

ARTICLE XVIII - TOWN HOUSES^{5,29, 33, 72}

18-1. STATEMENT OF INTENT:

18-1.1 It is the intent of this section that town houses be permitted in areas where multiple-family dwellings are allowed, and that such town houses may be appropriately intermingled with other compatible types of multi-family housing. They shall constitute groupings of not less than two (2) nor more than ten (10) units in R-2 and R-3 Residential Districts. Such development plans must consider the most efficient, economical, comfortable, and convenient arrangements of buildings and yards.⁷²

18-2. DEFINITIONS:

18-2.1 **Town house:** One of a series of from two (2) to ten (10) attached dwelling units to be offered for sale or sold, separated from one another by continuous vertical walls without openings from foundations through the roof, with not more than two consecutive units of any ten (10) abutting dwelling units having the same front yard setback. The lots, utilities, and other improvements for each "town house" shall be designed to permit individual and separate ownership of such lots and dwelling units.

18-2.2 **Common Area:** If a town house development includes common areas in addition to the town house lots, the common areas shall be maintained by and be the sole responsibility of the developer-owner of the town house development until such time as the developer-owner conveys such common area to a non-profit corporate owner whose members shall be all of the individual owners of the town houses in the town house development. Said land shall be conveyed to and be held by said non-profit corporate owner solely for recreational and parking purposes of the owners of the individual town house lots in the development. In the event of such conveyance by the developer-owner to a non-profit corporate owner, deed restrictions and covenants shall provide, among other things, that any assessments, charges for cost of maintenance of such common areas shall constitute a pro-rata lien upon the individual town house lots. Maintenance to town house exteriors, lawns, special lighting, drainage, and stormwater management shall be provided in a manner so as to discharge any responsibility for the Town of Wytheville.⁷²

18-3. PERMITTED AREAS:

18-3.1 Town houses shall be permitted in districts where multiple-family residences are permitted subject to the constraints set forth herein.

18-4. AREA AND DENSITY:

18-4.1 The minimum lot area for a town house shall be 2,000 square feet in R-2 Residential districts and 1,800 square feet in districts where R-3 dwellings are permitted. The maximum density of town houses shall be nine (9) units per gross acre.

18-5. SETBACK:

18-5.1 The setback shall be to conform to that required in the zoning district in which it is located. The facades of town houses in a group shall be varied by changed front yards and variations in materials or designs; and no more than two (2) consecutive units of abutting town houses shall have the same front yard setback.⁷²

18-6. DWELLING UNIT REQUIREMENTS AND FRONTAGE:

18-6.1 **Building Width:** The minimum lot width at the setback line from center of wall to center of wall shall be twenty (20) feet in R-2 Residential districts and eighteen (18) feet in districts where R-3 Residential dwellings are permitted, and every unit, in any district, except end units shall cover the entire width of the lot upon which it is situated, unless such side yard is designated as a common area.⁷²

18-6.2 **Coverage and Floor Areas:**

- A. Every town house dwelling unit shall have a minimum ground coverage area of not less than 600 square feet in R-2 Residential districts and 500 square feet in districts where R-3 Residential dwellings are permitted.
- B. Every town house shall have a minimum floor area, center of wall on each side and outside the walls front and rear excluding porches, carports, and terraces of not less than 1,150 square feet in R-2 Residential districts, regardless of the number of levels, and 650 square feet in districts where R-3 Residential dwelling units are permitted. Lots need not front on a public street right of way provided vehicular or pedestrian access is provided to a public street right of way through a perpetual unobstructed paved easement of at least thirty (30) feet in width for vehicular access or ten (10) feet in width for pedestrian access. These easements shall be in addition to side yard requirements set forth in Section 18-7.

18-7. SIDE YARD:

18-7.1 The minimum side yard adjoining or adjacent to another property shall be thirty (30) feet for the end residence. The minimum side yard for corner lots

shall be fifteen (15) feet, and corner lots within each group shall be fifteen (15) and groups may, accordingly, not be closer together than thirty (30) feet.⁷²

18-8. REAR YARD:

18-8.1 There shall be a minimum rear yard of forty-three (43) feet on all lots. An accessory building not exceeding ten (10) feet by ten (10) feet and not exceeding twelve (12) feet in height may be constructed in any rear yard.⁷²

18-9. HEIGHT:

18-9.1 The maximum height of all town houses shall be limited to three (3) stories or thirty-five (35) feet.

18-10. SEPARATION REQUIREMENTS:

18-10.1 Each town house shall be structurally separated, with respect to adjacent town houses, as required by all applicable State and/or Local Fire and Building Regulations.

18-11. OFF-STREET PARKING REQUIREMENTS:

18-11.1 Required off-street parking spaces of at least two (2) spaces per town house shall be provided on the individual lots or within a common area maintained by the non-profit commons association or the developer-owner as described in Section 18-2.2. Front yard parking for individual town houses is prohibited where the town houses front on a public street or road unless units have a garage fronting the street in which case off-street parking may occur on the drive leading to the garage.⁷²

18-12. SCREENING:

18-12.1 **Landscaping:** Landscaping of a permanent nature which will adequately screen any utilitarian areas, such as parking lots and dumpsters, from any abutting properties shall be required.⁷² See Section 16-20 for general fencing and screening regulations.¹⁰⁵

18-12.2 **Trash and Refuse Storage:** For all multi-family uses with five (5) or more units, trash collection and storage areas, including dumpsters and other trash containers, shall be maintained in dumpster enclosures, as described in the chart found in Section 16-20.6. The Zoning Administrator may waive the dumpster enclosure requirement for small facilities if evidence is provided that an alternative trash removal system is provided.¹⁰⁵

18-13. PLATS:

18-13.1 Whenever any town house(s) is proposed by a developer, and before any permit for the erection of a town house(s) shall be granted, the developer or his agent shall apply in writing to the agent for the approval of the town house plat and submit three (3) copies of the plat including the lot, street, and utilities layout to a scale of not less than one (1) inch equals fifty (50) feet. Detailed plans of units, landscaping plans, grading plans, and other pertinent information may be required so that compliance with provisions of this ordinance can be determined. No town house shall be constructed until a final plat for the town house development shall have been reviewed and approved by the Town Engineer, approved by the Town Manager, and recorded in the office of the Clerk of Wythe County. Such recordation must be within sixty (60) days after notification of final approval, by the agent, otherwise the approval shall become invalid.^{33 72}

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