

## Existing Ordinance (~~Red-line version~~)

### Sec. 21-22. Front, side and rear setbacks.

#### A. Encroachments into yard setbacks.

(1) For the purpose of determining the Setbacks required for Principal Buildings, it shall not include encroachments by

(a) Roof eave overhangs to thirty (30) inches;

(b) Step treads below a height of six (6) feet with combined width no greater than 12 feet;

(c) HVAC stands within five feet (5') of the Principal Building located in the side or rear yards as long as no part of the HVAC stand is within ten feet (10') of the side property line. (08-15-06)

(d) Chimneys.

(2) In no case shall there be any other type of encroachment into the required Setbacks by any type of structure unless expressly permitted hereafter.

#### B. Minimum front yard setback.

(1) Front Yard Setback. The minimum required Front Yard Setback shall be twenty-five (25) feet.

(2) Corner lot. The required Front Yard Setback for a Corner Lot shall be fifteen (15) feet from that portion of the lot running parallel to the side of the Principal Building. If the Principal Building is sited in a manner that neither side runs parallel to the lot line, then the Principal Building shall be set back from both lot lines the required twenty-five (25) feet.

(3) Shallow lot.

(a) A shallow lot is a lot with less depth than width as measured at the building line.

(b) The required Front Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot depth is less than eighty (80) feet rounded up or down to the nearest whole foot; provided, however, the Front Yard Setback shall never be less than fifteen (15) feet.

(4) Additional Front Yard Setback:

(a) For any portion of a Principal Building's height exceeding twenty (20) feet, that portion in excess of twenty (20) feet shall be set back from the Front Yard Setback an additional one (1) foot for every one (1) foot of increased height above twenty (20) feet as measured at the Front Yard Setback.

(b) Explanation.

a. This requirement creates a Front Yard Setback “building envelope” within which the Principal Building’s front facade shall fit.

b. The additional front setback line shall be measured as a straight line from the Front Lot Line to the required setback line, then turning at a 90 degree angle and extended twenty (20) feet vertically, and then angled at a 45-degree slope to infinity (1-foot of run to 1-foot of rise).

c. Design Review Board. The Design Review Board may grant up to a fifteen percent (15%) modification in this Zoning Standard if the modification or other modifications achieve greater Neighborhood Compatibility as described in Article XII.

(5) Principal building front facade.

(a) Purpose.

a. The overall width and depth of a Principal Building has a substantial impact on the Principal Building’s mass and scale and how well the Principal Building blends with existing development of the island.

(b) Definitions.

a. Primary Front Façade. The largest front facing surface of the Principal Building that is parallel or nearly parallel to the front yard street frontage and is considered to be the front of the structure.

(c) Design standards for primary front facade.

a. The width of a Principal Building’s Primary Front Façade shall not exceed the lesser of fifty feet or two-thirds (2/3) of the lot’s buildable width (width of lot at the building line less that portion required to meet the side yard Setbacks). All other front facing facades shall be set back at least eight (8) feet from the Principal Building’s Primary Front Façade.

b. A Principal Building having a porch or porches with a depth of eight (8) feet extending across forty percent (40%) of the Principal Building’s Primary Front Façade 1st floor shall be exempt from meeting the requirement of (a) above.

(56) Principal building constructed adjacent to post-FEMA elevated Principal Buildings.

(a) If the foundations of the Principal Buildings on either side of a proposed Principal Building are elevated to meet FEMA’s current flood standards, the proposed Principal Building is permitted to have the same Front Yard Setback as the Principal Building having the greater Front Yard Setback, but in no case shall the Front Yard Setback of the Principal Building be less than fifteen (15) feet.

(b) If the proposed Principal Building is located on a corner lot, the Principal Buildings sharing a common side lot line with the corner lot shall govern the permitted front setback.

(c) This provision to the Front Yard Setback applies only to the Principal Building (no accessory structures).

(d) Design Review Board.

The Design Review Board may grant up to a fifteen percent (15%) modification in this Zoning Standard if the modification or other modifications achieve greater Neighborhood Compatibility as described in Article XII.

### C. Minimum side yard setback.

(1) Lots equal to or greater than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:

(a) ~~The Side Yard Setback shall be a minimum of fifteen feet (15) with a combined Side Yard Setback for both sides equal to forty (40) feet.~~ The combined Side Yard Setback for both sides shall be equal to a minimum of forty (40) feet with a minimum average setback for any one side of fifteen (15) feet, with the minimum distance from the property line of ten (10) feet on one side and twenty (20) feet on the other.

(b) Encroachments within fifteen (15) feet of the side property line are not permitted within twenty (20) feet of the front façade of the home.

(2) Lots less than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:

(a) The required Side Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot width is less than one hundred five (105) feet rounded up or down to the nearest whole foot; provided, however, the Side Yard Setback shall never be less than ten (10) feet.

(b) ~~Design Review Board. The Design Review Board may grant up to a twenty-five percent (25%) modification in this Zoning Standard if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, so long as neither Side Yard Setback is less than ten (10) feet.~~ Encroachments within fifteen (15) feet of the side property line are not permitted within twenty (20) feet of the front façade of the home, unless the lot width is less than seventy-five (75) feet wide.

(3) Secondary side yard setback requirements:

(a) Ground level and first floor elements shall not exceed thirty-eight (38) feet in length along the side façade without an articulation.

(b) Second floor elements shall not exceed thirty-two (32) feet in length along the side façade without an articulation. This application shall not apply to second floor elements whose knee wall is less than six (6) feet high.

- (c) No side façade shall exceed sixteen (16) feet in length when located within fifteen (15) feet of the side property line, and a total of no more 32 linear feet of side façade may be located within fifteen (15) feet of the side property lines on the lot.
- (d) Articulations shall be a minimum of sixteen (16) inches (1.25 feet) in depth and a minimum of nine (9) feet in length; the length may be reduced by a foot for every sixteen (16) inches of increased depth, but a minimum of a 2:1 length to depth ratio must be maintained.
- (e) A porch or deck with a minimum depth of (6) six feet, meeting the 2:1 length to depth ratio, may be substituted for the articulation requirement.
- (f) Second floor elements shall be subject to an additional 5-foot setback on each side, with a minimum average setback on one side of twenty (20) feet and a minimum distance from the property line of at least 15 feet, and minimum average setback on the other side of at least thirty (30) feet with a minimum distance to the property line of at least twenty (20) feet. This application shall not apply to second floor elements whose knee wall is less than six (6) feet high.

~~(34)~~ Accessory structures Side Yard Setbacks.

- (a) See Article XV for Setbacks required for accessory structures.
- (5) Design Review Board. *The Design Review Board may grant up to a twenty-five (25) percent modification to any of these zoning standards, except that no portion of the Principal Building or attached porches or decks may be closer than ten (10) feet to a side property line, if the modification or other modifications achieve greater Neighborhood Compatibility as described in Article XII.*

~~D. Minimum principal building side facade setback.~~

~~—(1) A Principal Building's 2nd floor Side Facade having a width in excess of ten (10) feet shall be setback two (2) feet from the 1st floor Side Facade.~~

~~—(2) If a Principal Building's 2nd floor Side Facade has an unenclosed porch with a minimum depth of four (4) feet, the Side Facade encompassed by the porch shall not be subject to the additional required setback.~~

~~—(3) Design Review Board. The Design Review Board may grant up to a one hundred percent (100%) modification in this Zoning Standard if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII.~~

**ED. Minimum rear yard setback.**

(1) Unless otherwise provided, no structure or part of a structure shall be erected or allowed to remain nearer than twenty-five (25) feet to a Rear Lot Line.

(2) Shallow lot:

(a) A Shallow Lot is a lot with less depth than width at the Building Line.

(b) The required Rear Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot depth is less than eighty (80) feet rounded up or down to the nearest whole foot; provided, however, the Rear Yard Setback shall never be less than ten (10) feet.

(c) This provision does not eliminate the required Setbacks from the RC-1 and RC-2 Districts stipulated in Article III 21-23.

(3) See required Setbacks from RC-1 and RC-2 Districts in Article III 21-23.

(4) See required Setbacks for Accessory Structures in ARTICLE XV.

## Proposed Ordinance

### Sec. 21-22. Front, side and rear setbacks.

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(d) Chimneys.

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(b) Explanation.

a. This requirement creates a Front Yard Setback “building envelope” within which the Principal Building’s front facade shall fit.

b. The additional front setback line shall be measured as a straight line from the Front Lot Line to the required setback line, then turning at a 90 degree angle and extended twenty (20) feet vertically, and then angled at a 45-degree slope to infinity (1-foot of run to 1-foot of rise).

c. Design Review Board. The Design Review Board may grant up to a fifteen percent (15%) modification in this Zoning Standard if the modification or other modifications achieve greater Neighborhood Compatibility as described in Article XII.

(5) Principal building front facade.

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b. The overall width and depth of a Principal Building has a substantial impact on the Principal Building’s mass and scale and how well the Principal Building blends with existing development of the island.

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d. A Principal Building having a porch or porches with a depth of eight (8) feet extending across forty percent (40%) of the Principal Building’s Primary Front Façade 1st floor shall be exempt from meeting the requirement of (a) above.

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(b) If the proposed Principal Building is located on a corner lot, the Principal Buildings sharing a common side lot line with the corner lot shall govern the permitted front setback.

(c) This provision to the Front Yard Setback applies only to the Principal Building (no accessory structures).

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### **C. Minimum side yard setback.**

(1) Lots equal to or greater than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:

(a) The combined Side Yard Setback for both sides shall be equal to a minimum of forty (40) feet with a minimum average setback for any one side of fifteen (15) feet, with the minimum distance from the property line of ten (10) feet on one side and twenty (20) feet on the other.

(b) Encroachments within fifteen (15) feet of the side property line are not permitted within twenty (20) feet of the front façade of the home.

(2) Lots less than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:

(a) The required Side Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot width is less than one hundred five (105) feet rounded up or down to the nearest whole foot; provided, however, the Side Yard Setback shall never be less than ten (10) feet.

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- (b) See Article XV for Setbacks required for accessory structures.
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**D. Minimum rear yard setback.**

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  - (a) A Shallow Lot is a lot with less depth than width at the Building Line.
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  - (c) This provision does not eliminate the required Setbacks from the RC-1 and RC-2 Districts stipulated in Article III 21-23.
- (3) See required Setbacks from RC-1 and RC-2 Districts in Article III 21-23.
- (4) See required Setbacks for Accessory Structures in ARTICLE XV.