

PART 7

R-15 RESIDENTIAL DISTRICT

§27-701. Purpose.

1. The purpose of the R-15 Residential Districts is to provide for higher density residential development in the vicinity of the village of New Hanover. The area is publicly sewerred or is intended for public sewer service. In this area, a variety of housing types are permitted which provides the opportunity for builders to address the needs and interest of a wide range of economic and age groups in the community. This area is adjacent to complementary commercial areas. The R-15 Residential Districts will not be expanded until these districts are fully developed.
2. Within the R-15 Residential Districts, a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 3/29/1990A, §700)

§27-702. Use Regulations.

1. **Uses Permitted by Right.**
 - A. A1—General farming.
 - B. A2—Nursery.
 - C. A4—Forestry.
 - D. A8—Farm unit.
 - E. A10—Kennel-noncommercial.
 - F. B1—Detached dwelling.
 - G. B2—Performance standard development.
 - H. B3—Mobile home park.
 - I. B9a—Accessory professional office.
 - J. B9b—Accessory personal service.
 - K. B9c—Accessory instructional service.
 - L. B9d—Accessory home crafts.
 - M. B10—Residential accessory building.

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- N. C7—Municipal building or use.
 - O. I9—Off-street parking.
 - P. I10—Signs.
2. **Uses Permitted by Conditional use.**
- A. I3—Temporary structure.
 - B. I4—Temporary community event.
 - C. I6—Wind energy conversion system.
3. **Uses Permitted by Special Exception.**
- A. A7—Agricultural retail.
 - B. A9—Farm support facility.
 - C. B4—Group home.
 - D. B5—Life care facility.
 - E. B6—Full care facility.
 - F. B7—Rooming or boarding house.
 - G. B8—Residential conversion.
 - H. B9e—Accessory family day care.
 - I. C1—Place of worship.
 - J. C2—School.
 - K. C4—Hospital.
 - L. C5—Nursing home.
 - M. C6—Cemetery.
 - N. D1—Recreational facility.
 - O. D2—Private recreational facility.
 - P. E1—Medical office.
 - Q. E3—Office.
 - R. F2—Day care center.

- S. F2a—Older and disabled adult daily living center. [Ord. 95-8]
- T. F24—Guest house.
- U. F32—Dwelling in combination.
- V. G1—Utilities.
- W. G2—Emergency services.
- X. I1—Nonresidential accessory building.
- Y. I5—Oil and gas drilling.
- Z. I8—Towers, masts, etc.

(Ord. 3/29/1990A, §701; as amended by Ord. 93-2, 2/8/1993, §89; and by Ord. 95-8 9/25/1995, §3E)

§27-703. Area and Dimensional Requirements.

1. Unless a maximum height regulation is stated in §27-305 "Use Regulations," for a specific use, no principal building or structure shall exceed 35 feet and 2½ stories in height. For any building or structure accessory to a dwelling, the maximum height shall be 14 feet and one story. For exceptions to Uses A1(3), A3(5), I6(2)(c) I8(3) and §27-1410. [Ord. 95-8]
2. Unless a greater area or dimensional regulation is stated in §305, "Use Regulations," for a specific use, all uses in the R-15 Residential District shall meet the following requirements.

Uses	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Maximum Building Coverage (percent)	Maximum Impervious Surface Ratio (percent)		Minimum Yards		
				Front	Side	Rear		
B1 ⁶	15,000	94	20	-	40	15	30	
B1 ⁷	25,000	100	20	-	40	15	40	
Other uses	40,000	150	25	50	50	30	50	

[Ord. 93-2]

⁶ With municipally operated sewer service, and municipally or community operated water service.

⁷ Without municipally operated water and sewer services.

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3. Refer to §27-1601, "Natural Resource Protection Standards," to determine the building envelope.

(Ord. 3/29/1990A, §702; as amended by Ord. 93-2, 2/8/1993, §42; and by Ord. 95-8, 9/25/1995, §4I)

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(14) **Convenience Store.** A performance standard development may, if approved by the Board of Supervisors as a conditional use, include an individual or a group of retail convenience stores including grocery (as distinct from a supermarket), drug store, stationery store, tobacco news stand and similar uses as may be approved by the Board of Supervisors, providing the following conditions are satisfied:

- (a) The development and all its phases shall have 300 or more residential dwelling units.
- (b) The total floor area devoted to all convenience commercial uses in one development, including all phases, shall not exceed 2,500 square feet.
- (c) No restaurants, luncheonettes, soda fountains or other such uses where food is intended to be consumed on the premises shall be permitted.
- (d) Gasoline service stations, fuel pumps, adult commercial uses as defined in Use F4, or arcades, indoor places of amusement, recreation, or assembly, including game rooms, shall be prohibited. No drive-through facilities shall be permitted.
- (e) No convenience store use or group of uses shall be permitted within ½ mile of other existing general retail or convenience store uses except where it would be necessary for a motorist or pedestrian to cross an arterial highway as identified in the New Hanover Township Subdivision and Land Development Ordinance [Chapter 22].
- (f) Minimum lot area per group of shops—one acre.
- (g) **Dimensional Requirements.**

Minimum Lot Width at Setback Line (feet)	Maximum Impervious Surface Ratio %	Minimum Yards		
		Front Side	Rear	(feet)
200	60	50	20	50

- (h) Lighting on pole fixtures shall not exceed 10 feet in height. The source of illumination shall be recessed and shielded within the fixture itself and shall not exceed an average of .5 foot candle at the property line or boundary of the convenience store use, whichever is less.
- (i) The perimeter of the convenience commercial area which abuts residential uses shall include a 25 foot wide buffer area. Within the buffer area, plant material shall be provided to develop a visual screen. Hedge or shrub material shall be planted on 3 foot centers and shall be at least 3 feet in height when planted. One

	Minimum Apartment Size (sq. ft)	Minimum Lot Area Per DU (sq. ft)
minimum lot area (per building)		1 acre
minimum building setback		
street line		50 feet
parking area		30 feet
pedestrian walkway		5 feet
maximum number of units per building		16
minimum building spacing		50 feet
minimum street frontage		100 feet
maximum building height		35 feet

(b) To create architectural interest in the layout and character of the buildings, variations in setbacks, materials, roof lines and design are encouraged. In any case, the facade of the building shall be varied with a minimum offset of 6 feet every 40 feet. [Ord. 99-2]

(c) The maximum length of an apartment building shall be 120 feet. [Ord. 99-2]

(12) **Performance Standards.** The following requirements apply to subsections (1) through (11).

District	Minimum Site Area (acres)	Maximum Density (du/ac)	Minimum Open Space (%)	Maximum Impervious Surface %	Dwelling Types
R-15	10	40	35	30	All
R-25	20	30	40	30	Detached, Off-center, Village House, Twin, Duplex

(13) **Dwelling Unit Mix.** A mix of dwelling unit types is necessary to promote a balanced community. Therefore, a mix is required, based on the number of dwelling units as set forth in the accompanying table.

Number of Dwellings in Development	Minimum Required Number of D.U. Types	Maximum Percent any D.U. Type	Minimum Percent any D.U. Type
1-60	1	100%	20%
61 - 150	2	60%	15%
151 - 400	3	40%	10%
401 or more	4	40%	5%

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design are encouraged. In any case, the facade of every third dwelling unit shall be offset by 2 feet from the adjoining unit. [Ord. 99-2]

- (10) **Townhouse.** An attached dwelling unit from ground to roof, having individual outside access. A row of attached townhouses shall not exceed five (5) units in a building.

(a) **Dimensional Requirements.**

minimum lot area	2,000 square feet
minimum lot width	22 feet
maximum building coverage	50% (ratio to lot area)
minimum building setback:	
street line	30 feet
parking area	10 feet
pedestrian walkway	5 feet
minimum rear yard	20 feet
minimum building spacing	30 feet

[Ord. 04-01]

- (b) To create architectural interest in the layout and character of the buildings, variations in setbacks, materials, roof lines and design are encouraged. In any case, the facade of every third dwelling unit shall be offset by 2 feet from the adjoining unit. [Ord. 99-2]

- (11) **Apartment.** A grouping of dwelling units sharing common elements which may include common outside access. The dwelling units share a common lot area, which is the sum of the required lot areas of all dwelling units within the building. Apartment shall contain three or more dwellings in a single structure.

(a) **Dimensional Requirements.**

	Minimum Apartment Size (sq. ft)	Minimum Lot Area Per DU (sq. ft)
efficiency	400	1300
1 BR	500	1750
2 BR	650	2000
3 BR	800	2250
4 BR	950	2500
each additional bed-room, den, family room or recreation room	150	
maximum impervious surface ratio (on-lot)		50%

maximum building coverage	30%
minimum setback line	
street	30 feet
parking area	10 feet
pedestrian walkway	5 feet
minimum front yard	30 feet
minimum side yard	10 feet
minimum rear yard	20 feet
minimum building spacing	24 feet
minimum lot width (per building)	
at setback line	80 feet
maximum height	3 stories

- (8) **Atrium House.** An attached dwelling unit with one dwelling unit from ground to roof having individual outside access. The lot shall be fully enclosed by a wall 4 to 6 feet in height. All living spaces, i.e., living rooms, dens and bedrooms, shall open onto a private open area or atrium.

(a) **Dimensional Requirements.**

minimum lot area	2,000 sq. ft.
minimum lot width	40 feet
maximum building coverage	65%
minimum atrium area	20% (ratio to lot area)
maximum height	24 feet
minimum atrium dimension	16 feet

- (9) **Weak-Link Townhouse.** An attached dwelling, having individual outside access, with one dwelling unit from ground to roof. Each dwelling shall consist of a one-story portion and a two-story portion, with the one-story portion occupying a required portion of the minimum lot frontage. A row of attached dwellings shall not exceed five dwelling units. [Ord. 93-2]

(a) **Dimensional Requirements.**

minimum lot area	3,000 sq. ft.
minimum lot width	30 feet
minimum width 1 story	10 feet
building coverage	60% (ratio to lot area)
minimum building setback	
street line	15 feet
parking area	10 feet
pedestrian walkway	5 feet
minimum building spacing	30 feet
minimum rear yard	20 feet

- (b) To create architectural interest in the layout and character of the buildings, variations in setbacks, materials, roof lines and

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(a) **Dimensional Requirements.**

minimum lot area per dwelling unit	4,000 sq. ft.
maximum building coverage	35%
minimum front yard	30 ft.
minimum side yard	10 ft.
minimum rear yard	20 ft.
minimum lot width at setback	30 ft. [Ord. 93-2]

- (5) **Duplex.** A semidetached dwelling unit with one dwelling unit located above the other dwelling unit having two dwelling units per structure.

(a) **Dimensional Requirements.**

minimum lot area (per dwelling unit)	4,000 sq. ft.
maximum building coverage	40%
minimum front yard	30 feet
minimum side yard	15 feet
minimum rear yard	20 feet
minimum lot width at setback (per building)	60 feet

- (6) **Patio House.** A detached or semidetached unit with one dwelling unit from ground to roof having individual outside access. Except for the street setback, the lot shall be fully enclosed by a wall 4 to 6 feet in height. All living spaces, i.e., living rooms, dens and bedrooms, shall open onto a private open area or patio.

(a) **Dimensional Requirements.**

minimum lot area	3,600 sq. feet
maximum building coverage	35%
maximum lot width at setback	40 feet
minimum patio area	15% (ratio to lot area)
maximum building height	24 feet
minimum patio dimension	20 feet
minimum setback—street	15 feet

- (7) **Multiplex.** An attached dwelling unit which may be arranged in a variety of configurations: side by side, back to back, or vertically. The essential feature is the small number of units attached. No more than five units shall be attached in any structure, and structures shall average four units each.

(a) **Dimensional Requirements.**

minimum lot area (per bldg.)	8,000 sq. ft.
minimum lot area (per dwelling unit)	800 sq. ft. (efficiency)
	1,500 sq. ft. (1 BR)
	2,200 sq. ft. (2 BR)
	2,500 sq. ft. (3 BR)
	2,700 sq. ft. (4 Br)

forms of detached housing in the lot size and placement on the lot. It is similar to houses found in historic villages and towns. The house is placed close to the street and is additionally distinguished by planting or architectural treatments.

- (a) Each unit shall meet two or more of the following characteristics:
- (i) An unenclosed porch, running across at least .75 of the house front, being at least 7 feet in width.
 - (ii) A front yard raised above sidewalk grade by at least 30 inches and a retaining wall of at least 18 inches at the sidewalk line.
 - (iii) A front yard enclosed by a wall or fence of permanent construction at least 30 inches in height and one flowering shrub per 60 inches across the width of the front of the house.
 - (iv) Hedge of shrubs planted 18 inches on center for width of yard facing street and two flowering or canopy trees.

(b) **Dimensional Requirements.**

minimum lot area	6,000 square feet
minimum lot width	50 feet
minimum setbacks:	
house	15 feet front 30 feet rear 5 feet sides
garage	25 feet front 30 feet rear 5 feet sides
canopy trees	2 inch caliper (§27-1606 Table 3(A))
flower trees	2 inch caliper (§27-1606 Table 3(B))
flowering shrubs	3 feet high (§27-1606 Table 3(D)(E))
hedge shrubs	3 feet high (§1606 Table 3(F))
maximum building coverage	35%

[Ord. 01-6]

- (4) **Twins.** A semidetached dwelling unit having only one wall in common with another dwelling unit with two dwelling units per structure.

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(iii) Each mobile home shall be placed on a permanent foundation of at least eight poured concrete or masonry pillars or set on a concrete base at least 8 inches thick. The pillars shall be spaced no more than 10 feet apart with the end piers being no farther than 5 feet from the ends of the unit. The pillars shall be at least 2 feet by 2 feet in size and at least 36 inches below grade. Each pillar shall have installed a tie-down ring to which the mobile home shall be secured.

(b) **Dimensional Requirements.**

Minimum Lot Area	8,000 sq. ft.
Maximum Building Coverage	30%
Minimum Yards:	
front	30 feet
side	10 feet
rear	40 feet
Minimum Lot Width at Setback	70 feet

(2) **Detached Dwelling; Off Center.** A single detached dwelling unit on an individual lot with private yards on all sides of the house. The building is set close to one side property line with a side yard which may be reduced to 5 feet and the other side yard shall be no less than 15 feet.

(a) A fence, wall or hedge shall be placed in the wider side yard, extending from the dwelling to the side property line and shall be parallel to the street. The fence, wall or hedge may be broken by a walkway not exceeding 4 feet in width or a driveway to parking areas in the side or rear of the lot. The driveway shall be 10 feet in width.

(i) The fence or wall shall be of permanent construction and shall be 4 to 6 feet in height.

(ii) The hedge material shall be planted on 3 foot centers and shall meet the requirements of §27-1606, Tables 3(D) and (E).

(b) **Dimensional Requirements.**

minimum lot area	7,000 sq. ft.
maximum building coverage	30%
minimum yards	
front	20 feet
rear	35 feet
minimum lot width setback	60 feet

(3) **Village House.** A single detached dwelling unit on an individual lot with private yards on all sides of the house. It differs from the other

District	Minimum Lot Area	Minimum Lot Width (feet)	Maximum Bldg. Cov. (Percent)	Minimum Front (ft.)	Minimum Side (ft.)	Minimum Rear (ft.)
2	25,000 sq. ft.	100	20	40	15	40
R-15						
1	15,000 sq. ft.	94	20	40	15	30
2	25,000 sq. ft.	100	20	40	15	40
RV [Ord. 99-2]	18,000 sq. ft.	90	20	20	15	30
R-5 [Ord. 01-6]	50,000 sq. ft.	150	15	40	20	60

- (a) With Township operated sewer service, and Township or community operated water service.
- (b) Without Township operated water and sewer services.

[Ord. 93-2]

- (3) Refer to §27-1605 for recreation land requirements.
- (4) **Parking.** Two off-street parking spaces for dwellings having three bedrooms or less; three off-street parking spaces for dwellings having four bedrooms or more.

B. B2 Performance Standard Development. A development or subdivision that permits a variety of housing types subject to a series of performance standards. The performance standard development requires the provision of open space and limits density and impervious surfaces. The following housing types are permitted subject to the dimensional requirements as indicated below.

- (1) **Detached Dwelling.** A single detached dwelling unit on an individual lot with private yards on all sides of the house. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, manufactured dwellings, modular dwellings and mobile homes.
- (a) If the dwelling is a mobile home the following conditions shall also apply:
- (i) No more than one mobile home shall be placed on a single lot, and such mobile home shall be occupied by not more than a single family.
- (ii) The area between the ground level and the perimeter of the mobile home shall be enclosed by means of a suitable skirting.