

SECTION 7 – AREA, LOCATION AND BULK STANDARDS

7.1 General:

The following regulations shall apply to the area, shape and frontage of lots and the location and bulk of buildings and other structures in each district under ARTICLES II, III, and IV.

7.2 Lot Area, Shape and Frontage:

Each lot shall have at least the minimum area as specified in the district. Each lot to be used for a dwelling shall have at least the minimum area as specified in the district, and each lot to be used for a dwelling containing more than one (1) dwelling unit shall have at least the minimum additional area for each dwelling unit in the dwelling in excess of one (1) specified in the district. Each lot shall be of such shape that a square with the minimum dimension specified in the district will fit on the lot and, in Residence Districts, shall also have the minimum width along the building line specified in the district. Each lot shall have the minimum frontage on a street specified in the district.

In determining compliance with minimum lot area and shape requirement of these Regulations, land subject to easements for drainage facilities and underground public utilities and easements to the Town of Middlebury for passive and active recreation to include but not limited to walking, bicycling, running, sledding and skiing and to exclude equestrian and motorized vehicle use, may be included; but no street or highway, easement of vehicular access, private right-of-way for vehicles or easement for above ground public utility transmission lines may be included. Area consisting of ponds, lakes, swamps or marsh shall not be used for compliance with more than 25% of the minimum lot area requirement. Land in two or more Zoning Districts may be used to satisfy a minimum lot area requirement, provided that the requirement of the District requiring the largest lot areas is met, but no land in a Residence District shall be used to satisfy a lot area requirement in any other District.

7.3 Height:

No building or other structure shall exceed the number of stories and/or the maximum height, whichever is less, as specified in the district. This limitation, however, shall not apply to the following: ornamental cupolas, belfries, chimneys, flag or radio poles, silos, bulkheads, water tanks and towers, hose towers or scenery lofts or towers, churches, or Town buildings and structures, nor to tanks and elevator of a building and not occupying more than 25% of the area of the roof.

7.4 Setbacks:

No building or other structure shall extend within less than the minimum setback distances of any street line, rear property line, other property line or Resident District boundary line as specified in the district, subject to the following exceptions and additional limitations:

7.4.1 Signs:

Certain permitted signs, as specified in Section 63, may extend within lesser distances of a property or street line.

7.4.2 Projections:

Pilasters, belt courses, sills, cornices, marquees, canopies, awnings, eaves, similar architectural features not permanently affixed to the ground and open fire escapes may project into the area required for setback from a street line, property line or Residence District boundary line for the distance specified in the district. *No* projection will be permitted that interferes with site lines.

7.4.3 Fences, Walls Paved Surfaces and Terraces:

The required setback distances shall not apply paved surfaces, to fences or walls six (6) feet or less in height nor to necessary retaining walls or to unroofed terraces, but no fence, wall or terrace shall be located within the right-of-way of any street.

7.4.4 Accessory Building in Residence Districts:

Detached accessory buildings not more than twelve (12) feet in height and not used for human habitation or for the housing of animals and private swimming pools may be located in the required rear yard, not less than fifteen (15) feet from any side or rear lot line, provided that they occupy in the aggregate not more than twenty (20) percent of the required rear yard.

7.5 Building Bulk and Coverage:

The total floor area of all buildings and other structures on any lot, excluding basements, shall not exceed the percentage of lot area as specified in the district, and the aggregate ground coverage of all buildings and other structures, including cantilevers, on any lot shall not exceed the percentage of lot area as specified in the district.