

CHAPTER 13

URBAN RESIDENCE ZONE “R-4” REGULATIONS

13.01 The regulations set forth in this chapter or set forth elsewhere in the Zoning Code are the zoning regulations for Urban Residence Zone “R-4”.

13.02 Permitted Uses: A building or lot shall be used only for the following purposes:

A. Any use permitted in Zone “R-1”.

B. Single-Family (attached) Dwellings.

Project Criteria:

1. There shall be a minimum total project area of one (1) acre.
2. The project area shall have a minimum of one-hundred (100) feet of frontage on an improved public right-of-way.
3. The maximum project density shall be six (6) units per acre excluding public right-of-way.
4. Each unit shall be setback thirty feet from the project boundary.
5. The maximum height of all buildings shall be thirty-five feet.
6. At least two off-street parking spaces shall be located within a fully enclosed attached structure and at least two unenclosed, paved surface parking spaces shall be provided for each unit.
7. Any single family attached structure in the R-4 Zone shall be setback at least seventy-five feet from any R-1 Rural Residential Zone.
8. There shall be a minimum of 1200 square feet of living area for each unit.

Yards:

A. The minimum front yard building setback shall be as follows:

Arterial or Collector Street	50 feet
Local or Private Street (from the edge of pavement)	35 feet

B. There shall be a minimum of twenty-five feet between buildings.

C. Single-Family (detached) Dwellings:

Yards:

1. There shall be a front yard having a depth of not less than forty (40) feet, provided, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the

lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.

2. For a lot that has frontage on more than one (1) street, the required front yard shall be provided on all streets.
 3. There shall be a side yard of fourteen (14) feet total for both sides, with a minimum width of seven (7) feet, for either side, except for lots with more than one (1) front yard, in which case, the minimum side yard shall be seven (7) feet on the side, if any, not fronting on a street.
 4. Rear Yard: There shall be a rear yard having a depth of not less than thirty (30) feet, except for lots with three (3) front yards, in which case the minimum side yard shall be seven (7) feet on the side, if any, not fronting on a street.
 5. Every lot or tract of land on which there is erected a single family detached dwelling, shall have a minimum width of seventy (70) feet at the building line, at least twenty-five (25) feet of frontage and an area of not less than eight-thousand (8000) square feet.
 6. Minimum Dwelling Size: Every single family dwelling shall have a minimum floor area of seven hundred twenty (720) square feet.
 7. Height Regulations: No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height.
 8. Accessory buildings may be located not closer than five (5) feet to the rear and side property line but shall not project into any front yard.
 9. All lots of record or subdivisions with preliminary plats approved by the Warren County Regional Planning Commission prior to the effective date of these regulations (which approval has not lapsed by reason of inactivity as provided in the "Warren County Subdivision Regulations") shall be controlled by the Zoning Regulations under which they were approved and shall not be considered as "non-conforming" to this zone.
- D. Permitted Uses other than single-family dwellings.
1. There shall be a front yard having a depth of not less than fifty (50) feet.
 2. For a lot that has frontage on more than one (1) street, the required front yard shall be provided on all streets.
 3. Side Yard: There shall be a side yard of twenty (20) feet total for both sides, with a minimum width of five (5) feet for either side, except for lots with more than one (1) front yard, in which case the minimum side yard shall be five (5) feet on the side, if any, not fronting a street.
 4. Rear Yard: There shall be a rear yard having a depth of not less than thirty-five (35) feet, except for lots with three (3) front yards, in which case the minimum rear yard shall be five feet.
 5. Intensity of use: Every lot or tract shall have a minimum width of two-hundred (200) feet at the building line, at least two-hundred (200) feet of

continuous frontage and an area of not less than one acre or 43,560 square feet.

6. Minimum Size: All uses other than single family dwellings shall have a minimum area of nine-hundred sixty (960) square feet of living space by outside dimensions, exclusive of porches, garages and cellars.
 7. Height Regulations: No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height.
 8. Accessory buildings may be located not closer than five (5) feet to the rear and side property line but shall not project into any front yard.
- E. The sale of household goods, furnishings, clothing, toys, tools and books that have been used by members of the family occupying the premises may be advertised and sold on the premises provided such sale does not last longer than seven (7) consecutive days and is not held oftener than every six (6) months, the items sold were not acquired for the sale and a zoning permit is obtained prior to said sale.
 - F. Publicly owned or operated properties including parks, playgrounds and community centers.
 - G. Recreation area, private or charitable, that is fenced on all sides.
 - H. Public and private forests and wildlife reservations or similar conservation projects, including the usual buildings therefore.
 - I. A private garage or parking spaces. One (1) space either in the garage or in the parking area, but not both may be occupied by one commercial vehicle owned or normally operated by a resident of the premises, except that no commercial trailers or semi-trailers shall be permitted.
 - J. Customary home occupations and professional activities (See definition Section 3.26).
 - K. The keeping of animals is not permitted unless where shelters are not less than eighty-five (85) feet from any property line, except that shelters for not over two (2) adult dogs or cats may be kept anywhere on the premises.
 - L. Bulletin boards for public, charitable or religious institutions not exceeding twenty-five (25) square feet of area. See Section. 21.9 B.2.
 - M. Accessory buildings and uses customarily incidental to any of the above uses.
 - N. Temporary buildings and signs incidental to construction, which building and signs shall be removed upon completion or abandonment of the construction work.