

d. **Residential**

i. **Rural Residential District (RR)**

- (1) **Intent of District.** The Rural Residential District (RR) provides for a variety of less intensive agricultural uses while accommodating residential pockets in appropriate locations in the County. Planned development is preferred over single lot splits to encourage more compact and contiguous development which in turn avoids the stripping out of county roads. Future development in this district should focus on growth management for maximum benefit of both residential and environmental protection. While this district is not intended to be located within incorporated municipalities, the residential subdivisions within the Rural Residential District should be located near public utilities whenever possible. This district was created to accommodate and provide opportunities for rural development in areas not well-suited to modern agriculture practices.
- (2) **Uses.** See Comprehensive Table of Uses for a listing of Permitted Uses, Uses requiring Special Exception and Uses Prohibited.
- (3) **Agriculture Use Clause.** All applicants, developers, or landowners who develop any **residential** use in this district on parcels or parcel splits previously used for row-crop agriculture production shall be required to sign the following agricultural clause and record it as a deed restriction to bind successive owners **before a permit may be issued:**

“Grantee and their successors in title are on notice and understand that this residence is being built in a predominately agricultural area and that farming operations shall be practiced in the area of this residence. With this understanding, the grantee and successors in title forego their right to bring claim against any farmer in the area who has not been negligent.”

- (4) **Compliance with Conservancy District and Regional Sewer District Easements and Regulations.** Any application for building within this district shall provide the following information:
 - (a) Statement of whether the proposed structure is located within a Conservancy District easement or Regional Sewer District Service Area;
 - (b) If the proposed building site is located within a Conservancy District Easement or Regional Sewer District Service Area, a copy of any Easement document that affects the property, with the relevant easement parameters marked on the Site Plan.
 - (c) Written permission from the Governing Board of the Conservancy District or Regional Sewer District that the proposed building and building site does not interfere with the normal operations of the Conservancy District or Regional Sewer District.
- (5) **Rural Residential Development Standards.** The Rural Residential District is divided into three “classes” of development:
 - (a) **Class A Development. Priority Residential Growth Areas and Infill development.** A Class A Development parcel is located in an area that has low to moderate residential development, sufficient infrastructure for development and minimal impact on current resources. Development is encouraged in these areas as being consistent with the rural residential character of the community. A Class A parcel must include at least three of the following characteristics:
 - (i) Residential development along at least 50% (measured in linear feet) of parcel boundary;
 - (ii) Water and sewer utilities are already available to the parcel (if not already on the parcel) or a clearance letter from the Carroll County Health Department determines that the property has access to sufficient well and septic resources to serve the parcel, including space for a backup septic system; and
 - (iii) Sufficient access via public roads exists for emergency response, including fire, ambulance and police services.

- (iv) Ability to incorporate small-scale agriculture activities within the residential area, including personal-use or small-scale vegetable gardens and orchards, small-scale livestock (personal-use meat or 4H animals), and small scale recreational animals, none of which is classified as CFO or CAFO under State or Federal regulations.
- (b) Class B Development. Near-Capacity Residential Development. A Class B Development parcel is located in a rural area that is not part of a platted subdivision and that carries contingencies or characteristics which limit future development. Residential and business development may occur *only by special exception* if any two of the following restrictions exist:
- (i) Environmentally Sensitive Area. The parcel adjoins an area identified as environmentally sensitive;
 - (ii) Adjacent to Row-Crop Agriculture. The parcel adjoins traditional row-crop agriculture usage along at least 50% (measured in linear feet) of parcel boundary;
 - (iii) High Rural Density. The parcel is located within or adjacent to an area that contains more than 10 residential parcels in a 15 acre radius (high rural density);
 - (iv) No Available Water or Sewer. There are no water or sewer utilities available to the parcel;
- (c) Class B Development. Special Exception Requirements. Class B parcels may be developed by special exception, and only where the Board of Zoning Appeals finds that:
- (i) Preservation of Environmentally Sensitive Areas. Development of the parcel will not affect adjacent environmentally sensitive land;
 - (ii) Consistent with Adjacent Uses. Proposed development of the parcel is consistent with current adjacent uses;
 - (iii) Alternatives for Utilities. Provision has been made for supplying conventional or comparable alternative utilities, including septic, water, and electricity, or a finding that the proposed development will not require utilities, including water and septic; and
 - (iv) Complementary Development. Proposed development will not impede future adjacent development (if applicable).
- (d) Class C Development. Limited or Restricted Development. A Class C Development parcel is located in a rural area that is not part of a platted subdivision, and which for reasons of environmental sensitivity or incompatible adjacent uses future development should be restricted. Class C parcels contain at least one of the following characteristics:
- (i) Utilities Not Available. The parcel cannot obtain clearance from the County Board of Health for installation of well and/or septic system and no alternative approved by the County Board of Health is available;
 - (ii) Floodway. The parcel is classified as “floodway,” and the Indiana Department of Natural Resources has declined to issue a permit;
 - (iii) Encroachment on Existing Agriculture Development. The parcel is within the setbacks of an existing CFO or CAFO (and the proposed construction is not part of the existing CFO or CAFO operation);
 - (iv) Geological Limitations. The parcel is in an area where a geological report advises against development, due to instability, particularly where there is danger of erosion;
 - (v) Other State or Federal Restrictions. There are other pre-existing restrictions on the parcel as established by State or Federal law which relate to the environmental suitability of the parcel for development.
- (e) Penalties for Development on Class C Parcels. Penalties for initiating construction or development in violation of this section shall be subject to fines and penalties of the Carroll County Area Plan Commission as imposed under Article V of this Zoning Ordinance and Indiana Code 36-7-4-1012 through 1015 as a common nuisance..

(6) General Development Standards.

- (a) Creation of New Parcels. For parcelization of parcels to create new parcels, lots or tracts within a subdivision, see the subdivision control ordinance for standards. For division of undeveloped parcels, parcels smaller than ten (10) acres must be clustered together.
- (b) Agriculture Use Clause. All single family residential uses and subdivision development in this district shall sign an agricultural clause as required in this Paragraph 1 (c), above, with an accompanying deed restriction to bind successive owners.
- (c) Reciprocal Separation Distance Provision. Any single family dwelling or subdivision within a Rural Residential. District must not locate within one thousand five hundred (1,500) feet of an existing livestock facility (see Article II, Section A, 1, g(4)(b), above) .
- (d) Nonconforming Uses. Any livestock facility in a Rural Residential. district that is a pre-existing non-conforming use may expand their operation according to the requirements of this section.
- (e) Dead Animal Disposal. Dead animal disposal shall comply with the requirements of Section A of this Article.

ii. **Single and Two-Family Residential District (R1)**

- (1) **Intent of District.** The purpose of the Single and Two-Family Residential District is to provide adequate land of low-density Single- and Two-Family residential uses. It is anticipated that because of the relatively smaller lot sizes most Single- and Two-Family districts will be located within an incorporated municipality near existing residential areas. Uses within this District should primarily consist of relatively low-density single- and two-family dwellings, accessory structures, and related recreational, religious, and educational facilities.
- (2) **Uses.** See Comprehensive Table of Uses for a listing of Allowed Uses, Uses requiring Special Exception and Uses Prohibited.

iii. **Multi-Family Residential and Mobile & Manufactured Home Park Residential District (R2).**

- (1) **Intent of District.** The purpose of the Multi-Family Residential District is to provide adequate land for high-density residential uses. It is anticipated that because of the relatively higher residential density and the requirement that all multi-family development be connected to public sewer and water utilities, all Multi-Family Districts will be located within an incorporated municipality. Uses within a Multi-Family District should primarily consist of multi-family dwellings, which may include apartments, condominiums and townhouses, mobile home parks and manufactured home parks. There are no additional standards or regulations for properties located within a Multi-Family Residential District governed by this Ordinance. Refer to the Carroll County Subdivision Control Ordinance and the Municipal Control Ordinance for the respective incorporated municipality.
- (2) **Uses.** See Comprehensive Table of Uses for a listing of Allowed Uses, Uses requiring Special Exception and Uses Prohibited.
- (3) **Mobile Home Parks.** Mobile Home Parks as defined by Indiana Code 16-41-27-5 are governed by Indiana law. In addition to requirements of Indiana law, any change to an existing Mobile Home Parks or Communities must comply with the requirements for the district in which it is located. New Mobile Home Parks or Communities may only be located in an R2 District.

iv. **Neighborhood and Local Business District (N1)**

- (1) **Intent of District.** The purpose of the Neighborhood and Local Business District is to provide adequate land which will accommodate a mix of uses. It is anticipated that all Neighborhood and Local Business Districts will be located and otherwise make up the downtowns of incorporated municipalities and unincorporated residential communities. Uses within a Neighborhood and Local Business District are typically centered on personal service needs, local retail needs and institutional/governmental uses, although each area is encouraged to identify its niche market. Residential uses located above ground floor uses are also appropriate uses for the downtown of an incorporated municipality of a Neighborhood and Local Business District. There are no additional standards or regulations for properties located within Neighborhood and Local Business districts governed by this Ordinance.
- (2) **Uses.** See Comprehensive Table of Uses for a listing of Allowed Uses, Uses requiring Special Exception and Uses Prohibited.
- (3) **Compliance with Conservancy District and Regional Sewer District Easements and Regulations.** Any application for building within this district shall provide the following information:
 - (a) Statement of whether the proposed structure is located within a Conservancy District easement or Regional Sewer District Service Area;
 - (b) If the proposed building site is located within a Conservancy District Easement or Regional Sewer District Service Area, a copy of any Easement document that affects the property, with the relevant easement parameters marked on the Site Plan.

(c) Written permission from the Governing Board of the Conservancy District or Regional Sewer District that the proposed building and building site does not interfere with the normal operations of the Conservancy District or Regional Sewer District.

v. **Lake Resort-Recreational (LR)** Refer to Section E (below) for information regarding the Lake Resort-Recreational District.

vi. **Development Standards**

	Rural Residential	Single and Two-Family	Multi-Family	Neighborhood and Local Business
Minimum Lot Size with sewer	0.80 acre 34,848 ft ²	7,500 ft ² 1-fam 10,000 ft ² 2-fam	7,500 ft ² 1-fam plus 2,000 ft ² each additional	0.50 acre 21,780 ft ²
Minimum Lot Size* without sewer	1.5 acre 65,340 ft ²	1.5 acre 65,340 ft ²	Prohibited	1.5 acre 65,340 ft ²
Minimum Lot Width	250 feet	60 feet	60 feet	100 feet
Yard Setbacks				
Front	75 feet	35 feet	35 feet	50 feet
Back	25 feet	30 feet	30 feet	25 feet
Side	50 feet	10 feet	10 feet	10 feet
Accessory from main	5 feet	5 feet	5 feet	5 feet
Maximum Building Height (Primary Structure)	35 feet	35 feet	75 feet	35 feet
Maximum Building Height (Accessory Structure)	35 feet	19 feet	19 feet	19 feet
Minimum Off-street Parking	2 spaces per dwelling	2 spaces per dwelling	2 spaces per dwelling	1 space per employee + 1 2 spaces per dwelling
Signs setback – property line	15 feet	15 feet	15 feet	15 feet
height – identification	25 feet	25 feet	25 feet	25 feet
height – roadside	15 feet	15 feet	15 feet	15 feet
Setbacks from CAF	1500 feet	800 feet	800 feet	800 feet
Minimum green space	50%	N/A	N/A	N/A

* Minimum Lot Size as indicated unless a smaller lot size is supported by clearance letter from County Board of Health approving suitable septic and drainage system for requested lot size, but in no case will a lot size less than one (1) acre be allowed