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Amend SECTION IV – RESIDENTIAL AND RURAL ZONES as follows:

A. RESIDENTIAL

4. Special Exceptions

p. Rear lots, for residential purposes only, provided that:

- (1) The Commission determines that the development of rear lots will provide the most suitable use of the land considering such factors as drainage, configuration, accessibility, and topography.
- (2) The rear lots conform to all requirements prescribed for the zone in which they are located except that the front yard setback and the lot area, ~~exclusive of access~~, shall be at least twice the minimum such requirements for the zone. **In computing lot area, the access strip, whether owned in fee or over an easement area, extending from the front lot line to the public roadway shall not be counted towards satisfying this requirement.**
- (3) ~~Rear lots shall be provided with a legal right of access at least 30 feet wide to a public street.~~ **Rear lots shall be provided with an access strip at least 30 feet wide to a public street. This 30-foot strip of land shall be owned in fee by the owner of the rear lot, except where:**
  - i.* **The Commission approves more than one (1) rear lot and where such lots will utilize a common driveway. In this instance, one of the approved rear lots shall own the access strip in fee while the others shall be granted easement rights for access and the installation and maintenance of utilities; or**
  - ii.* **The Commission determines that ownership of the access strip by the rear lot is not necessary and that the rear lot is best served by an easement over the front lot.**

Driveways serving rear lots shall not exceed 1,000 feet in length and shall have an adequate all- weather surface for their entire length and for a 10-foot width. The Commission may require the entire driveways to be paved. Common driveways may serve up to a maximum of two (2) rear lots and, where appropriate, the two (2) adjacent front lots, and shall adhere to the following:

- (a) the common portion must be paved;
- (b) pavement width shall be a minimum of 12 feet;
- (c) pavement specifications shall comply to Town standards;

- (d) if part of a subdivision, the common portion of the driveway shall be installed as part of the street system;
  - (e) a maintenance agreement shall be approved by the Commission and shall be filed in the land records of both lots prior to the issuance of any building permits authorized under the Special Exception approval.
- (4) A landscape buffer is provided where necessary within the lot and along the access way to ensure that the development of rear lots will be in harmony with surrounding areas and protect existing homes.
- (5) Where a proposed rear lot abuts a front lot which is under the control of the applicant then such front lot shall observe a rear yard setback of 50 feet. (See also Section IV.A. 6., Height and Area Regulations.)**
- (5-6) The Commission may modify the above requirements when it determines that the rear lots and the access thereto will be in harmony with the surrounding area and preserve the public health, safety, welfare and property values.

6. Height and Area Regulations

	<u>RU-2A</u>	<u>R-40</u>	<u>R-30</u>	<u>R-15</u>
Min. Lot Area	2 ac.	40,000 s.f.	30,000 s.f.	15,000 s.f.
Min. Lot Width	200 ft.	170 ft.	170 ft.	100 ft.
Max. Lot Coverage	10%	15%*	15%*	15%
Minimum Front Yard				
-Local Streets	40 ft.	40 ft.	40 ft.	40 ft.
-Collector and Arterial Streets	60 ft.	60 ft.	60 ft.	60 ft.
Min. Side Yard	35 ft.**	35 ft.**	30 ft.***	15 ft.
Min. Rear Yard	30 ft.****	30 ft.****	30 ft.****	30 ft.****
Maximum Building Height	35 ft.	35 ft.	35 ft.	35 ft.
Minimum Landscaped Area for all Special Exception uses	65%	65%	65%	65%
	of the resulting acreage following the application of the developable land calculation per Section III.D. enumerated in Section IV.A.4.			

\*\*\*\* **Where a proposed rear lot abuts a front lot, then such front lot shall observe a rear yard setback of 50 feet.**