

R-1 SINGLE FAMILY RESIDENCE DISTRICT

PLANNING AND ZONING CODE - PART 13 - SEE ATTACHED ORDINANCE

City of Hurricane, WV

BACK & SIDE YARDS

- FENCES, WALLS AND HEDGES MAY BE PERMITTED AT MAX 6' HIGH (1339.04 (6))
- ALSO THEY MUST STOP AT 12' MAX FORWARD FROM REAR OF HOUSE

SIDE YARD OFFSETS

- 6' MIN WITH MAX 1 1/2 STORY BUILDING
- 8' MIN WITH 2+ STORY BUILDING
- CORNER LOT 12' MIN ON SIDE ABUTTING THE STREET (1339.04 (3))

FRONT YARDS

- FENCE, WALL OR HEDGE IN FRONT YARD - 4' MAX HGT
- VISIBILITY AT INTERSECTIONS MUST ALWAYS BE MAINTAINED

LOT SIZE

- 6000 sf MIN (1)
- 50' MIN FRONT & REAR LOT LINES (2) (1339.04)

LOT LINE

◦ 50' MIN

6' MIN FROM ALLEYS

ACCESSORY BUILDING

- GARAGES, CARPORTS & PARKING AREAS
- REAR YARD ONLY
- MAX 30% REAR YARD COVERAGE
- 12' HIGH MAX (1365.01) (1339.03)

3' MIN FROM REAR OR SIDE LOT LINES (1365.01)

CONNECTING BREEZEWAY ALLOWED

6' MIN FROM OTHER BUILDINGS ON SAME LOT (1365.01)

HOUSE BUILDING HEIGHT

- 2 1/2 STORY OR 35' MAX
- 3 STORY OR 40' MAX FOR OTHER PERMISSIVE USES (1339.04)

LOT LINE

PORCH

OFF STREET PARKING

- 2 SPACES MIN WITH GARAGE OR CARPORT CONSIDERED AS ONE SPACE
- 10' X 20' MIN
- DRIVEWAYS 9' X 18' (1339.05) (1367.02) (1309.02)

PROPERTY PIN

FRONT YARD (1339.04 (2))

20' MIN

◦ 50' MIN LOT LINE

CURBS

STREET

STREET R/W

R-1 SINGLE FAMILY RESIDENCE DISTRICT

USES, SIGNS, ACCESSORY BUILDINGS, DIMENSIONAL STANDARDS, OFF-STREET PARKING EXCERPTS FROM CITY OF HURRICANE, WV ORDINANCES – HURRICANE BUILDING DEPT.

Sec. 1339.01. - Permissive uses.

The following buildings and uses may be permitted in the R-1 Single-Family Residential Districts:

- (1) One single-family residential dwelling per lot.
- (2) Public and nonprofit private schools, churches and other places of worship.
- (3) Existing railroad rights-of-way, not including switching yards, storage yards or sidings.
- (4) Any form of agricultural use except the keeping of livestock or poultry.
- (5) Forestry and wildlife preserves.

(Code 1991, § 1339.01; Ord. of 10-3-1977)

Sec. 1339.02. - Special permit uses.

The following buildings and uses may be permitted in the R-1 Single-Family Residential Districts when authorized by the Municipal Planning Commission as a special exception:

- (1) Home occupation or professional office within the owner's dwelling.
- (2) Child care centers, kindergartens or nursery schools, subject to the following provisions:
 - a. For each child to be cared for, a minimum of 200 square feet of outdoor play area;
 - b. There shall be a fence constructed which is capable of containing the children within the play area; and
 - c. Such use shall not constitute a nuisance because of traffic, number of children being cared for, noise or types of physical activities which will be allowed on a zoning lot.
- (3) Public utility uses.
- (4) Public parks, playgrounds, playlots, community centers and public swimming pools not conducted as a gainful business.
- (5) Private nonprofit recreational facilities in the nature of swimming clubs, tennis clubs and other similar activities, when not located less than 50 feet from any other lot boundary line in an R District and provided the play area is screened and fenced.
- (6) Broadcasting towers and equipment, if located on a tract of land which is sufficient in size to have a lineal dimension from the base of a tower to all property lines equal to or greater than the height of the tower. No provision of this section shall pertain to, or require a special permit for, citizen's band and/or amateur radio antennae or supporting structures that have a height of 60 feet or less measured from ground level.
- (7) Art galleries, public libraries or museums.
- (8) Keeping of horses provided:
 - a. No stables shall be located within 100 feet of any lot line; and
 - b. If not more than two horses are kept, the stable shall be located on a tract of not less than two acres; if three or more horses are kept, the stable shall be located on a tract of not less than five acres.
- (9) Cemeteries.
- (10) Planned unit developments (see Article 1373).

(Code 1991, § 1339.02; Ord. of 10-3-1977)

Sec. 1339.03. - Permitted accessory uses.

The following accessory buildings and uses shall be permitted in the R-1 Single-Family Residential Districts:

- (1) Private garages, carports or parking areas.
- (2) Keeping of not more than two nontransient roomers or boarders by a resident family.
- (3) Other accessory buildings or uses customarily incidental to a permitted principal use, subject however, to Section 1365.01.
- (4) Signs, subject however, to the following restrictions:
 - a. Street or road signs shall be at a height of not less than seven feet above the top level of the curb.
 - b. Signs designating the name of the occupant and street number may be attached to the surfaces of the structure if the letters and numbers are not in excess of three inches in height.
 - c. Temporary signs advertising the sale, rental or development of property, or signs indicating the location and direction of premises shall not exceed 12 square feet in area.
 - d. Signs erected in connection with any of the permitted principal uses of a nonresidential character shall not exceed 12 square feet in area.
 - e. Signs appertaining to a nonconforming use shall not exceed 50 square feet in area if flat against a building and shall not exceed 25 square feet in an area if freestanding.
 - f. The bottom-most part of the sign (except those appertaining to a nonconforming use) shall not exceed the height of two feet above ground grade if not attached to a structure.
 - g. Signs shall be located at a minimum distance of four feet from the street or road right-of-way if no sidewalk exists and four feet from the edge of the inside walk if such a walk exists.
 - h. No sign, permanent or temporary, shall be installed in the sight triangle if it is in conflict with sight line and sight triangle requirements.
- (5) A residence may have personal motor vehicles on the City street so that it doesn't cause any obstructions, safety hazards or other impediments as determined by the City's Police Department. There cannot be more than two motor vehicles per household parked on a City street for more than 72 consecutive hours. Failure to abide by the 72-hour provision will result in a citation from the Police Department. Motor vehicles are defined as passenger cars and trucks that are owned by the residence or permitted by the owner of

the residence. Recreational vehicles, boats, campers, buses, trailers, all-terrain vehicles, construction equipment/vehicles, mobile storage containers or any other apparatuses deemed unsuitable by the City's Police Department are prohibited on City streets.

(Code 1991, § 1339.03; Ord. of 10-3-1977; Ord. of 12-7-2015(1))

Sec. 1339.04. - Dimensional standards.

The following dimensional standards shall apply in the R-1 Single-Family Residential Districts:

- (1) The lot area shall be a minimum of 6,000 square feet.
- (2) The front yard shall not be less than 20 feet deep and 50 feet wide.
- (3) The side yards shall not be less than six feet wide for one or one-and-one-half-story buildings, and not less than eight feet wide for two or more stories. Corner lots shall have a side yard not less than 12 feet wide on the side abutting the street.
- (4) The rear yard shall not be less than 30 feet deep and 50 feet wide.
- (5) Building height shall be a maximum of two and one-half stories or 35 feet. Structures associated with other permissive or excepted uses shall not exceed three stories or 40 feet in height.
- (6) Fence, walls, and hedges may be permitted for a maximum height of six feet high. Fences, walls and hedges may be constructed starting at the rear corner of the house to the property line.

(Code 1991, § 1339.04; Ord. of 10-3-1977; Ord. of 11-2-2015(1))

Sec. 1339.05. - Off-street parking and loading requirements.

Off-street parking and loading requirements in the R-1 Single-Family Residential Districts shall be scheduled according to the provisions of Article 1367.

(Code 1991, § 1339.05; Ord. of 10-3-1977)

CROSS REFERENCES

The provisions of this Zoning Ordinance shall be subject to such exceptions, additions or modifications as herein provided by the following supplementary regulations:

Sec. 1365.01. - Accessory buildings in residence districts.

- (a) No accessory building shall be erected in any yard other than a rear yard; nor shall it occupy more than 30 percent of a required rear yard. Accessory buildings shall not exceed 12 feet in height and shall be distant at least three feet from all lot lines of adjoining lots which are in any R district and at least six feet from alley lines and from any other building or structure on the same lot; provided however, that where the natural grade of a lot at the front wall of the principal building is more than eight feet above the average established curb grade in front of the lot, a private garage may be erected within any yard but not within six feet of any street line, provided that at least one-half of the height of such private garage shall be below the level of the yard.
- (b) Any accessory building may be erected as an integral part of the principal building, or, if at least six feet therefrom, may be connected thereto by a breezeway or similar structure, provided all yard requirements of this Zoning Ordinance for a principal building are complied with.

(Code 1991, § 1365.01; Ord. of 10-3-1977)

Sec. 1367.02. - Off-street parking requirements.

- (a) In all zoning districts, off-street parking facilities shall be provided and satisfactorily maintained by the owner of the property for each building or land use which is erected, enlarged or altered according to the following minimum standards:
 - (19) Single-family dwelling: Two spaces for the dwelling unit's occupants with the garage or carport being considered as one space.

Sec. 1309.02. - Definition of terms.

Terms used in this Zoning Ordinance shall have the definition provided in any standard dictionary, except the following terms:

- (39) Parking area means an off-street area containing one or more parking spaces of minimum size ten feet by 20 feet for driveways nine feet by 18 feet for parking lots with passageways or aisles assuring adequate access. Minimum size of one-way aisles shall range from 11 feet to 12.5 feet; two way aisles from 20 feet to 22 feet.
- (48) *Single-family dwelling* means a building designed for and occupied exclusively as a residence for only one family.