

Chapter 4

AGRICULTURAL DISTRICT

4.01 Purpose of "A-1" Agricultural District:

This district is composed of those areas whose principal use is farming and single-family residences on large-sized lots which provide adequate space for private water and sewerage facilities. The regulations of this district are designed and intended to ensure harmony between the principal uses of this district.

4.02 Permitted Uses:

A. Accessory Uses:

As allowed in all zoning districts. (Please see Chapter 2, Section 2.06-2.09 Accessory Buildings, Structures and Uses.)
Agricultural storage facilities.

B. Agricultural Uses:

Crop Farming, including cropland research or test plots.
Dairies
Egg Production Farms
Forestry (including Christmas Tree sales)
Greenhouses, nurseries and plant sales included.
Hatcheries (Fish, Poultry, and Game Birds)
Livestock-pasturing and grazing.
Orchards
Riding Stables
Roadside Stand (Temporary-Seasonal)
Veterinary Hospitals
Wineries

C. Residential Uses:

Single-family dwelling
Manufactured Home Type I as defined in Section 5.08.C-D.
Cultural and Recreational Facilities. (Churches, Parks and Recreational Facilities, Libraries, Museums, etc.)
Home Occupations, non-traffic generating.
Permanent Utility Structures for essential services.
Development Disabilities Residential Facilities. See Section 5.02.A.8.
Residential Accessory Uses as provided by Section 5.03.

One (1) Guest House, Servants Quarters or Non-Commercial Apartment clearly subordinate to the principle dwelling structure.

D. Open Land Uses:

- Beaches (Private or Public)
- Conservation Clubs
- Forestry and Wildlife Areas and Nature Preserves
- Hunting and Game Preserves
- Parks and Playgrounds
- Recreational Facilities (Non-Commercial)
- Transportation Rights-of-Way

4.03 Special Exceptions: The authorization of a building, structure or use that is not designated as permitted within a district, but if specifically listed, may be permitted if it meets special conditions, and upon application, is specifically authorized by the Churubusco Board of Zoning Appeals. The following buildings, structures and uses can be permitted in any Agricultural District provided a Special Exception is obtained by the criteria as set forth in Chapter 12, Board of Zoning Appeals.

A. Agricultural Special Exceptions:

- Agricultural Equipment Sales and Service
- Agricultural Chemical and Fertilizer Sales
- Animal and Crop Processing
- Confinement Feeding
- Grain Elevators and Storage (Commercial)
- Kennels (Domesticated or Wild)
- Livestock Buyers Offices
- Slaughterhouses
- Stockyards

B. Residential Special Exceptions:

- Alcoholism & Drug Abuse Treatment Centers
- Apartments
- Bed & Breakfast Facilities
- Cemeteries, Crematories and Mausoleum
- Child Care for (5) to (15) Children; State License required.
- Children's Homes & Children's Halfway Houses
- Community Services (Ambulance Depot, Emergency and Protective Shelters, Fire Station, Water Tower, Water Treatment Plants, etc.)
- Condominiums
- Electronic Communication Tower

- Funeral Homes
- Halfway House
- Home Occupations, traffic generating.
- Hospitals and Clinics
- Manufactured/Mobile Home Parks
- Mental Health Facilities
- Multi-family Dwelling Units
- Real Estate Office - including Model Homes.
- Parking Lots, for uses other than those permitted as of right in an Agricultural District.
- Personal Care, including Nursing Home, Adult Care, Child Care, and Retirement (self-care) Home.
- Public or Private primary or secondary schools.

C. Open Land Use Special Exceptions:

- Airports
- Aircraft Sales, Rental, Leasing, and Service
- Airline Companies
- Auction Barns
- Bait and Tackle Sales and Service
- Boarding Houses
- Boat Sales, Rental and Service
- Campgrounds
- Coal and Coke (Retail)
- Contractor's Yard
- Clubs
- Golf Course
- Landscape Architect's Offices
- Lodges and Fraternity/Sorority Organizations
- Lumberyards
- Mining-Metal Ore, Coal and Coke, Shaft
- Mining-Limestone, Marble, Gravel, and other Stone Quarry
- Mining-Petroleum and Natural Gas, Well
- Railroad Yards and Stations
- Recreational Facilities (Commercial)
- Resorts
- Rifle and Pistol Ranges
- Sanitary Landfills (not including hazardous waste)
- Swimming Pool (Public)
- Youth Organization or Center

D. Public Structures and Utilities Special Exceptions:

- Bomb Shelters
- Correctional Institutions

Electric Utility Company Office and Buildings
Highway Maintenance Garages
Military Installation
Public Utility Buildings
Radio and Television Towers
Sewage Treatment Plant
Water Treatment Plant

4.04 Regulations and Performance Standards: The following regulations shall apply in the "A-1" Agricultural District.

- A. Lot Area:** No permitted use or special exception allowed in the "A-1" District shall be located on lots containing an area less than eighty thousand (80,000) square feet. If there is a water or sewer available that will allow the lot to hook onto the sewer, then the lot shall contain not less than forty thousand (40,000) square feet.
- B. Lot Width:** When a sewer is not available, the minimum lot width shall be one hundred fifty (150) feet at the building line. The minimum lot width shall average one hundred fifty (150) feet. In cases where the depth is less than the width, the lot depth shall average one hundred and fifty (150) feet.
- C. Lot Frontage:** All lots within the "A-1" District shall maintain a minimum of fifty (50) feet of frontage on a publicly or privately maintained street. The minimum frontage requirement shall run continually to the building line.

D. Yard and Setback Requirements:

1. Front Yard: Not less than forty (40) feet from the property line, or sixty (60) feet from the centerline of any Town or County maintained road, or any private road.
2. Side Yards: Least width of either side yard shall not be less than twenty (20) feet except in the case of a corner lot, where the side yard on the street side shall not be less than the required front yard setback. If there are water and/or sewer lines available that will allow the lot(s) to hook onto their facilities, then the least width of either side yard shall not be less than ten (10) feet except in the case of a corner lot, where the side yard on the street side shall not be less than the required front yard setback.
3. Rear Yard: Not less than thirty (30) feet.

E. Height Requirement: Except as otherwise provided, the following height requirements shall apply in this district.

1. For Dwellings and Non-Farm Buildings and Structures: No dwelling or non-farm structure shall exceed a height of thirty-five (35) feet.
2. General And Specialized Farm Buildings and Structures are exempt from the local height requirements.

F. Off-Street Parking: For residential uses, two (2) parking spaces per dwelling unit; for non-residential uses, as required by Chapter 10.

G. General Performance Standards: As required by Chapter 2.

The following section (H.) was added by Ordinance #02-2002.

H. Ground Floor Area: The minimum size of a residential structure shall be nine hundred and fifty (950) square feet of living area for a manufactured home. The minimum size of a residential structure shall be one thousand, two hundred (1200) square feet of living area. This number excludes all garages, porches, and basements, which do not include living area."

