

ARTICLE VIII

CV - CHURCHTOWN VILLAGE DISTRICT

SECTION 800. PURPOSE

The CV - Churchtown Village District seeks to promote the continuation of the rural village concept and the perpetuation of the historic character within and around the village of Churchtown by allowing land uses which are compatible with the rural village character and which protect the integrity of the historic resources of the village.

SECTION 801. PERMITTED USES

Land and buildings in the CV - Churchtown Village District shall be used only for the land following purposes:

- A. Single-family detached dwellings, provided that the architectural appearance of any proposed dwelling is consistent and compatible with the architectural character within the CV - Churchtown Village District.
- B. Cemeteries, provided that:
 - (1) A minimum lot area of five (5) acres shall be provided for a cemetery.
 - (2) All burial plots and facilities shall be located at least one hundred (100) feet from any property line or street line.
 - (3) In no case shall any use relating to a cemetery be located within the one hundred (100) year floodplain of an adjacent watercourse.
- C. Home occupations, provided that:
 - (1) Only single-family, detached dwellings may contain a home occupation.
 - (2) No more than two (2) non-resident employees shall be permitted.
 - (3) Such occupations shall be incidental or secondary to the use of the property as a residence and are limited to those occupations customarily conducted within a dwelling unit.
 - (4) The applicant shall demonstrate that adequate off-street parking will be provided for both the home occupation and the dwelling unit, but in no event shall the parking spaces provided be less than two (2) for the home, one (1) for each non-resident employee, and such other parking spaces as required in Section 1602 of the Zoning Ordinance. Such parking spaces shall be screened from adjoining properties.
 - (5) No goods shall be visible from the outside of the building.
 - (6) The area used for the practice of a home occupation shall occupy no more than twenty-five (25) percent of the total floor area of the dwelling unit or five hundred (500) square feet, whichever is less. All home occupation activities shall be conducted within the dwelling unit.
 - (7) Manufacturing, repairing, or other mechanical work shall be performed in such a way that noise, odor, vibration, electromagnetic interference, or smoke shall not affect neighboring properties or be noticeable at or beyond the property line.
 - (8) No external storage of materials or products shall be permitted. No storage of materials or products in accessory structures or attached garages shall be permitted.
 - (9) The exterior appearance of the structure or premises is constructed and maintained as a residential dwelling.
 - (10) The only retail sales permitted shall be of those products produced by or used in the home occupation.
 - (11) One non-illuminated sign, not to exceed two (2) square feet in display area, shall be permitted.
- D. Municipal uses.
- E. Parks, recreation areas, and playgrounds not operated for private profit.
- F. Public and private schools, provided that:

- (1) All height, area, setback, and coverage standards within the applicable zoning district shall apply.
 - (2) All off-street parking facilities shall be setback twenty-five (25) feet and screened from adjoining property lines.
 - (3) All structures shall be setback at least one hundred (100) feet from any adjoining land within a residential zone.
 - (4) Recreational areas shall be provided for all educational facilities below the college level at a scale of one hundred (100) square feet per individual enrolled. Off-street parking areas shall not be utilized as recreational areas, and such recreation areas shall not be located within the front yard and must be setback at least twenty-five (25) feet from all property lines. Outdoor recreation areas shall be screened from adjoining residentially-zoned properties by means of fences, plantings, or decorative enclosures sufficient to screen activities from adjacent lots. Fencing shall be provided at all locations where public safety is at issue. Any vegetative materials located within the recreation area shall be non-harmful (i.e. thorny, poisonous, allergenic, etc.). All outdoor recreation areas shall provide a means of shade either by the planting of shade trees or the construction of pavilions. Enrollment, for the purposes of this section, shall be defined as the largest number of students on the site at any one time during a seven (7) day time period.
 - (5) Passenger drop-off and pick-up areas shall be provided and designed so that there is no cross-traffic pedestrian circulation.
- G. Accessory buildings and uses customarily incidental to any of the above uses.
- H. No-impact, home-based businesses.

SECTION 802. **SPECIAL EXCEPTIONS**

The establishment and/or expansion of the following uses are permitted when special exceptions are granted by the Zoning Hearing Board in conformance with Article XXI and other provisions of this Zoning Ordinance and provided that the architectural appearance of any proposed structure is consistent and compatible with the architectural character within the CV - Churchtown Village District:

- A. Banks and similar financial institutions.
- B. Bed and breakfast establishments.
- C. Boarding houses.
- D. Churches and related uses.
- E. Commercial day care facilities.
- F. Medical and dental clinics.
- G. Restaurants (not including drive-through or fast food restaurants or nightclubs).
- H. Retail sale and/or rental of goods and professional offices, provided the total sales and/or display area or office area is less than eight hundred (800) square feet.
- I. Accessory dwelling units.
- J. Home occupations which do not conform to the criteria of Section 801.C. of the Zoning Ordinance.

SECTION 803. **AREA AND HEIGHT REQUIREMENTS**

1. **MINIMUM LOT AREA (PER PRINCIPAL USE AND/OR UNIT OF OCCUPANCY)**
 - A. 43,560 square feet, if served neither by public sewer nor public water.
 - B. 30,000 square feet, if served by public water facilities.
 - C. 20,000 square feet, if served by public sewer facilities.
 - D. 10,000 square feet, if served by both public sewer and public water facilities.

2. **MINIMUM LOT WIDTH**
 - A. One hundred and fifty (150) feet at the building line, if served neither by public sewer nor public water facilities.

- B. One hundred (100) feet at the building line, if served by either public sewer or public water facilities or both public sewer and water facilities.
- 3. MINIMUM LOT DEPTH - The minimum lot depth for all lots and land uses shall be one hundred and twenty (120) feet.
- 4. YARD REQUIREMENTS - All principal buildings shall be set back from street rights-of-way and lot lines in accordance with the following requirements:
 - A. Front Yard - The minimum front yard required shall be that distance between the right-of-way line of a public or private road and the building line as established in Article XVII of this Zoning Ordinance.
 - B. Side Yard - There shall be two (2) side yards each having a minimum width of fifteen (15) feet.
 - C. Rear Yard - The rear yard shall be a minimum of fifty (50) feet in depth.
- 5. MAXIMUM LOT COVERAGE - Forty (40) percent.
- 6. HEIGHT REGULATIONS - No building shall exceed thirty-five (35) feet in height except as provided in Article XIX of this Zoning Ordinance.

SECTION 804. LANDSCAPING REQUIREMENTS FOR NON-RESIDENTIAL USES

Where deemed necessary by the Zoning Hearing Board, landscaping and planting shall be provided for a depth of fifteen (15) feet along all residential lots, district boundaries, and street rights-of-way exclusive of access locations. Buffer planting shall be provided along the side and rear of any non-residential land use adjoining any residential lot and shall include a suitable and uninterrupted evergreen planting of sufficient density to give maximum screening. Screening shall be arranged to block the ground level views between grade and the height of six (6) feet. Landscape screens shall achieve this visual blockage within two (2) years following installation. Diseased, damaged, and/or dead vegetation which interrupts the landscape screening shall be promptly replaced.