet in height within the space between the setback line and the property line on the street corner side of the lot.