

5.1 A Cluster Development shall be subject to the following specific regulations:

- a. Only single family detached dwellings shall be permitted.
- b. Area regulations:
 - 1. The minimum gross development area shall be fifteen (15) acres.
 - 2. A minimum of forty (40%) percent of ~~contiguous~~ gross development area shall remain as undeveloped open space and shall be preserved in its undisturbed state.

5.2 The open space shall be subject to the following conditions:

- a. **A preliminary plan shall be submitted to the Zoning Commission for discussion of open space prior to the submission of a detailed residential development plan. In designing open space, consideration shall be given to providing the least number of finite open spaces, with each open space consisting of the largest acreage possible.**
- b. Land in streets, sidewalks, utility ~~easements and right-of-ways~~ **rights-of-way**, non-buildable areas ~~(to include storm drainage right-of-ways and wetlands)~~ **areas** and land used for recreational purposes shall not be included in open space to offset a reduction in lot area calculations.
- c. Use of open space shall be limited to conservation and similar purposes and left in perpetuation in an undisturbed state.
- d. A legal plan, contract, covenants and restrictions for the perpetuation, maintenance and function of all of the open space shall be established. The covenants and restrictions shall name the Township as a full beneficiary of all covenants and restrictions upon the open space and shall provide that no changes shall be permitted to the open space without unanimous consent and approval of the Township Trustees. The documents shall be reviewed and approved by the Township and recorded in the County Fiscal Office by the applicant prior to the time of transfer of the first property sold.

- 5.3 The Residential Cluster Development Plan must include a detailed plan, established by the owner or developer, for the conveyance of all open space land to one or more non-profit corporations, formed for the purpose of maintaining such open spaces for the use of the property owners thereof. Membership in such non-profit corporations must be open to all owners of property and residents within an area of the Residential Cluster Development District.
- 5.4 Overall density shall be one (1) dwelling unit per gross development acre. For example: on a 20 acre gross development area, 20 dwellings can be built on no more than twelve (12) acres of land.
- 5.5 ~~The only setbacks required shall be a building line at least thirty five (35) feet from any new street right-of-way line and one hundred (100) feet from any existing street right-of-way.~~ **Single-Family Detached Dwellings shall be at least thirty-five (35) feet from any new street right-of-way line and one hundred (100) feet from the centerline of any existing street right-of-way.**
- 5.6 ~~A building shall be no closer than twenty (20) feet to another. No building shall be closer than ten (10) feet from the property line of the Cluster Development property line. There is no minimum lot size requirement. A~~ **Single-Family Detached Dwelling shall be no closer than twenty (20) feet to another Single-Family Detached Dwelling. A Single-Family Detached Dwelling shall be no closer than fifty (50) feet from an existing non-cluster residentially zoned property. There is no minimum lot size requirement.**
- 5.7 The maximum height of a structure shall be thirty five (35) feet.
- 5.8 Streets shall be dedicated.
- 5.9 All Residential District regulations not superseded by those set out above shall also apply to cluster developments.
- 5.10 Signage for Cluster Zoning Developments:
- One (1) sign (double faced or winged) with a maximum size of twenty (20) square feet and a maximum height of five (5) feet above the finished grade, or two (2) signs, which are single faced with a maximum size of twenty (20) square feet and a maximum height of five (5) feet above the finished grade per sign face, shall be allowed at the entrance of a Cluster Zoning Development in a Residentially zoned area (excluding the P.U.D.), which has a minimum acreage of thirty (30) acres. All signs shall be located fifteen feet (15 ft.) from the established right-of-way.

- A. The height of an accessory building shall not exceed the lesser of the main dwelling or eighteen (18) feet.
- B. The accessory building can only be located on a lot with an existing principal structure. The aggregate area of the total detached accessory buildings may have a foundation area not to exceed one and a half percent (1½ %) of the area of the lot upon which the buildings are placed.

Example: (1 acre = 43,560 square feet)

- 1/4 Acre = 10,890 sq. ft. = 163 sq. ft. of accessory buildings allowed
- 2/3 Acre = 29,040 sq. ft. = 436 sq. ft. of accessory buildings allowed
- 1 Acre = 43,560 sq. ft. = 653 sq. ft. of accessory buildings allowed
- 2 Acres = 87,120 sq. ft. = 1200 sq. ft. of accessory buildings allowed

In no case shall the aggregate area of the buildings exceed one thousand two hundred (1200) square feet of foundation or fifty percent (50%) of living area of the principal building, whichever is less.

- C. Up to two (2) accessory buildings may be built on a lot.

3.6 Garages

All new garage constructions and/or modifications thereto shall be done with a minimum of four hundred (400) square feet and a maximum of ~~eight hundred fifty (850)~~ **One Thousand Two Hundred (1,200)** square feet. Such garage shall have a separate exit other than through the garage door. A garage shall be required for all residential construction, and should be erected at time of construction of the dwelling.

3.7 Parking Facilities

Off street parking must be provided for all motor vehicles for each single family dwelling. Front line of main building shall apply to parking and/or storage of trailers including campers and utility type as well as boats or other mobile units. Only one (1) commercial vehicle of not more than one (1) ton rated capacity may be kept, parked, stored or housed at/or on any lot. All recreational vehicles kept on property must be owned by residents of the dwelling. None of the above mentioned vehicles maybe used as a dwelling.

3.8 Fencing

6. **PUD Boundary Setback**

No building or structure shall be erected or placed nearer than one hundred (100) feet to any PUD **perimeter** boundary line.

7. **Height of Buildings**

No building or structure shall be higher than thirty-five (35) ft. as determined by the distance from the average finished grade of the building to the highest point of the building.

8. **Size of Dwelling Units**

- a. One floor **single family homes** shall have a minimum of one thousand one hundred (1,100) square feet of living area. Multiple floor single family homes shall have a minimum of seven hundred fifty (750) square feet of first floor living area (exclusive of basements and garages) and shall have a total living area of not less than one thousand five hundred (1,500) square feet.
- b. One floor **detached single family condominiums** shall have a minimum of one thousand one hundred (1,100) square feet of living area. Multiple floor detached condominium dwelling units shall have a minimum of seven hundred fifty (750) square feet of first floor living area (exclusive of basements and garages) and shall have a total living area of one thousand five hundred (1,500) square feet.
- c. One floor **attached single family dwelling units** shall have a minimum of nine hundred (900) square feet of living area. Multiple floor attached dwelling units shall have a minimum of five hundred (500) square feet of first floor living area (exclusive of basements, breezeways, garages and similar accessory structures) and shall have a total minimum living area of one thousand one hundred (1,100) square feet.
- d. **Apartment units** shall not have less than six hundred (600) square feet for an efficiency one bedroom apartment, seven hundred (700) square feet for a two bedroom apartment and nine hundred (900) square feet for a three bedroom apartment. No more than three bedroom apartments are permitted.