

## **11-302. R-1 LOW DENSITY RESIDENTIAL DISTRICTS**

### **A. Purpose and Intent**

These districts are designed to provide suitable areas for low-density residential development characterized by an open appearance. The residential development will consist of single family detached dwellings and accessory structures. These districts also include community facilities, public utilities, and open uses that serve specifically the residents of these districts. Further, it is the intent of this ordinance that these districts be located so that the provisions of appropriate urban services will be physically and economically feasible and so that provision is made for the orderly expansion and maintenance of urban residential development.

### **B. Uses and Structures**

#### **1. Principal Permitted Uses and Structures**

RESIDENTIAL DWELLINGS - limited to -

Single family detached

INSTITUTIONAL - limited to -

Day care centers, family day care homes and group day care homes, provided they are run by a church and on the premises of the church, Parks, playgrounds and playfields

PUBLIC UTILITIES - limited to -

Electric, communication and telephone distribution lines, poles, transformers and splice boxes (but not including electric transmission lines)

Water, storm drainage and sewer lines and gas distribution lines with incidental appurtenances (but not including major fuel transmission lines)

Private Streets

Rights-of-way to all modes of transportation

Small landscaped, scenically significant open areas, natural reserves

UNDEVELOPED AND VACANT - except for -

Circuses, carnivals and similar transient enterprises

Open water including ponds, lakes and reservoirs, streams and waterways (all man-made)

#### **2. Permitted Accessory Uses and Structures**

a. Private garages and parking areas;

b. Private swimming pools, tennis courts and other outdoor recreation facilities exclusively for the use of the residents;

c. Home occupations as defined and subject to the provisions of this Ordinance; except beauty shops;

d. Accessory uses or structures customarily incidental to the above permitted uses.

#### **3. Conditional Uses**

INSTITUTIONAL - limited to -

Place of worship

School, public or private, grades K-12

Country Clubs

Community centers

Orphanages

All golf courses

Public, parochial and private non-profit libraries, museums, art galleries and observatories

Police and fire stations

Temporary non-profit festivals

PUBLIC UTILITIES - limited to -

Electric or gas substations

Reservoirs and water tanks

Water production, treatment facility

UNDEVELOPED AND VACANT - limited to -

Open water including ponds, lakes and reservoirs, streams and waterways (all man-made).

4. Prohibited Uses  
Any use not allowed by Right, by Accessory or by conditional use is prohibited in the R-1 Low Density Residential Districts.
- C. Bulk Regulations
1. Minimum Required Lot Area  
Within the R-1 Districts, the minimum required lot area shall be 15,000 square feet.
  2. Minimum Lot Width at the Building Line  
Within the R-1 Districts, the width of a lot at the building line shall be at least one hundred (100) feet.
  3. Maximum Height  
The maximum height of a front wall or other portion of a building or other structure at the street level shall be seventy-five (75) feet above the finished grade. However, this limitation shall not apply to those uses spelled out in 11-104 (D), Exception on Height Limitations.
- D. Yard Requirements
1. General Provisions  
General provisions applicable to all residential districts concerning visibility at intersections, permitted obstructions in required yards; obstructions prohibited at street intersections, exception to these provisions and other regulations are contained in Section 11-105 of this Ordinance.
  2. Basic Provisions  
The basic yard regulations appearing below apply to all zone lots located within R-1 Districts.
    - a. Front Yards  
In all R-1 Districts, front yards shall be a minimum of forty (40) feet. On double frontage lots and corner lots, there shall be a front yard on each street.
    - b. Side Yards  
Interior Lots – Minimum of 15 feet  
  
Corner lots: Street side - 40 feet  
Non-street side - 15 feet
    - c. Rear Yards  
In all R-1 Districts, rear yards shall be a minimum of twenty-five (25) feet.
- E. Site Plan Review for Community Facility Uses
1. **Prior to issuance of a building permit, a Site Plan for the use and development of the entire tract shall be submitted to the Planning Commission. The Site Plan shall conform to the following requirements:**
    - a. **Be drawn on a scale of 1" = 100**
    - b. Include the following:
      - All existing and proposed roads and drainage ways;
      - Curb cuts, drives and parking areas;
      - Landscaping and planting screen;
      - Building lines enclosing the portion of the tract within which the buildings are to be erected;
      - The proposed use of the land and building;
      - The existing zoning.
    - c. Show the building elevations for the front, rear and sides of all buildings and any proposed signs.
    - d. Include a vicinity map showing the relationship of the proposed development to Brownsville;
    - e. Show the relation of the proposed development to:
      - The street system
      - The surrounding use district, and
      - Surrounding properties
    - f. Bear a certificate by a licensed civil engineer, architect or surveyor, certifying that the plan as shown is true and correct;
    - g. Bear a form for certificate of approval by: The Secretary of the Planning Commission
    - h. Provide a form for certification by the owner and trustee of the mortgage, if any, that they adopt the plan, and dedicate the streets as shown on the plan and agree to make any required improvements as shown on the plan.

2. The Planning Commission, within thirty (30) days shall approve the Site Plan as submitted or reject the Site Plan as submitted. The reasons for rejection of the Site Plan shall be certified to the applicant in writing. The Planning Commission shall have the authority to give conditional approval to a Site Plan, subject to revision being required of the applicant.
3. The certification required of the owner and trustee of the mortgage in 11-302 (E)(1)(h) of this ordinance shall serve as the commitment by the owner that the site will be developed as shown on the approved Site Plan. Upon such certification by the owner, the approved site plan shall be recorded by the owner with the Haywood County Register's Office and shall regulate the development of the subject parcel. If, during the process of construction, the Building Inspector notes variations from the approved Site Plan, he shall promptly notify the owner in writing of these variations and shall direct that the variations be corrected within a specified period. If, after proper notice by the Building Inspector, the owner has not complied with the provisions of the approved Site Plan, the Building Inspector shall have the authority to cite the owner to Municipal Court for violation of this ordinance.
4. The Building Inspector shall have the authority to authorize minor revisions to the approved Site Plan during the process of construction, if, in his opinion, the revisions do not substantially alter the nature of the approved Site Plan, with the written concurrence of the Chairman of the Planning Commission.