

ARTICLE 6

RESIDENTIAL OFFICE DISTRICT - RO-1

STATEMENT OF INTENT

This district is intended for areas undergoing transition from residential to other uses and for application along major streets. The regulations for this district are designed to preserve the residential character of these areas and to guide transition by permitting limited additional uses in appropriate existing or new structures.

SECTION 6-1. USE REGULATIONS.

Structures to be erected or land to be used shall be for the following uses. Only one (1) single family dwelling use and its accessory buildings may be erected on any lot or parcel of land in this district. (12/12/95, Case TA-95-06, Ord. No. 056-95)

- 6-1-1 Single family detached dwellings.
- 6-1-2 Churches and other places of worship, but not including rescue missions or temporary revival tents.
- 6-1-3 Professional offices, as defined.
- 6-1-4 Pharmaceutical centers, as defined. (8/9/77)
- 6-1-5 Real estate, insurance, stock brokers, corporate, and consultants offices not involving the sale or handling of merchandise on the premises. (12/11/79, Ord. No. 032-79)
- 6-1-6 Funeral Homes, and crematories when accessory to a funeral home. (6/8/10, Case TA-10-111, Ord. No. 2010-19)
- 6-1-7 Fire and rescue squad stations.
- 6-1-8 Public utilities, such as poles, lines, distribution transformers, meters, water and sewer lines, booster or relay stations, transformer substations, transmission lines and towers.
- 6-1-9 Home occupations, in accord with Section 18-19 of this Ordinance. (10/11/83, Case 83-06, Ord. No. 034-83)
- 6-1-10 Accessory uses, as defined.

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- 6-1-11 Off-street parking and loading areas for permitted and conditional uses in accordance with Section 18-6 of this Ordinance provided that no parking other than that serving single-family residences occurs between the plane created by the front and corner side yard of the main building(s) and the street line(s) except per Section 6-2-4 of this Ordinance. Said plane shall extend the full length of the lot frontages. (11/16/00, Case TA-00-05, Ord. No. 022-2000)
- 6-1-12 Signs in accordance with Section 18-8 of this Ordinance.
- 6-1-13 Public parks, community gardens, playgrounds, and play fields. (12/12/95, Case TA-95-06, Ord. No. 056-95; 10/12/10, Case TA-10-418, Ord. No. 2010-51)
- 6-1-14 Public schools, elementary, middle, and high; and private schools having the same curricula that is ordinarily given in public schools. (12/12/95, Case TA-95-06, Ord. No. 056-95)
- 6-1-15 Group Home and assisted living facility in which no more than eight (8) persons reside as residential occupancy by a single family. (10/9/07 Case TA-07-02, Ord. No. 2007-41; 9/14/10, Case TA-10-333, Ord. No. 2010-38)

SECTION 6-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

- 6-2-1 Bed & Breakfast Homestays and Bed & Breakfast Inns within structures at least fifty (50) years old at the time of adoption of this ordinance. (2/11/97, Case TA-96-09, Ord. No. 005-97; 1/9/01, Case TA-00-09, Ord. No. 002-2001)
- 6-2-2 Repealed. (9/14/10, Case TA-10-337, Ord. No. 2010-40)
- 6-2-3 Banks and financial institutions, not including short-term loan establishment, as defined in Article 1. (11/18/86, Ord. No. 018-86; 4/13/10, Case TA-10-21, Ord. No. 2010-06))
- 6-2-4 Parking for permitted and conditional uses otherwise prohibited under Section 6-1-11 of this Ordinance.
- 6-2-5 Transmitting and receiving facilities and towers for cellular communications systems and similar communications systems in accordance with Section 18-2-1.2 of this Ordinance. (2/13/96, Case TA-95-07, Ord. No. 002-96)
- 6-2-6 Repealed. (2/12/08, Case TA-07-09, Ord. No. 2008-11)
- 6-2-7 Crematories. (6/8/10, Case TA-10-111, Ord. No. 2010-19)
- 6-2-8 Restaurants, excluding those with drive-through facilities. (8/10/10, Case TA-10-306, Ord. No. 2010-29)

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- 6-2-9 Accessory structure, used and occupied as a subordinate dwelling unit by a domestic employee, as defined; and, provided that such conditional use is recorded on the corresponding chain of title for the subject property in the office of the Winchester Circuit Court Clerk. Any such conditional use permit shall expire immediately upon change of ownership or change of occupancy of the main structure, so as to prevent undue density and overcrowding of land, which could adversely impact public health, safety, and welfare. (6/14/11, Case TA-11-06, Ord. No. 2011-14)
- 6-2-10 Home occupations in accordance with Section 18-19-2.6. (1/14/14, Case TA-13-493, Ord. No. 2013-41)

SECTION 6-3. AREA REGULATIONS.

The minimum lot area for permitted uses shall be as follows:

- 6-3-1 Single family detached dwellings - 10,000 square feet.
- 6-3-2 Professional offices and funeral homes - 20,000 square feet.
- 6-3-3 Other permitted and conditional uses - 20,000 square feet except that the minimum lot area for Bed & Breakfast Inns shall be increased by 2,000 square feet for each guest room beyond the first four (4) rooms. (1/9/01, Case TA-00-09, Ord. No. 002-2001)

SECTION 6-4. LOT WIDTH REGULATIONS.

The minimum lot width for all permitted and conditional uses in this district shall be one hundred (100) feet.

SECTION 6-5. SETBACK REGULATIONS.

- 6-5-1 Main buildings: Thirty-five (35) feet. (3/8/94, Case TA-93-08, Ord. No. 004-94)

SECTION 6-6. YARD REGULATIONS.

- 6-6-1 Side. The minimum width of each side yard for a main structure shall be ten (10) feet except when new nonresidential use abuts a residential district, there shall be a side yard of twenty-five (25) feet and except as per Section 6-8 of this Ordinance. (11/14/00, Case TA-00-05, Ord. No. 022-2000)
- 6-6-2 Rear. Each main structure shall have a rear yard of twenty five (25) feet except when new nonresidential use abuts a residential district in which case there shall be a minimum rear yard of fifty (50) feet. (11/14/00, Case TA-00-05, Ord. No. 022-2000)

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SECTION 6-7. HEIGHT REGULATIONS.

As per Section 3-7 of this Ordinance.

SECTION 6-8. CORNER SIDE YARD REGULATIONS. (9/13/05, Case TA-05-04, Ord. No. 027-2005)

As per Section 3-8 of this Ordinance.