



TOWN OF KILMARNOCK
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Residential District - R-1

Sec. 54-236. Statement of intent

The R-1 district is composed of quiet, low-density residential undeveloped areas where similar residential construction appears to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated to promote and encourage a suitable environment for family life where there are children, and to prohibit most commercial activities. Development is, therefore, limited to relatively low concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses such as schools, parks, churches and certain public facilities that serve the residents of the district. No mobile homes or rooming houses are permitted.

(Ord. of 6-6-69, art. 2-1)

Sec 54-237. Use regulations

Only one main building and its accessory buildings may be erected on any lot or parcel of land in residential district R-1. Structures to be erected or land to be used shall be for the following uses:

- (1) Single-family dwellings.
 - (2) Schools.
 - (3) Churches.
 - (4) Parks and playgrounds.
 - (5) Agricultural use, not to include related marketing functions such as fruit packing, plants or dairies.
 - (6) Accessory structures, as defined in section 54-2. However, garages, carports, porches and stoops attached to the main building shall be considered part of the main building. A deck shall be part of the main structure, with the exception that it may encroach upon the side and rear yard regulations within ten feet of the property lines, provided the encroachment is not more than 36 inches above grade at any point. No accessory building may be closer than three feet to any property line or to any other structure.
 - (7) Real estate signs as set forth in section 54-453(f)(2).
 - (8) Church bulletin boards and church identification signs as set forth in sections 54-453(c) and 54-453(d).
 - (9) Travel trailers by use permit shall be stored within the minimum yard requirements and shall be prohibited from occupancy.
 - (10) Temporary signs as set forth in section 54-453(f).
 - (11) Identification signs as set forth in section 54-453(d).
 - (12) Fences as set forth in section 54-451.
 - (13) Funeral homes and mortuaries with a conditional use permit.
 - (14) Bed and breakfasts, with a conditional use permit.
 - (15) Yard sales with an administrative permit, not to exceed one yard sale every 90 days per location.
 - (16) Home Occupations.
- (Ord of 6-6-69, § 2-1-1; Ord. of 5-15-95, § 2-1-1-16; Ord. of 4-15-96 § 2-1-1-7; Ord. of 7-17-00)

Sec. 54-238. Area Regulations

The minimum lot area in the R-1 district shall be 20,000 square feet.

(Ord. of 6-6-69; Ord of 3-15-93, § 2-1-2)

Sec. 54-239. Setback Regulations

Structures in the R-1 district shall be located 30 feet or more from any street right-of-way 50 feet or greater in width, or 55 feet or more from the center of any street right-of-way less than 50 feet in width; however, no building need be set back more than the average of the setback of the two adjacent structures on either side. A vacant lot 50 feet or more in width may be assumed to be occupied by a building having a minimum setback. This shall be known as the setback line.

(Ord. of 6-6-69, § 2-1-3)

Sec. 54-240. Frontage Regulations

The minimum lot width at the setback line in the R-1 district shall be 100 feet.
(Ord. of 6-6-69, § 2-1-4; Ord. of 3-15-93 § 2-1-4)

Sec. 54-241. Yard Regulations

- (a) *Side yard.* The minimum total width of the side yards for each main structure in the R-1 district shall be 30 feet, with no one side yard being less than 15 feet.
- (b) *Rear yard.* Each main structure shall have a minimum rear yard of 30 feet.
(Ord. of 6-6-69, § 2-1-5; Ord. of 3-15-93, § 2-1-5(a))

Sec. 54-242. Height Regulations

The following are the height regulations in the R-1 district:

- (1) Building may be erected up to 2 1/2 stories, 35 feet in height
- (2) A public or semipublic building such as a school, church or library may be erected to a height of 60 feet from grade provided that required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.
- (3) Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.
- (4) No accessory building within 20 feet of any party lot line shall be more than one story high. All accessory buildings shall be less than the main building in height.
(Ord of 6-6-69, § 2-1-6)

Sec. 54-243. Special provisions for corner lots

Corner lots in the R-1 district are regulated as follows:

- (1) Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
- (2) The side yard on the side facing the side street shall be 30 feet or more for both main and accessory building.
- (3) For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line of 100 feet.
(Ord. of 6-6-69, §2-1-7)