

§ 150.026 DISTRICT SP: SCENIC PRESERVATION.

(A) *Intent.* The SP, Scenic Preservation District is established to preserve and maintain the natural characteristics within the Fumee Lake watershed boundaries. Because this undeveloped and unique area contains a number of threatened or endangered plant and animal species, the area needs to be preserved to the greatest extent possible and only developed for extremely low density and passive type uses. Special consideration needs to be given to maintain a natural buffer or strip of land along the edges of both Fumee Lake and Little Fumee Lake to protect this valuable and fragile resource.

(B) *Principal permitted uses.*

- (1) Public recreational facilities, including parks, day camps, campgrounds, parkways, wildlife preserves, trails, swimming beach, and similar non-intensive recreational facilities.
- (2) Single-family dwellings.
- (3) State licensed residential care facilities for six or fewer persons. (See definition.)
- (4) Foster family homes (one to four children) and foster group homes (five to six children). (See definitions.)
- (5) Family day care homes (one to six children). (See definition.)
- (6) Open space preservation (option- see § [150.060](#)).

(C) *Permitted accessory uses.* The following are permitted accessory uses:

(1) Accessory structures normally associated with residential dwellings such as private garage, shed for yard tools, playhouse, woodshed, and sauna except in the front yard.

(2) Pens for household pets.

(D) *Conditional uses permitted.*

- (1) Home occupation subject to the conditions of § [150.049](#).
- (2) Utility and public service facilities, subject to the conditions of § [150.140.8](#).
- (3) Bed and breakfast establishments, subject to the conditions of § [150.140.9](#).
- (4) Group (child) day care home (seven to 12 children), subject to the conditions of § [150.140.10](#) (See definition).

(E) *Special district regulations.*

(1) The following regulations shall be applied to all dwellings located in the SP District. A building containing not more than one dwelling unit designed for residential use, complying with the following standards:

(2) Dwellings shall:

(a) Have a minimum width across any front, side or rear elevation of 20 continuous feet of exterior wall and complies in all respects with the County Building Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the County Building Code, then and in that event such federal or state standard or regulation shall apply.

(b) Be firmly attached to a permanent foundation constructed on the site in accordance with the County Building Code and shall have a wall of the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the applicable building code for single-family dwellings.

(c) Contain a storage capability area in a basement located under the dwelling, in an attic area, crawl space, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to 10% of the square footage of the dwelling or 100 square feet, whichever shall be less.

(d) The dwelling contains no additions or rooms or other areas, which are not constructed with similar quality workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.

(e) The dwelling complies with all pertinent building and fire codes. The dwelling shall meet or exceed all applicable roof snow load and strength requirements.

(Ord. § 312, passed 9-14-2009; Ord. § 312, passed 11-9-2015)

<i>Schedule of Regulations</i>							
<i>Zoning Districts</i>	<i>Min. Lot Size (sq. ft.)</i>	<i>Min. Lot Width (feet)</i>	<i>Minimum Set Backs (feet)</i>			<i>Max. Height (feet)^N</i>	<i>Min. Building Width (feet)</i>
			<i>Front</i>	<i>Side</i>	<i>Rear</i>		
SP	10 Acres F	300	40	40	35G	30	20
A. Minimum lot size is 10,800 square feet where either municipal water or sewer service is provided to the lot. No more than 30% of the lot area may be covered by buildings. On lots less than 20,000 square feet the setbacks shall be reduced to 25' minimum front, 6' minimum side and 6' minimum rear. The minimum lot width shall remain 100 feet.							
B. An accessory building or structure, measuring from the exterior wall, may be located 6 feet from a side lot line, however in no case shall its eave be closer than 5 feet to the side lot line.							
C. An accessory building or structure, measuring from the exterior wall, may be located 6 feet from a rear lot line, however in no case shall its eave be closer than 5 feet to the rear lot line.							
D. An accessory building or structure shall not exceed 18 feet in height.							

D1. An accessory building or structure shall not exceed 18 feet in height where the property abuts a watercourse or a body of water.
E. An accessory building or structure may be located 20 feet from a rear lot line.
F. For unplatted lots of large lot size (5 and 10 acres), the determination of a lot size when it adjoins a road shall be made as if the road was part of the lot in question. For example, if a 10 acre parcel fronting on a road loses one-half acre in the road right-of-way, the parcel size is 9.5 acres. However, the lot will still conform to the 10 acre minimum lot size requirement.
G. Customary accessory buildings or structures may be located 30 feet from a rear (waterside) lot line.
H. Where the property abuts a watercourse or a body of water, the waterside is the rear lot line.
I. Where the property abuts a watercourse or body of water, the rear setback shall be 250 feet.
J. No minimum, however, all structures shall be provided with or otherwise guaranteed, access to their rear yard, with a minimum of 12 feet clear and unobstructed access way or easement which may be provided by an alley. Setbacks from the existing residential parcels shall be: 50 feet for all buildings; 25 feet for driveways, entrances or exits; and 10 feet for all parking areas.
K. Height of a structure at any point shall not exceed the horizontal distance to any lot line.
L. All mobile homes shall meet or exceed the 1993 HUD standards for mobile homes.
M. Agricultural use buildings such as silos, and the like, are exempt from the 30' maximum providing that airport zones are not violated.
N. See §§ 150.031 and 150.063 regarding airport zoning height regulations.