

Sec. 5.04 R-2, Low Density Residential District

The following regulations shall apply in R-2 Low Density Residential District.

(a) Permitted Principal Uses:

1. Single family detached dwelling.
2. Duplex.
3. Single family attached dwellings with no more than four (4) contiguous units.
4. Local government, state or federal uses, public utility building, telephone exchange, transformer station, and electrical transmission towers; providing such use will promote the general welfare of the community and will have no material adverse effect upon the district in which it is located.

(b) Permitted Accessory Uses:

1. Home occupation, as defined in Article II and meets the requirements of Section 3.11.
2. Any use customarily incidental to the above permitted principal use such as but not limited to garages, greenhouses, swimming pools and appurtenances, play houses and accessory buildings. In case a question arises as to the degree of incidentalness, the Board of Zoning Appeals shall rule.

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

1. Religious institutions.
2. Family day care home, group day care homes, and adult day care facility.
3. Private and public educational institutions.
4. Public, non-profit and community facilities; recreation areas and uses and ancillary structures such as, but not limited to, picnic grounds, playgrounds, stadiums, swimming pools, tennis courts and baseball fields including stands and fences; community centers; libraries and museums.
5. Permanent and transient group care facilities.

(d) Area, Height, Bulk, and Placement Regulations:

Maximum Usable Floor Area (Footprint of the building) to Lot Area Ratio: 30% for permitted uses and 60% for Special Exceptions.

Minimum Size of Lot: 8,000 square feet for single family detached and duplexes and 4,000 square feet for each additional unit.

Minimum Lot Width-45 feet

Minimum Required Setback Dimensions in Feet: Front – 20 feet; Each Side - 8 feet; Rear – 25 feet.

Maximum Height in Feet: 40

This property also falls under Section 9.09 Manhattan District Overlay (MDO).

Section 9.09 Manhattan District Overlay (MDO)

(a) Purpose Statement (Intent). The MDO was created to improve the way development in the older core neighborhoods is regulated. This overlay district will promote, preserve and protect the health and general welfare of the residents and property within the original core neighborhoods and encourage respect for the existing built environment. The intent is to help maintain the general quality and appearance of the neighborhoods; to promote a more cohesive look to the neighborhoods; to stabilize and improve property values; to reduce conflicts between new construction and existing homes; and to accomplish the redevelopment or rehabilitation of deteriorated neighborhoods.

(b) Applicability. The MDO shall apply to all residentially zoned properties within the boundaries identified on the official Zoning Maps of Oak Ridge. However, this shall not apply to special exceptions within the MDO district. (Ord. No. 27-08 Revised Effective 10/2/08)

(c) Permit/Procedural/Approval Requirements. In the MDO, the setback reductions of the base zoning district may be approved by the City Manager or the City Manager's designee. However, setback reductions shall not encroach upon prescribed easements or easements implied by existing utilities. In site specific cases, the applicant may seek exception by requesting that an Easement Encroachment Form be approved by the City. However, if the applicant requests that the setbacks be further reduced, the applicant may proceed with a request for a variance to the Board of Zoning Appeals (BZA). A survey of the subject property showing all relevant information shall be submitted. Please note in some instances, foundation surveys may be required. density, lot size, height, etc.) for the base zoning district shall apply.

(d) Overlay Criteria. All applicable rules and regulations (standards for density, lot size, height, etc.) for the base zoning district shall apply.

1. All principal buildings or additions or structures or accessory buildings located within the MDO shall conform to the following setback and bulk regulation:

a. All principal buildings or additions or structures or accessory buildings shall not be closer than five (5) feet to a side lot line. Patios, decks, and other similar non-roofed and non-enclosed appurtenances of a principal building shall not be required to meet the side setback requirements of the principal building. Such appurtenances may be constructed in the required side yard without approval of the Board of Zoning Appeals provided they are constructed no closer than five (5) to a side lot line. (Ord. No.6-10 Revised Effective 5/13/10)

b. All principal buildings or additions or structures or accessory buildings shall not be closer than five (5) feet to the front lot line as long as the principal building is facing a public street or six (6) feet from the minimum lot width. (Ord. No.6-10 Revised Effective 5/13/10)

c. All principal buildings or additions or structures or accessory buildings shall not be closer than five (5) feet to a rear lot line.

d. All accessory buildings shall not be closer than five (5) feet to a rear lot line and not be placed in the required front yard. (Ord. No. 17-09 Revised Effective 10/22/09)

e. Allowable floor area to lot ratios shall not exceed 35%. The floor area shall be determined by the entire footprint of the ground floor which includes all areas under roof. (Ord. No. 27-08 Revised Effective 10/2/08)

2. Carports. A carport may occupy the required front, side, or rear yards, in accordance with the following conditions:

a. A carport shall in no case be closer than five (5) feet from a front lot line or six (6) feet to a side or rear lot line unless a variance is granted by the Board of Zoning Appeals as provided for hereafter.

b. Any accessory building or structure or wall developed as part of the carport shall be separated at least three (3) feet from the main structure wall of the principal building and in no case shall be closer than five (5) feet to the front lot line or closer than six (6) feet from a side or rear lot line. (Ord. No. 11-05 Revised Effective 12/01/05)