

Exceptions to Main Residence Size and Height

Exceptions to the maximum size and height of a main residence may be granted by the Planning Commission for lots that are at least 150% of the minimum lot area required in the SR, RR and SCP zoning districts (153.047)

PROCEDURE

Exceptions to maximum residence size and height require exceptions to be granted by the Planning Commission (PC). The Town's Architectural and Site Review Board (ASRB) will review the project first to examine the design of the house, its compatibility with the site and surrounding properties, and the project's compliance with the Zoning Code and General Plan. Upon recommendation of approval to the Planning Commission, the PC will determine whether the appropriate findings can be made to grant the exception.

EXCEPTIONS TO MAIN RESIDENCE SIZE

Zone	Minimum lot area required	Maximum size with exception
SR	1.5 acres net*	5,000 sq. ft.
RR	4.5 acres net*	8,000 sq. ft.
SCP-5	7.5 acres net*	8,000 sq. ft.
SCP-7.5	11.25 acres net*	8,000 sq. ft.
SCP-10	15 acres net*	8,000 sq. ft.
R-1	For nonconforming lots (<20,000 sq. ft.)	Up to 3,000 sq. ft.
	For lots > 30,000 sq. ft.	Up to 4,000 sq. ft.

*excludes road rights-of-way, ingress/egress easements and public utilities easements not parallel to property lines.

REQUIRED FINDINGS

In order for the Planning Commission to grant an exception in the SR, RR and SCP Residential Zoning Districts, all of the following findings must be made:

1. The development must be consistent with the General Plan;
2. There are no significant physical constraints relating to the development, including lot configuration, topography, geology, sewage disposal, ground water, noise impact, scenic road impact, storm drainage, vehicular access, vegetation removal, creek impacts, cultural resource impacts, and obstruction of neighbors' views;
3. The main residence shall be adequately screened from public or private roads by existing and/or proposed landscaping.

REQUIRED CONDITIONS OF APPROVAL

All exception approvals shall be subject to the following conditions:

1. A restrictive covenant shall be recorded on the property stating that the property shall not be subdivided to create a lot smaller than the acreage used to justify the exception.
2. The front, rear and side setbacks shall be increased from 50 feet to 100 feet for 10 to 15 acre parcels, to 150 feet for 20 acre parcels, to 200 feet for 25 acre parcels and to 250 feet for 30+ acre parcels (allowing for interpolation between steps at the rate of 10 feet for every acre of lot size increase).

EXCEPTIONS IN THE R-1 ZONE

Exceptions to the main residence size in the R-1 zoning district may be granted by the Planning Commission, upon recommendation by the ASRB, provided all of the following findings are made:

1. The development must be consistent with the General Plan and any applicable specific plans;
2. There are no significant physical constraints related to the development, including lot configuration, topography, geology, sewage disposal, ground water, noise impact, scenic road impact, storm drainage, vehicular access, vegetation removal, creek impacts, cultural resource impacts, and obstruction of neighbors' views;
3. The building setbacks and building height limitation must be satisfied without any variances or setback exception;
4. The proposed structure will not appear bulky;
5. The proposed structure will be compatible with the character of its surroundings.

EXCEPTIONS TO HEIGHT

The PC may approve a 35-foot height limit provided all of the following findings are made:

1. The lot size is 150% or more of the minimum lot size required in the applicable zoning district;
2. The building setbacks are a minimum of 100 feet or more from all property lines;
and
3. The additional height will not obstruct the view from public or private roads or neighboring properties.

SUBMITTAL REQUIREMENTS

Maximum residence size and height exceptions require PC review and a public hearing. Applicants should meet first with a planner to determine if an exception may be applicable to their project and review the requirements for submittal, which will include:

- 14 sets of plans including a site plan and elevation drawings;
- Completed public hearing application form and findings attachment
- Fee

- Stamped, addressed envelopes and an additional set of mailing labels for all property owners within 300 feet of subject property (names and addresses available at Building/Planning Dept).