

SECTION 6.0 DISTRICT REQUIREMENTS

6.1 SCHEDULE OF AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS

District	Minimum Lot Area	Minimum Lot Front	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard	Maximum Height	Maximum Lot Coverage	Buffer
R-1 (5)	1 Acre	175'	50'	20'	50'	2 1/2 st	15%	(3a)
R-2 (5)	2 Acres	225'	50'	35'	50'	2 1/2 st	10%	(3a)
AL (2)	10,000 s.f.	50'	25'	10'	20'	1 1/2 st and 20' (11)	20%	N/A
AL (8)	21,780 s.f.	75'	40'	15'	40'	2 st and 25'	15%	N/A
AV	21,780 s.f.	75'	30'	15'	25'	2 1/2 st and 25'	30%	20' 30' (3)
NC	21,780 s.f.	75'	30'	15'	25'	2 1/2 st and 25'	20%	20' 30' (3)
GB	21,780 s.f.	75'	30'	15'	25'	3 st and 30'	30%	20' 30' (3)
CI	60,000 s.f.	200'	50'	25'	25'	5 st	30%	75' (3)
HG	21,780 s.f.	75'	50' Note 10	25' Note 10	25'	2 1/2 st and 25'	30%	20' 30' (3)

NOTATIONS

- (1) Lot area and frontage requirements apply to subdivision of property on or after effective date of these Regulations. Reference Section 6.2 for requirement for legal lots of record as of the effective date of these Regulations and lots existing on an approved plan of subdivision established prior to the effective date of these Regulations.
- (2) For Lots of Record. See the Lot merger provisions of Section 7.4.
- (3) There shall be a landscape buffer area of the specified minimum width between any development in the district and the zoning district line of any adjoining district or the property line of any adjoining premises used for residential purposes in any zoning district conforming to the standards of Section 8.15.
 - (a) Any special permit use in a residential district shall provide a minimum 15 foot landscaped buffer between the same and the property line of any

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Section 6.1 Schedule of Area, Frontage, Yard, and Height Requirements (cont.)

adjoining premises that is zoned or used for residential purposes conforming to the standards of Section 8.15.

- (4) For all lots under one acre with structures existing as of the date adoption of these Regulations and built with the approval of the Hebron Building Department; for each side of the structure, the setback requirement shall be the existing minimum distance of the structure from the property line or the stated setback, whichever is smaller.
- (5) See 6.5 and 3.3.12. Lot Interior (Rear) for the area, frontage and yard requirements for rear lots.
- (6) Building lots smaller than one acre are exempted from buffer requirements. The maximum lot coverage for such lots may be increased to the standard for the district plus 10%.
- (7) The above minimum standards may not apply to the subdivision of land under the terms of an Open Space Subdivision (Section 8.18) or Mini Estate Subdivision (Section 8.17).
- (8) For new lots created through subdivision or re-subdivision, and being served by public sewers; and, if not so served, the standards of the R-1 Zone shall apply.
- (9) For new lots having public sewer service created through subdivision or re-subdivision, if land contains more than five (5) acres, then the provisions of Section 8.18 may apply.
- (10) The required Front Yard setback shall be the average of the two adjoining building front setbacks on each side. The required sideyard setback shall be 10% of the lot width as measured at the Front Yard setback, but in no case shall be less than ten (10) feet on each side.
- (11) The half story must meet the half story definition as set forth in Section 3.3.19 and the half story may be achieved by no more than a partial rear dormer and/or eye dormer(s) on the building's front elevation. A building height shall be limited to a one-story dwelling in those instances as set forth in Section 5.3.4 A. (j)

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Section 6.2 Exceptions to Area, Frontage, Yard, and Height Requirements (cont.)

6.2 EXCEPTIONS TO AREA, FRONTAGE, YARD, AND HEIGHT REQUIREMENTS

6.2.1 Smaller Lots in Non-residential Districts

In non-residential districts (NC, GB, CI, AV, HG), legal lots existing as of the effective date of these Regulations and lots existing on an approved plan of subdivision established prior to the effective date of these Regulations may, notwithstanding the fact that they may not meet the minimum lot area or lot frontage requirements set forth for the applicable district in Section 6.1, be developed and used for a permitted use provided that the following criteria are met:

- (a) Required yard and coverage requirements for the district as set forth in Section 6.1 can be met except that in the General Business (GB) District each front and rear yard shall be equal to 20% of the average lot depth and each side yard shall be equal to at least 10% of the average lot width.
- (b) Required parking and loading areas, as set forth in Section 8.3 can be provided on the lot.
- (c) A subsurface sewage disposal system, with appropriate reserve area, of the size prescribed by the state and local health departments for the particular use in question, can be constructed on the lot, or can connect to a community system.

6.2.2 Side Yards for Consolidated Parcels

In nonresidential districts, side yard requirements may be reduced when the integration or development on adjoining lots in the same district may be accomplished in the best manner, provided that each consolidated parcel shall have the minimum side yard at each sideline abutting a residential use or residential zone, and provided that, when required, rights of access shall be mutually granted.

6.2.3 Smaller Lots in Residential Districts

- (a) In residential districts (R-1 and R-2), additions or alterations to dwellings situated on lots which, at the time of original construction of such dwellings, conformed to area, frontage and yard requirements in effect for the applicable district at that time may be permitted, notwithstanding the fact that such lots may not conform to area, frontage and yard requirements for the applicable district under these current Regulations, provided that such additions or alterations do not violate the yard requirements in effect for the applicable district at the time of initial construction of such dwelling.

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Section 6.2 Exceptions to Area, Frontage, Yard, and Height Requirements (cont.)

- (b) In residential districts (R-1 and R-2), any lot which was a legal lot of record at the time of the enactment of these Regulations or was an approved lot on a plan of development or subdivision approved by the Planning and Zoning Commission prior to the enactment of these Regulations which lot does not meet the requirements of the Regulations for required lot area and/or lot frontage may be utilized residential use, provided all the requirements for the district except the required lot area and/or lot frontage, are met on said lot. A subsurface sewage disposal system, with appropriate reserve area, of the size prescribed by the state and local health departments for the particular use in question, can be constructed on the lot, or can connect to a community septic system.

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6.3 REQUIREMENTS FOR FLOOR SPACE PER DWELLING UNIT

6.3.1 Standards for the measurement of floor area are set forth in Section 4.15.

6.3.2 R-1 District

Every single-family dwelling shall contain not less than a minimum of one thousand ninety (1,090) square feet of floor space for living quarters. In the case of a one and one-half (1 1/2), two (2) or two and one-half (2 1/2) story dwelling, not less than seven hundred fifty (750) square feet of floor space for living quarters of the required minimum total floor space for living quarters shall be provided on the first floor. For the purposes of this section, a raised ranch shall be considered a one-story dwelling. In the case of a split-level house, the calculated floor area shall be the vertical projected floor area of the living quarters. For dwellings without basement or cellar, the minimum floor area shall be increased by a minimum of 120 square feet for heating, utility and storage space.

6.3.3 R-2 District

Requirements for floor space per dwelling unit: Every single-family dwelling shall contain not less than a minimum of one thousand two hundred eighty (1,280) square feet of floor space for living quarters. In the case of a one and one-half (1-1/2), two (2) or two and one-half (2-1/2) story dwelling, not less than seven hundred fifty (750) square feet of floor space for living quarters of the required minimum total floor space for living quarters shall be provided on the first floor. For the purposes of this section, a raised ranch shall be considered a one-story dwelling. In the case of a split-level house, the calculated floor area shall be the vertical projected floor area of the living quarters. For dwellings without basement or cellar, the minimum floor area shall be increased by a minimum of 120 square feet for heating, utility and storage space.

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6.4 BUILDABLE LAND REQUIREMENTS

6.4.1 Scope of Requirement

No proposed plat of a new subdivision or re-subdivision in the R-1 or R-2 Districts shall hereafter be approved unless the proposed lots equal or exceed the minimum size and width requirements set forth in the various districts of these Regulations except as may otherwise be specifically provided in an Open Space Subdivision (Section 8.18) or Mini Estate Subdivision (Section 8.17). In addition, each proposed lot shall include an area of minimum buildable land, which contains all of the criteria as defined in Section 6.4.2 below.

6.4.2 Minimum Area of Buildable Land

- (a) Each proposed subdivision lot shall be approved by the Town Sanitarian, as having sufficient details and data to support a septic system, prior to its approval by the Commission.
- (b) The Minimum Buildable Land (MBL) Area shall be at least 3/4 acre (32,670 square feet), in size, having four sides with the shortest side being no less than 125 linear feet. The shape of such an area shall be a square or a rectangle and shall not be located within the front, side or rear yard setback areas as prescribed for the Zoning District in which it is located, however, in the case of a subdivision having an overall land area of 10 acres or less and where in the opinion of the Commission these requirements are seen as imposing an unfair burden on the usability of the parcel, and where the resulting lots would be a size and shape compatible to the surrounding neighborhood, the Commission, by a 2/3 vote of all the members, may allow the MBL area to be located within the side and rear yard setbacks.
- (c) All percolation tests shall be witnessed by the Town Sanitarian and locations shall be specified on all subdivision plans. Each proposed lot shall have a shallow and deep percolation test conducted within naturally occurring soils at both the primary and reserve septic areas as per the State Department of Health Services design standards, as amended, and within the Minimum Buildable Land Area. To determine compliance with the Minimum Buildable Land Area requirements, there shall be at least four (4) test holes located in, and equally spaced throughout, each Minimum Buildable Land Area.
- (d) Topography exceeding 20% slope shall only be permitted to comprise up to ten percent (10%) of the Minimum Buildable Land Area. This shall be calculated by measuring naturally occurring topography measured in 40-foot increments. Rock outcroppings shall not be permitted within the Minimum Buildable Land Area or within fifty feet (50') of a proposed primary and reserve leaching areas.

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Section 6.4 Buildable Land Requirements (cont.)

- (e) In instances where proposed lots demonstrate Areas of Special Concern, as defined by the State of Connecticut Public Health Code, Chapter 2, Section 19-13-B103 d (e), said lots shall require special design details, as provided by a professional engineer registered in the State of Connecticut, in compliance with the Public Health Code. Lots shall be deemed to be unsuitable in any event whenever they fail to meet each of the following standards within the entire Minimum Buildable Land Area:
 - i) Ground water no higher than eighteen (18) inches below the naturally occurring ground surface, as determined by mottling or seasonal high ground water, whichever is higher. In cases where the natural ground water table is found to be consistently between 18-36 inches below the surface, then hydraulic analysis shall be required to demonstrate that the soil is capable of supporting a specific design flow.
 - ii) Ledge rock no higher than four (4) feet below the natural ground surface as observed during soil testing.
 - iii) No wetland soil types, as defined by the Connecticut General Statutes and as determined by a professional soils scientist, as certified by the Society of Soils Scientists of Southern New England.
- (f) No area located within a 100-year flood boundary as identified on the National Flood Insurance Program, FIRM (Flood Insurance Rate Map) Town of Hebron, Connecticut, effective March 18, 1991, as amended.

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6.5 REAR LOTS

- 6.5.1** There shall be a maximum of one single-family dwelling with permitted accessory buildings or uses on each rear lot.
- 6.5.2** No rear lot or subdivision shall landlock another rear property by blocking or removing the most logical or feasible access to such other rear property, except that the Planning and Zoning Commission may modify this requirement due to unusual circumstances such as topography, present divisions of property and the like.
- 6.5.3** Any driveway to a rear lot or subdivision shall be of a durable and dustless surface and shall be no less than 12 feet in width.
- 6.5.4** A special permit for the use of a rear lot or subdivision shall be approved only if the Commission determines that there is no logical or feasible alternative for the lot or subdivision to be properly served by an accepted Town road, street or highway in the foreseeable future.
- 6.5.5** The Town of Hebron shall not be responsible for the maintenance or repair of any driveway or access road required or provided for rear lot or subdivision.
- 6.5.6** Not more than two access strips may be adjacent. When two access strips are adjacent, only one driveway opening onto a street is allowed having a paved surface 20 feet wide by 20 feet long conforming to Town driveway standards.
- 6.5.7** On a subdivision plan approved prior to November 9, 1981 where a future road or similar strip at least fifty feet (50') in width served as an access strip to a rear or adjacent parcel of land, the parcel may be re-subdivided up to a maximum of two (2) lots. Any lots created shall conform to Section 6.2F Rear Lot Subdivision of the Subdivision Regulations, with the exception of the forty-foot (40') access strip requirement. The reserve access strip shall be divided equally between the two lots and a common driveway shall be provided.