

ARTICLE 10 RESIDENTIAL DISTRICTS

SECTION 1000 R-1, RESIDENTIAL

SECTION 1002 PURPOSE

The purpose of the R-1, Single-Family Residential District is to provide for a maximum residential development at a density of one (1) dwelling unit per acre. Development of major subdivisions in the R-1 District shall be limited to sites served by public sanitary sewer systems. They should be limited to sites, which are located adjacent to major collectors, minor arterials, or major arterials, as defined in the St. Leon Comprehensive Plan; and are generally best located immediately adjacent to Agricultural and Residential Zoning Districts.

SECTION 1004 PERMITTED USES

- a. One-family dwellings
- b. On any contiguous property with a minimum of two (2) acres or more, one non-household, undomesticated animal per acre may be kept; the keeping of as many as four (4) animals customarily considered domesticated, household pets is also permitted—provided that such animals are not vicious, and provided that these animals do not present unsanitary conditions, as determined by the Dearborn County Department of Health. Any building in which five (5) or less non-household, undomesticated animals are kept shall be located not less than one hundred (100) feet from any lot line. Any building in which more than five (5) non-household, undomesticated animals are kept shall be located not less than two hundred and fifty (250) feet from any other adjoining property line(s), recorded residential subdivision or lot containing a dwelling other than a farm dwelling. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, nor shall these regulations prohibit the private keeping of any number of fish in aquaria;
- c. Property owners containing less than 2 contiguous acres may keep as many as four (4) animals customarily considered domesticated, household pets, provided that such animals are not vicious, and provided that these animals do not present unsanitary conditions, as determined by the Board of Health. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, nor shall these regulations prohibit the private keeping of any number of fish in aquaria;
- d. Public parks and playgrounds
- e. Cemeteries
- f. Essential services
- g. Accessory uses

- h. Agricultural Uses on 5 acres or more
- i. Home occupations
- j. Child care services for 5 or fewer children
- k. Public and parochial schools
- l. Religious institutions
- m. Federal, state, county, or municipal buildings

SECTION 1006 SPECIAL EXCEPTIONS

The following special exceptions shall be permitted within the R-1, Single-Family Residential District only as specifically authorized by the Board of Zoning Appeals in accordance with the regulations of Section 320 of this Ordinance:

- a. Accessory apartments
- b. Two-family dwellings; Duplexes
- c. Child care homes
- d. Child care centers
- e. Hospitals
- f. Public and private utility structures
- g. Public swimming pools
- h. Private clubs
- i. Private camps
- j. Golf courses
- k. Nursing homes
- l. Cellular communications facilities
- m. Assisted living centers

SECTION 1008 LOT AND YARD REQUIREMENTS

The following lot and yard requirements shall apply within the R-1, Single-Family Residential District:

Use	Single-Family Dwellings	All other permitted uses and special exceptions identified in R-1 Single-Family Residential District
Minimum Lot Size	1 acre	1 acre
Minimum Road Frontage	80 feet	120 feet
Maximum Lot Coverage	30 percent	40 percent
Minimum Yard Requirements:		
Front Yard Setback*	Arterial: 75' Collector: 65' Local: 55'	
Side Yard Setback	10 feet	30 feet
Rear Yard Setback	20 feet	30 feet
Maximum Building Height	45 feet	45 feet; except for structures associated with agricultural uses, where the maximum building height is 50 feet.
Minimum Ground Floor Area for Principal Use	1000 square feet for single-story; 900 square feet for two or more stories.	1000 square feet for single-story; 900 square feet for two or more stories.

**Indicates the minimum distance required from the front of a proposed structure to the centerline of the adjacent public and private roadway(s)*

SECTION 1010 R-2, MULTI-FAMILY RESIDENTIAL

SECTION 1012 PURPOSE

The purpose of the R-2, Multi-Family Residential District is to encourage multi-family residential development at a density of up to ten (10) dwelling units per acre while allowing for one- and two-family residential development at a density of one and one-third (1.33) dwelling units per acre. Development should be limited to sites which are located adjacent to major collectors, minor arterials, or major arterials, as defined in the St. Leon Comprehensive Plan.

SECTION 1014 PERMITTED USES

The following uses are permitted within the R-2, Multi-Family Residential District:

- a. Multi-family dwellings
- b. One-family dwellings
- c. Two-family dwellings
- d. Property owners containing less than 2 contiguous acres may keep as many as four (4) animals customarily considered domesticated, household pets, provided that such animals are not vicious, and provided that these animals do not present unsanitary conditions, as determined by the Board of Health. Nothing in this section shall prohibit the temporary (less than five (5) months) keeping of newborn offspring of permitted animals, nor shall these regulations prohibit the private keeping of any number of fish in aquaria;
- e. Public parks and playgrounds
- f. Essential services
- g. Accessory uses
- h. Home occupations
- i. Child care services for 5 or fewer children
- j. Public and parochial schools
- k. Federal, state, county, and municipal buildings

SECTION 1016 SPECIAL EXCEPTIONS

The following special exceptions shall be permitted within the R-2, Multi-Family Residential District only as specifically authorized by the Board of Zoning Appeals in accordance with the regulations of Section 320 of this Ordinance:

- a. Child care homes

- b. Child care centers
- c. Hospitals
- d. Public and private utility structures
- e. Public swimming pools
- f. Nursing homes
- g. Private clubs
- h. Private camps
- i. Funeral homes
- j. Assisted living centers
- k. Religious institutions

SECTION 1018 LOT AND YARD REQUIREMENTS

The following lot and yard requirements shall apply within the R-2, Multi-Family Residential District:

Use	Multi-Family Dwellings	Single-Family and Two-Family Dwellings	All other permitted uses and special exceptions within the R-2 Multi-Family Residential District
Minimum Lot Size	1.5 acres	.75 acres	1.5 acres
Minimum Road Frontage	100 feet	50 feet	50 feet
Maximum Lot Coverage	60 percent	35 percent	60 percent
Minimum Yard Requirements:			
Front Yard Setback*	Arterial: 70' Collector: 60' Local: 50'		
Side Yard Setback	20 feet	10 feet	10 feet
Rear Yard Setback	20 feet	20 feet	20 feet
Maximum Building Height	45 feet	45 feet	45 feet
Minimum Ground Floor Area for Principal Use	750 square feet	900 square feet	750 square feet

**Indicates the minimum distance required from the front of a proposed structure to the centerline of the adjacent public and private roadway(s)*

SECTION 1020 MOBILE HOME PARK DISTRICT

SECTION 1022 PURPOSE

The purpose of the R-3, Mobile Home Park District is to provide for the placement of mobile homes within a large-scale unified development under single ownership. Specific standards are included to promote developments that are one-family residential in character and which minimize incompatibilities with surrounding land uses.

SECTION 1024 LOT AND YARD REQUIREMENTS

The following lot and yard requirements shall apply within the R-3, Mobile Home Park District:

Use	All permitted uses and special exceptions identified in the R-3, Mobile Home Park District.
Minimum Lot Size	5,000 square feet
Minimum Road Frontage	50 feet
Minimum Front Yard Setback*	Arterial: 70' Collector: 60' Local: 50'
Minimum Side Yard Setbacks	7 feet per side yard with two (2) side yards; 14 feet between structures
Minimum Rear Yard Setback	20 feet
Maximum Structure Height	30 feet
Lot Coverage For Structures	30 percent by mobile home, 40 percent by all structures

**Indicates the minimum distance required from the front of a proposed structure to the centerline of the adjacent public roadway(s). Minimum setbacks from private driveways are referenced in Section 1028c.*

SECTION 1026 PERMITTED USES

The following uses are permitted within the R-3, Mobile Home Park District:

- a. Mobile homes qualifying as H.U.D. code manufactured dwellings.
- b. Community buildings specifically designed and operated to serve the development, including child day care centers, dry cleaning and laundry, neighborhood commercial uses, and indoor recreation facilities.
- c. Mobile home sales and management offices, when located in the interior of the park and limited to three percent (3%) of the total park area.
- d. Home occupations
- e. Public parks and playgrounds
- f. Accessory uses

SECTION 1028 DEVELOPMENT CONDITIONS

- a. General Requirements
 - i. It shall be unlawful for any person to park, place, locate or permit the parking, placing or locating of any occupied mobile home within the Town except in a mobile home park district, with the exception of a mobile home required by a farmer, which may be approved as a Special Exception in the A-1 zoning district.
 - ii. It shall be unlawful for any person to park, place or locate, or permit the parking, placing or locating of any unoccupied mobile home within the Town except on a mobile home sales lot.
 - iii. It shall be unlawful for a person to establish, construct, alter or enlarge a mobile home development on land located in the Town unless such land is zoned R-5. Prior to construction or issuance of a permit, a final development plan shall be submitted to the Plan Commission for review and approval at a public hearing.
- b. Site Conditions
 - i. No mobile home shall be used for any purpose other than that of a one-family dwelling or office for the developer. Further, no commercial enterprise shall be carried on within the confines of the mobile home park other than specifically enumerated under the conditions of the development plan.
 - ii. Minimum area of a mobile home park shall be fifteen (15) acres with the first phase not less than five (5) acres. The maximum density shall be five (5) mobile homes per acre.
 - iii. Individual mobile home sites within a mobile home park shall not be sold or transferred; however, the entire park may be sold or transferred to a new owner.
- c. Standards for Mobile Home Developments
 - i. Landscaping
 - (A). The outer boundaries of a mobile home park shall contain a buffer zone. This buffer zone shall consist of a greenbelt strip, not less than thirty (30) feet in width, located along all development boundaries. Existing plant material may serve in whole or in part as the required buffer upon approval of the final development plan.
 - (B). Each mobile home lot shall include two (2) trees with a minimum trunk diameter of two (2) inches at a height of twelve (12) inches above the ground at planting.

- ii. Mobile Home Spaces
 - (A). Mobile home parks shall be divided into lots with permanent markers indicating the corners of each lot.
 - (B). Setback lines, yard requirements and lot coverage.
 - (1). All mobile homes shall be set back at least fifty (50) feet from any public right-of-way outside the development and at least twenty (20) feet from any private drive or public street within the development.
 - (2). No mobile home or structure shall be located closer than forty (40) feet to the boundaries of the development.
- iii. Recreation
 - (A). In all parks there shall be one or more recreation areas which shall be accessible to all residents. The size of such recreation areas shall not be less than ten (10) percent of the gross site area, and shall not include water bodies, detention or retention ponds, or slope lands having an average slope in excess of fifteen (15) percent.
 - (B). Recreation facilities, such as playgrounds, swimming pools and community buildings, should be provided to the extent necessary to meet the anticipated needs of the residents of the park.
 - (C). Recreation areas shall be centrally located and away from traffic hazards.
- iv. Street and Drive Requirements
 - (A). Entrances to a mobile home park shall abut a public street and shall be designed to allow free movement of traffic onto such public street. Entrance ways shall have radii adequate for safe and convenient ingress and egress.
 - (B). All streets shall be constructed to Town specifications.
 - (C). Names shall be assigned to all streets and drives appearing on the final plan and shall be approved by the Director or his designee. All mobile home stands shall be systematically identified as they appear on the final plan.

(D). Driveway Requirements

- (1). Driveways shall be provided on the site where necessary for convenient access to service entrances of buildings.
- (2). Driveways shall be a minimum of ten (10) feet wide.
- (3). All driveways shall be hard surfaced and dustless.

v. Parking Requirements

- (A). At least two (2) off-street parking spaces nine (9) feet by eighteen (18) feet each shall be provided on each mobile home lot.
- (B). No parking shall be permitted on any street or drive.
- (C). The developer shall provide a minimum of one (1) visitor parking space for every five (5) home lots. Visitor spaces may be located in one centrally located site or may be equally distributed throughout the development.

vi. Mobile Home Stands

- (A). Each mobile home stand shall be either:
 - (1). A reinforced concrete pad of suitable thickness to support the home and appurtenances or the runners with rebar rods, but shall not be less than four (4) inches thick; or
 - (2). A foundation on suitable concrete footings at least thirty-six (36) inches below grade with suitable cross-bracing provided and all remaining open spaces filled with sand or gravel or other suitable material.
- (B). Adequate drainage grading away from the mobile home shall be provided.

vii. Permanent Structures

- (A). Buildings shall comply with applicable zoning and building regulations and be approved by the Plan Commission.
- (B). A separate area shall be provided, which shall be fenced, screened or otherwise enclosed, for the storage of residents' camping trailers, boats, snowmobiles and other similar items. These items shall not be stored in any other area of the mobile home park.

viii. Dependent Mobile Homes and Occupied Travel Trailers Prohibited

A mobile home without bath and kitchen facilities is prohibited in all mobile home parks.

ix. Pedestrian Ways

- (A). A common concrete walk system shall be provided and maintained on both sides of all streets within the park. Such common walk shall have a minimum width of four (4) feet.
- (B). All mobile homes shall be connected to common walks or parking areas by concrete or paved individual walks with a minimum width of three (3) feet.
- (C). All walkways shall conform to the Americans with Disabilities Act (ADA) standards.

x. Mobile Home Installation

- (A). The mobile home shall be anchored and tied down in compliance with industry standards, and in a manner sufficient to resist flotation, collapse, or lateral movement of the home.
- (B). Mobile homes located in Flood Hazard Areas shall be anchored in accordance with industry standards or standards established by FEMA, whichever are more restrictive.
- (C). All mobile homes shall have permanent skirting.

xi. Storage

Each lot shall have a minimum of fifty (50) square feet of storage area, whether it be in a central building or in an enclosed accessory structure on the lot.

xii. Utilities

All utilities shall be underground except control instrumentation and substations, which must be screened by planting or ornamental walls.

xiii. Lighting

Street lights shall be provided at all intersections and a minimum five-hundred (500) foot spacing as needed between intersections.

**SECTION 1030 PROCEDURE FOR ZONING AND DEVELOPMENT
APPROVAL**

a. Preliminary Filing

Any developer proposing a mobile home park in the Town shall submit to the Plan Commission a legal description of the property and a preliminary development plan of the proposed development. The preliminary filing is to permit staff the opportunity to review and comment on the proposed plans prior to filing.

b. A final development plan shall be filed with the rezoning application.

c. Final Development Plan

Twelve (12) copies shall be submitted and shall include the following items:

- i. Name and address of applicant, name and address of owner of property, name and address of person preparing the plan.
- ii. Location map and legal description of development.
- iii. Development plan of proposed area containing the following information:
 - (A). Proposed name of development;
 - (B). Date, scale and north arrow;
 - (C). Contour information at vertical intervals of not less than two (2) feet, with reference to U.S. Geodetic Survey (USGS) datum;
 - (D). Indication of gross land area of the development and a computation of the density of the development;
 - (E). Drawing indicating how surface water drainage will be handled;
 - (F). Drawing indicating location of available sanitary sewers, how sewage will be treated and how domestic water will be supplied, and how the park will be served;
 - (G). Location of all proposed fire hydrants;
 - (H). Statement of restrictions contemplated, if any, such as:
 - (1). Placement of oil tanks, storage sheds, fences and patios;
 - (2). Skirting;
 - (3). Pets;

- (4). Parking;
- (5). Boats and outside storage.
- (I). Elevation of water table, percolation data and description of soil type;
- (J). Layout and width of all streets;
- (K). Service building and maintenance building;
- (L). Playgrounds;
- (M). Mobile home space and mobile home stands;
- (N). Parking spaces, driveways and sidewalks;
- (O). Boundaries, fencing and screen planting, including types of plant materials;
- (P). Street lighting;
- (Q). Landscaping;
- (R). Typical lot detail;
- (S). Tentative letter from the State Department of Health and the Indiana Department of Environmental Management as to sanitary sewer and water distribution system;
- (T). Statement of review and tentative approval by the Town Engineer of all access onto public streets; and
- (U). Any other information deemed necessary by the Plan Commission.

d. Submission to Plan Commission and Town Board

- i. The development plan shall be reviewed and approved by the Plan Commission and the Town Board as part of the zoning application in accordance with this Ordinance. As a condition of approval either the Plan Commission or the Town Board may require modifications to the development plan to ensure compliance with the standards of this Ordinance and to promote the purpose of this district.
- ii. Following rezoning by the Town Board, construction of the mobile home park shall be in accordance with the approved development plan.

e. Amendments to Approved Development Plan

The Director or his/her designate may review and approve proposed minor amendments provided that the changes:

- (A). Maintain the purpose and intent of the approved plan; and
- (B). Do not result in the addition, deletion, or relocation of approved curb cuts onto public streets or cross access drives onto adjoining properties; increase the density or size of the mobile home park; reduce or alter the perimeter treatment of the site; add to the approved uses of the park; reduce approved setbacks for buildings, homes, structures, and other site elements; or create a significant impact on surrounding properties.

- ii. All other amendments shall be deemed major and must be reviewed and approved by the Plan Commission following a public hearing.

