

SECTION 21 – RESIDENCE DISTRICT

- 21.1** **Permitted Uses:** The following uses are permitted in all residential districts:
- 21.1.1 A single detached dwelling for one (1) family and not more than one (1) such dwelling per lot.
- 21.1.2 A professional office in a dwelling unit, subject to the provisions of Section 8.
- 21.1.3 Home occupations in a dwelling unit, subject to the provisions of Section 8.
- 21.1.4 The renting, with or without meals, in a dwelling unit to a total of not more than four (4) persons, subject to the provisions of Section 8.
- 21.1.5 Schools, parks, playgrounds and open space lands of the Town of Middlebury.
- 21.1.6 Farms, including truck gardens, forestry and the keeping of livestock and poultry, subject to provisions of Section 8.
- 21.1.7 A garden center, greenhouse, nursery or a landscape service, including the sale of plants, whether grown on the premises or not, and related supplies and services, provided that it is located on a lot of not less than three (3) acres, and a buffer strip not less than fifteen (15) feet wide in all side and rear yards is provided where adjacent to a residence district, which buffer area shall be suitably landscaped and not used for parking or for any use prohibited in such adjacent residence district. A commercial greenhouse must comply with Section 8.7.3 of these Regulations. The sale and service of power equipment for home use shall be considered a permitted accessory use.
- 21.1.8 Signs as provided in Section 63.
- 21.1.9 Accessory uses customary with and incidental to any aforesaid permitted use, subject to the provisions of Section 8.

21.2 Special Exception Uses:

- 21.2.1 Conversion of single family dwellings so as to contain one accessory apartment subject to the following provisions:
1. The accessory apartment does not exceed 30% of the floor area of the single family dwelling.
 2. The dwelling must retain its character and appearance as a single family dwelling.
 3. A maximum of two (2) persons shall reside in an accessory apartment.
 4. The accessory apartment must meet all codes to include but not limited to State and Municipal codes of Building, Fire, and Health.
 5. The Municipal Sanitarian shall certify that the septic system, if not on public sewer, is adequate for the accessory apartment and will not create hazardous conditions for sanitary sewerage.
 6. The principal owner(s) of the dwelling are either the owner of the primary dwelling or the accessory apartment.
 7. Occupants of the dwelling and accessory apartment shall be related by blood, adoption, marriage, or legal guardianship.
 8. Adequate off street parking shall be provided.
- 21.2.2 Roadside stands for the display and sale of farm products grown on the premises.
- 21.2.3 Day nurseries.
- 21.2.4 Convalescent homes, private hospitals and sanitarium, licensed by the State of Connecticut.
- 21.2.5 Supportive rental housing for person with physical disabilities when conducted by non-profit corporation and not as a business for profit and in possession of a certificate of good standing from the Office of the Secretary of State.
- 21.2.6 The following uses when conducted by a non-profit corporation and not as a business for profit: churches and places of worship; parish halls; schools; colleges; universities; general hospitals; cemeteries; and education, religious, philanthropic and charitable institutions.
- 21.2.7 Buildings, uses and facilities of the Town of Middlebury other than uses specified in Subsection 21.2.5 as permitted uses.
- 21.2.8 Summer day camps, provided that there is no furnishing of rooms.

- 21.2.9 The following uses when not conducted as a business or for profit: membership clubs; lodges; community houses; and nature preserves and wildlife sanctuaries; and golf, tennis, swimming, boating and similar clubs.
- 21.2.10 Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.
- 21.2.11 Water supply reservoirs wells, towers, treatment facilities and pump stations.
- 21.2.12 A commercial kennel, veterinary hospital, livery and board stables and riding academies.
- 21.2.13 A transfer station operated by the Town of Middlebury only.
- 21.2.14 Professional Office for persons engaged in a recognized profession such as physicians, dentists, lawyers, engineers, architects, land surveyors, teachers, and clergy persons who through training and experience are qualified to perform services as a professional as distinguished from a business nature. The person conducting the office must own the property where the profession is being conducted or be the person controlling the entity that owns the property. There shall be no more than two (2) persons employed in connection with such office and
1. The property where the Special Exception use is to be conducted shall be located on a State Highway.
 2. The architecture, design, character and appearance of any structure in which the Special Exception use is to be conducted shall be in conformance with that of a single family residential dwelling.
 3. Adequate parking to accommodate the Special Exception use on the subject property shall be provided on the premises and NOT on any adjoining street or highway.
 4. All signage on the subject property shall be in compliance with Section 63 of the Zoning Regulations.
- 21.2.15 Accessory uses customary with and incidental to any aforesaid SPECIAL EXCEPTION USE.