

5.2 GENERAL MEASUREMENT REQUIREMENTS

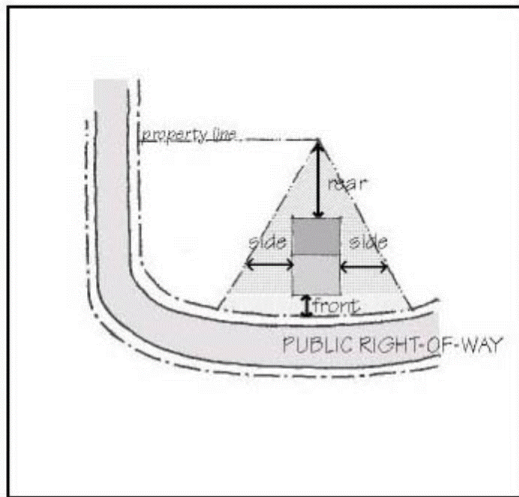
5.2.1 Density

Density shall be measured by taking the quotient of the total number of dwelling units on a site proposed for development divided by the gross acres of the site.

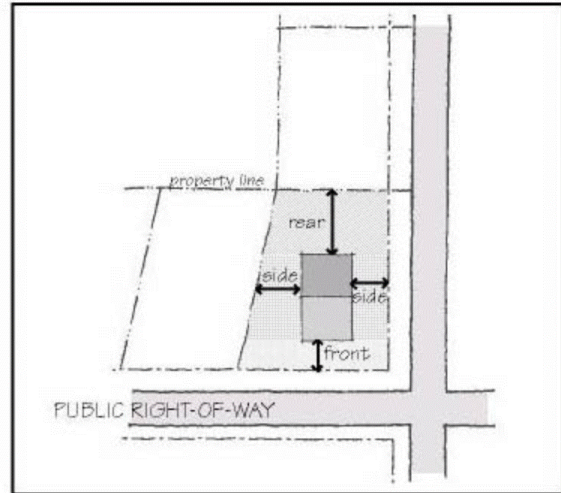
5.2.2 Setbacks

A) *Measurement*

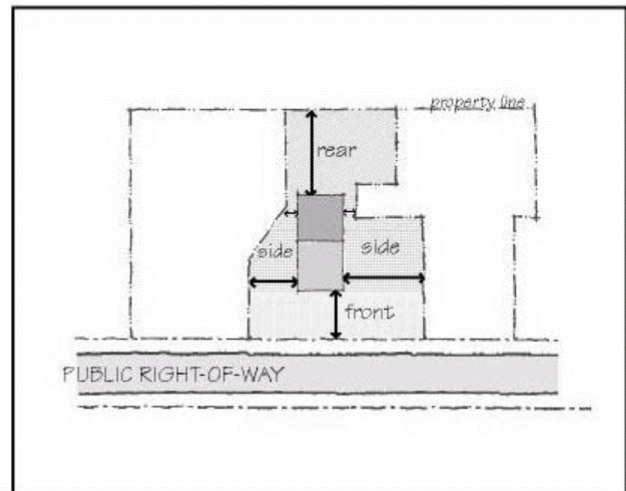
- 1) *General.* Required setbacks shall be measured as the distance between the closer of either the nearest lot line or nearest street right-of-way line and the foundation of a building or structure along a line at right angles to the lot line. Where no minimum front, side, or rear setbacks are specified, the setback line shall be coterminous with the corresponding lot line. Allowable projections into setback areas shall not be utilized for measurement of setbacks. Setbacks shall be established at the time of approval of a Site Plan (Sec. 2.3.6) or Master Subdivision Plan (Sec. 2.3.7.D); the setbacks so established shall continue to apply to the area within the Site Plan or Master Subdivision Plan despite subsequent changes to the setback regulations.



TRIANGULAR LOT SETBACKS



CORNER LOT SETBACKS



IRREGULAR LOT SETBACKS

Figure 5.2.2.A.1 Description of Setbacks

2) *Buffer required.* Where there is a buffer required pursuant to Sec. 6.1.11 *Riparian Buffers* or Sec. 8.2.6 *Buffering*, that buffer shall serve as a setback for all uses in all zoning districts. See Sec. 6.1.11 *Riparian Buffers*, Sec. 8.1.2.H *Setbacks from Resource Conservation Area*, Sec. 8.2.6.B.2 *Setbacks from Edge of Buffer*, and Sec. 8.3.4.C.1 *Setbacks* for additional setbacks that are required from buffers.

3) *No buffer required.* Where there is no buffer required pursuant to Sec. 6.1.11 *Riparian Buffer* or 8.2.6 *Buffering*, the setback shall be the setback required for the use in Secs. 5.1.1- 5.1.4, whichever is appropriate.

B) General

1) *Same lot.* Except as specified below, all setbacks allocated to a building or structure shall be located on the same lot as such building or structure.

- 2) *Townhome lots.* Attached and detached accessory structures may be located anywhere on the lot as long as they meet all applicable building codes, with the exception of townhomes where the setbacks of accessory structures were established at the time of Site Plan, Subdivision Plan, or PUD approval.
- 3) *Landscape features.* Trees, shrubs, flowers, fences, walls, hedges, and other landscape features may be located within any required setback.
- 4) *Encroachments into setbacks.* In addition to landscape features, attached accessory structures are allowed to encroach into required setbacks as follows. However, in no case shall any accessory structure be located closer than five (5) feet to a required buffer or other protected areas. Refer to Sec. 5.2.7 *Dimensional Standards for Accessory Structures* for detached accessory structures.

Table 5.2.2.B.4 Permitted Encroachments into Required Setbacks

Feature	Similar or Example Feature	Encroachments into Front Building Setbacks	Encroachments into Side Building Setbacks	Encroachments into Rear Building Setbacks
Attached decks	-	-	-	50% into rear building setback.
Patios	Terrace	-	Up to 5' from the side property line.	Up to 5' from the rear property line.
Unenclosed porches	-	50% into front building setback.	-	50% into rear building setback.
Enclosed porches	Sunrooms, screened or glassed-in rooms	-	-	50% into rear building setback.
Cantilevers	-	6' into required front or rear yard setback but no closer than 3' from any property line.	Cantilevers shall not encroach into the side yard setbacks.	6' into required front or rear yard setback but no closer than 3' from any property line.
Appurtenances	Including, but not limited to: <ul style="list-style-type: none"> • Balconies • Bay windows • Chimneys (including cantilevered) • Cornices • Eaves • Fire escapes • HVAC, mechanical units, & solar energy systems • Ornamental features • Sills • Steps 	3' into any required setback, provided that they are no closer than 3' to any property line, meet all applicable fire and building codes, and do not encroach into any required buffer.	3' into any required setback, provided that they are no closer than 3' to any property line, meet all applicable fire and building codes, and do not encroach into any required buffer.	3' into any required setback, provided that they are no closer than 3' to any property line, meet all applicable fire and building codes, and do not encroach into any required buffer.
Accessory apartments	-	None.	-	-

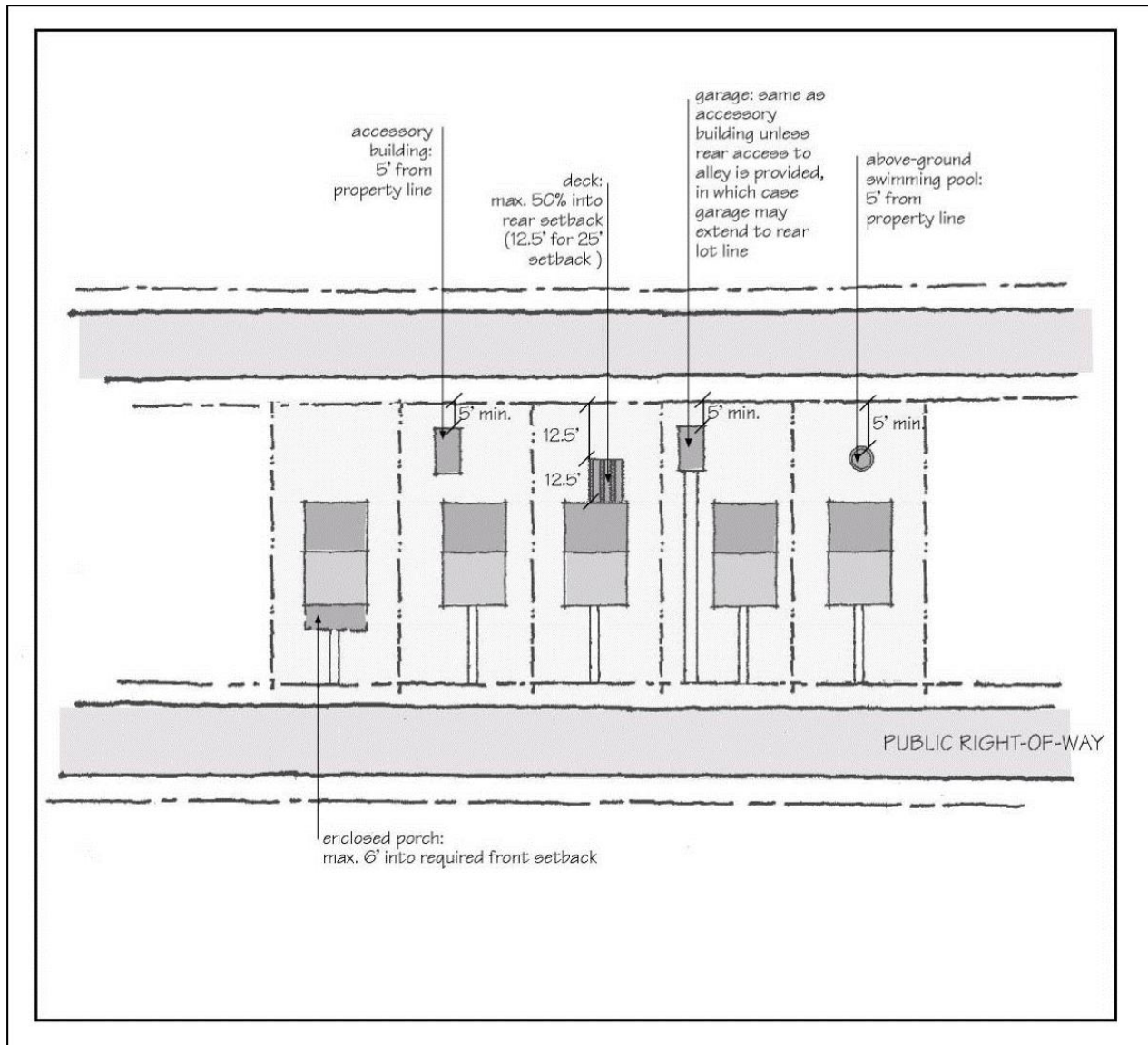


Figure 5.2.2.B.4: Illustration of Features that May Encroach Into Required Setbacks

C) **Front Setback**

- 1) **General.** A front setback extends across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a line parallel thereto on the site.
- 2) **Corner lot.** The front setback of a corner lot shall be measured from the side of the lot designated as the front. The front shall be the side where the front door of the building faces.
- 3) **Contextual front setback.** Regardless of the minimum front setback requirements imposed by this article, applicants shall be allowed to use a "contextual" front setback. A "contextual" front setback may fall at a point between the required front setback and the front setback that exists on the lots that are adjacent and oriented to the same street as the subject lot, as long as the "contextual setback" is compatible and consistent with the setbacks of the adjacent lots. If the subject lot is a corner lot, the "contextual" setback may fall at any point between the required front

setback and the front setback that exists on the lot that is adjacent and oriented to the same street as the subject lot. If lots on either side of the subject lot are vacant, the setback that "exists" on such vacant lots shall be interpreted as the minimum required front setback that applies to the vacant lot. This provision shall not be interpreted as requiring a greater front setback than imposed by the underlying zoning district, and it shall not be interpreted as allowing setbacks to be reduced to a level that results in right-of-way widths dropping below established minimums.

- D) **Side Setback**
A side setback extends from the rear line of the required front setback, or the front property line of the site where no front setback is required, to the front line of the required rear setback, or the rear property line of the site where no rear setback is required, the width of which is the horizontal distance between the side property line and a line parallel thereto on the site, except that the corner side setback shall extend to the rear lot line.
- E) **Rear Setback**
A rear setback extends across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear setback shall extend only to the side setback abutting the street.
- F) **Internal Building Setbacks**
Except in Sustainable Development Conditional Zoning District (SD-CZ), internal building setbacks for condominium, multi-family and apartment, congregate living facilities and nursing and convalescent facilities shall comply with the following spacing standards:
- 1) *Front to front.* Fifty feet from front to front;
 - 2) *Side to side.* Sixteen feet from side to side;
 - 3) *Side to rear.* Thirty-three feet from side to rear or rear to side; and
 - 4) *Rear to rear.* Fifty feet from rear to rear.

5.2.3 Lot Measurement

- A) **Lot Width**
Lot width refers to the horizontal distance between side lot lines. Lot width shall be measured as the distance between the side lot lines as measured at the front building setback line.
- B) **Average Lot Size**
Average lot size refers to the size of single-family lots in the Residential Agricultural (RA), Rural Residential (RR), and Low Density (LD) Districts. The average size of the lots shall be calculated by taking the total acreage of the area within the residential lots and dividing it by the number of lots.

5.2.4 Height Measurement and Requirements

- A) **Measurement**
Height shall be measured as the vertical distance in feet between the finished floor (not to include finished grade of a basement) to the highest point of the structure at the front elevation.

B) Exceptions to Height Regulations

- 1) *What not to consider in determining height.* Cupolas, steeples, domes, flag poles, antennas for which a building permit is not required, chimneys, and roof structures used for ornamental or mechanical purposes, when located on a roof and collectively not exceeding in gross area 30% of the roof area, need not be included in determining the height of a building or structure.
- 2) *Parapet walls.* Parapet walls may extend not more than five (5) feet above the allowable height of a building.
- 3) *Contextual height limit.* Regardless of the maximum height limit imposed by this Article, a “contextual” height limit shall be applied. The allowed “contextual” height may fall at a point between the maximum height limit and the height of the building(s) that exist on a lot that is adjacent to the subject lot, as long as the “contextual height” is compatible and consistent with the height of the adjacent buildings. If the subject lot is a corner lot, the “contextual” height may fall at any point between the maximum height limit and the building height that exists on the lot that is adjacent to the subject lot. If lots on either side of the subject lot are vacant, the height that “exists” on such vacant lots shall be interpreted as the maximum height limit that applies to the vacant lot. This provision shall not be interpreted as requiring greater minimum heights or lower maximum heights. In any event, the height of new development shall comply with height requirements established by the Federal Aviation Administration and codified at CFR Part 77.

5.2.5 Bulk Measurement and Requirements

A) Built-Upon Area

Calculation of the built-upon area within the proposed development shall include, but not be limited to, all existing public and private streets, proposed public streets, sidewalks, driveways, rooftops, parking lots, patios, and all other impervious and partially impervious surfaces, including CABC and gravel within the development. The calculation of built-upon area is expressed as a percentage of total site area. Swimming pools and wooden decks shall not be included in the calculation of the built-upon area.

B) Reserved

5.2.6 Distances

Distances shall be measured on a straight line with no consideration as to intervening structures, roads or other land forms.

5.2.7 Dimensional Standards for Detached Accessory Structures

Most accessory uses take place within the primary structure on a site. Accessory uses that occur in separate, accessory structures shall comply with the standards of this section, unless otherwise expressly stated.

A) Location of Accessory Structures

Accessory structures shall be considered a part of the principal building when the distance between structures is solidly covered by a breezeway, portico, or similar architectural device at least four (4) feet in width. Attached accessory structures shall meet the requirements of Sec. 5.2.2.B.4.

B) Percentage of Required Yard Occupied and Required Setbacks

- 1) Unless otherwise specified, no detached accessory building shall occupy more than 35% of the area of the required yard, nor be located closer than 10 feet to any principal building.
- 2) With the exception of driveways, accessory structures shall only be permitted in the front yard if the structure is at least 60' from the front property line.
- 3) Wells and well houses shall be exempt from the setbacks required in Sec. 5.1 *Table of Intensity and Dimensional Standards* and shall comply with the rules established by the County.

C) Height of Accessory Structures

No detached accessory building or structure shall exceed the height of the principal building or structure.

D) Corner Lot

When an accessory structure is located on a corner lot in residential districts, the structure shall be set back not less than 10 feet from the side lot line abutting the street.

E) Encroachments into Setbacks

Feature	Encroachments into Building Setbacks
Sheds	Can be located no closer than 5' from the side or rear property line.
Pools, above-ground or in-ground	Can be located no closer than 5' from the side or rear property line.
Hot tubs	Can be located no closer than 5' from the side or rear property line.
Unattached carports	Can be located no closer than 5' from the side or rear property line.
Unattached garages	Can be located no closer than 5' from the side or rear property line.
Single-family recreational accessory uses	Must be located entirely in the rear yard and shall be set back no less than 50' from all property lines.
Driveways	Must be at least 1' from the side property line. Shared driveways are exempt from this requirement.
Accessory apartments	Can be located no closer than 5' from the side or rear property line.
Temporary health care structure	Must comply with the minimum building setbacks applicable to the district in which it is located.
All other detached structures (including solar energy systems)	Can be located no closer than 5' from the side or rear property line.