

Article 14: Housing Opportunity Overlay District (HO-O)

Sections:

14-1 Intent

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SECTION 14-1 INTENT

14-101. The regulations set forth in this Article, or set forth elsewhere in these regulations when referred to in this Article, are the regulations for the Housing Opportunity Overlay District (HO-O). The intent of this overlay district is to provide for greater density residential development, within the R-1 or R-2 district, on smaller than normal lot sizes in areas where residential redevelopment is desirable. These regulations also provide for additional development incentives to encourage construction of housing for buyers with wide ranges of income.

SECTION 14-2 USES

14-201. In the Housing Opportunity Overlay District no building, land or premises shall be used and no building or structure shall be hereafter erected or altered, except for the following uses:

- a. Single family detached dwellings, on a permanent foundation. All group homes shall have an exterior appearance which is in reasonable conformance to the general neighborhood standard.
- b. Accessory uses, including automobile parking areas, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business or industry. Accessory buildings shall not exceed four hundred (400) square feet in ground floor area.

SECTION 14-3 PARKING REGULATIONS

14-301. Two (2) off-street parking spaces shall be provided for each dwelling unit.

SECTION 14-4 HEIGHT, AREA AND YARD REGULATIONS

14-401. Height: Main buildings or structures shall not exceed thirty-five (35) feet and/or two and one-half (2½) stories in height. Detached accessory structures shall not exceed a maximum of twenty (20) feet.

14-402. Yards:

- a. Front Yard: The depth of the front yard shall be at least fifteen (15) feet.
- b. Side Yard: There shall be a side yard of at least five (5) feet on each side of a dwelling. All detached accessory buildings shall have a minimum side yard of five (5) feet.
- c. Rear Yard: The depth of the rear yard shall be at least fifteen (15) feet. All detached accessory buildings shall have a minimum rear yard of five (5) feet.
- d. Where a garage is the same distance from the street as is the residence, the garage is subject to the fifteen (15) foot setback. Provided, however, where a garage is closer to the street than is the residence, the minimum front yard setback is twenty (20) feet.

14-403. Lot Dimensions: The minimum width of a lot shall be forty (40) feet on an interior lot and seventy (70) feet on a corner lot. The minimum depth of a lot shall be ninety (90) feet. Lots fronting a cul-de-sac with at least a fifty (50) foot radius shall have width at the front lot line of not less than twenty-five (25) feet.

14-404. Lot Area Per Household: Every single-household dwelling or residence established shall provide a minimum lot area of five thousand (5,000) square feet per household.

14-405. Maximum Building Coverage: The maximum building coverage of a lot, including accessory buildings but excluding swimming pools, shall not exceed seventy percent (70%).

14-406. Minimum District Size: The minimum district size shall be twenty-three thousand, two hundred (23,200) square feet.

SECTION 14-5 ADDITIONAL INCENTIVES

14-501. Upon application to the Zoning Administrator, any of the requirements of Section 14-4 may be reduced by the Zoning Administrator by up to 20 percent (20%) to accommodate residential development upon satisfactory evidence that at least 25 percent (25%) of the dwellings to be constructed in the HO-O District will be priced to serve those earning 50 percent (50%) or less of the most recently available Cowley County median income.

17-502. Any appeals of a determination or other action by the Zoning Administrator pursuant to Section 14-501 shall be heard by the Planning Commission, whose decision shall be final.