AN ORDINANCE TO AMEND the Code of the Town of Appomattox by deleting and repealing Chapter 195, Zoning, Article IV to be entitled Residential District, Limited, R-2 (Village Homes) and replacing it with a new Chapter 195, Zoning, Article IV to be entitled Residential District, Limited, R-2;

Be it ordained by the Council of the Town of Appomattox, as follows:

Section 1. The Code of the Town of Appomattox is hereby amended by deleting and repealing Chapter 195, Zoning, Article IV, Residential District, Limited, R-2 (Village Homes) and

Section 2. The Code of the Town of Appomattox is hereby amending by adding thereto a new Chapter to replace Chapter 195, Zoning, Article IV hereinabove repealed, to be Chapter 195, Zoning, Article IV, Residential District, Limited, R-2 to read as follows:

§ 195-32.1. Statement of Intent.
§ 195-32.2. Permitted Uses.
§ 195-32.3. Lot size; yard regulations.
§ 195-32.4. Uses by Special Use Permit (Development Standards).
§ 195-32.5. Height regulations.
§ 195-32.6. Square footage requirements.
§ 195-32.7. Landscaping requirements.

~~**§ 195-32. Statement of intent.**~~

~~This district covers that portion of the community intended for single-family residences as distinguished by smaller area regulations. This type of residence requires the special landscaping or architectural treatment set forth in this article. The standards contained herein are designed to reduce noise transmission between residences, reduce visual intrusion and decrease the impact of smaller area requirements on adjacent properties. Village homes can only be constructed in specified Residential Districts R-2. A special use permit is required.~~

~~**§ 195-33. Uses permitted.**~~

~~Village homes are permitted in R-2 Residential Districts subject to the approval of a tentative site plan including the location of all proposed structures, exterior views, and preliminary landscaping proposals showing the location, quantity and type of plant materials.~~

~~**§ 195-34. Lot size; yard regulations.**~~

~~A. Lot area. The minimum lot area shall be 4,500 square feet.~~

~~B. Lot width. The minimum lot width shall be 45 feet measured at the point of required setback line.~~

~~C. Lot depth. The minimum lot depth shall be 75 feet.~~

D. Front depth. The minimum depth of the front yard shall be 25 feet.

E. Rear yard. All dwellings shall have a minimum rear yard of 15 feet. Unattached buildings of accessory use shall not be located closer to any rear lot line than five feet.

F. Side yard. Side yards abutting a public street shall have a setback of not less than 20 feet; however, side yards not abutting on a public street may be reduced or eliminated, provided that:

(1) At least 50% of the side yard reduced by this procedure is made up on the opposite side of the site;

(2) Where a reduced side yard is used, the abutting site must be held under the same ownership at the time of issuance of the building permit;

(3) Unless a zero side yard is used, the side yard shall not be less than five feet;

(4) The wall of any structure constructed along a common property line shall be solid masonry material or other materials approved by the statewide building code that would provide the appropriate fire rating;

(5) Finished grade of any proposed residence at the common property line shall not exceed finished grade on the abutting property by more than four feet in height.

§ 195-35. Height regulations.

No dwelling shall exceed three stories or 35 feet in height whichever is less. Accessory buildings shall not exceed 15 feet in height.

§ 195-36. Square footage requirements.

A. Dwellings shall have a minimum of 1,200 square feet exclusive of porches and garages. Additionally, multistory dwellings must contain at least 800 square feet on the main level, and below-ground levels cannot be used to meet the required minimum area of 1,200 square feet.

B. In addition to the requirements of Subsection A, all dwellings shall have 100 square feet of enclosed storage space. The storage space may be an integral part of the dwelling, or it may be in the form of an accessory building meeting the requirements of this chapter and all other applicable laws.

§ 195-37. Landscaping requirements.

A. The yards of Village homes shall be landscaped and shall include, at a minimum, the installation of one shade tree and three evergreen shrubs or decorative trees and at least one of the following three landscaping or architectural treatments:

(1) A front yard raised above the grade of the sidewalk by at least three inches and four flowering or evergreen shrubs.

(2) Two decorative trees, a hedge consisting of at least 20 plants, and 10 flowering or evergreen shrubs or alternatively 20 flowering or evergreen shrubs.

(3) A berm or earth mound averaging 18 inches above the average grade of the rest

~~of the yard and covering 20% of the lot not covered by the dwelling or other structures. The berm or earth mound shall be covered with grass or ground cover and must be planted with at least four decorative trees or evergreen shrubs.~~

~~B. Standards. The requirements of "landscaping requirements" shall be met prior to issuance of an occupancy permit for any dwellings permitted under this chapter.~~

§ 195-32.1 Statement of intent.

This district covers that portion of the community intended for single-family residences as distinguished by smaller lot area regulations. 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 where there are children, and to prohibit all activities of a commercial nature.

§ 195-32.2 Permitted uses.

A. Single-family dwellings.

B. Short Term Rentals.

C. Home occupations, as defined in this chapter, conducted by the occupant.

§ 195-32.3. Lot size; yard regulations.

A. Lot area. The minimum lot area shall be 4,500 square feet.

B. Lot width. The minimum lot width shall be 45 feet measured at the point of required setback line.

C. Lot depth. The minimum lot depth shall be 75 feet.

D. Front depth. The minimum depth of the front yard shall be 25 feet.

E. Side yard. The minimum setback of the side yard shall be at least five feet.

F. Rear yard. All dwellings shall have a minimum rear yard of 15 feet. Unattached buildings of accessory use shall not be located closer to any rear lot line than five feet.

§ 195-32.4. Uses by Special Use Permit. (Development Standards)

A. Village homes are permitted in R-2 Residential Districts subject to the approval of a tentative site plan including the location of all proposed structures, exterior views, and preliminary landscaping proposals showing the location, quantity, and type of plant materials.

B. Lot area. The minimum lot area shall be 4,500 square feet.

C. Lot width. The minimum lot width shall be 45 feet measured at the point of required setback line.

D. Lot depth. The minimum lot depth shall be 75 feet.

E. Front depth. The minimum depth of the front yard shall be 25 feet.

F. Side yard. Side yards abutting a public street shall have a setback of not less than 20 feet; however, side yards not abutting on a public street may be reduced or eliminated, provided that:

(1) At least 50% of the side yard reduced by this procedure is made up on the opposite side of the site;

(2) Where a reduced side yard is used, the abutting site must be held under the same ownership at the time of issuance of the building permit;

(3) Unless a zero-side yard is used, the side yard shall not be less than five feet;

(4) The wall of any structure constructed along a common property line shall be solid masonry material or other materials approved by the statewide building code that would provide the appropriate fire rating;

(5) Finished grade of any proposed residence at the common property line shall not exceed finished grade on the abutting property by more than four feet in height.

G. Rear yard. All dwellings shall have a minimum rear yard of 15 feet. Unattached buildings of accessory use shall not be located closer to any rear lot line than five feet.

§ 195-32.5. Height regulations.

No dwelling shall exceed three stories or 35 feet in height whichever is less. Accessory buildings shall not exceed 15 feet in height.

§ 195-32.6. Square footage requirements.

A. Dwellings shall have a minimum of 1,200 square feet exclusive of porches and garages. Additionally, multistory dwellings must contain at least 800 square feet on the main level, and below-ground levels cannot be used to meet the required minimum area of 1,200 square feet.

B. In addition to the requirements of Subsection A, all dwellings shall have 100 square feet of enclosed storage space. The storage space may be an integral part of the dwelling, or it may be in the form of an accessory building meeting the requirements of this chapter and all other applicable laws.

§ 195-32.7. Landscaping requirements.

A. The yards of Village homes shall be landscaped and shall include, at a minimum, the installation of one shade tree and three evergreen shrubs or decorative trees and at least one of the following three landscaping or architectural treatments:

(1) A front yard raised above the grade of the sidewalk by at least three inches and four flowering or evergreen shrubs.

(2) Two decorative trees, a hedge consisting of at least 20 plants, and 10 flowering or evergreen shrubs or alternatively 20 flowering or evergreen shrubs.

(3) A berm or earth mound averaging 18 inches above the average grade of the rest of the yard and covering 20% of the lot not covered by the dwelling or other structures. The berm or earth mound shall be covered with grass or ground cover and must be planted with at least four decorative trees or evergreen shrubs.

B. Standards. The requirements of "landscaping requirements" shall be met prior to issuance of an occupancy permit for any dwellings permitted under this chapter.

Section 3. Effective date.

This ordinance shall become effective on December 12, 2022.

Adopted 12-12-2022