

# RESIDENTIAL TEXT AMENDMENT

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Underlining = New text

~~Strikeout~~ = Deleted text

\*\*\* Existing text

## CHAPTER 155: DEVELOPMENT AND SUBDIVISION OF LAND

### *AUTHORITY AND PURPOSE; DEFINITIONS*

#### 155.005 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Any term not defined in this chapter shall have the meaning as defined in Chapter 158 or any other chapter of the Code. Any term not defined in the Code in any chapter shall have its generally accepted meaning.

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**APARTMENT.** An area within a ~~two-family or~~ multi-family dwelling arranged or designed as one dwelling unit.

Consistency with Chapter 158

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### *SUBDIVISION OF LAND*

#### 155.020 SUBDIVISION CONTROL.

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(F) Plat modification or reassembly.

(1) The Director, at his or her discretion, may waive:

(a) The requirement of seeking approval from the Planning Commission for a modification, plat reassembly, or other adjustment, correction, or change to a subdivision plat recorded among the Land Records of Carroll County; and

(b) The requirement of recording an amended plat.

(2) This waiver may be applied to modifications, adjustments, corrections, or changes to minimum building lines, setbacks, drainage and utility easements for which ~~variances~~ administrative adjustments have been granted by the Zoning Administrator, variances have been granted by the Board of Zoning Appeals, or other similar changes as determined by the Director.

Consistency with Chapter 158

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### *PARTICULAR AREAS*

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# RESIDENTIAL TEXT AMENDMENT

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## 155.095 CLUSTER SUBDIVISIONS.

Deletes requirement for conventional plan, establishes minimum lot sizes

(A) Conditions requisite to approval in R and H Districts. In the H, R-40,000, R-20,000, and R-10,000 Districts, the Planning Commission may authorize the division of tracts or parcels of land into lots for R District uses, and lots and yards may be smaller than otherwise required in the R Districts in Chapter 158, provided that the following conditions are met:

(1) The total number of lots and dwelling units may not exceed the number that would be permitted for the zoning district based on the gross area of the parcel or tract being subdivided if the area were developed in conformance with its topographic characteristics and the normal minimum lot size requirements in the zoning district in which they are located;

(2) Individual lots shall be a minimum of 20,000 square feet in the R-40,000 District, 10,000 square feet in the R-20,000 District, and 7,500 square feet in the R-10,000 District;

~~(23)~~ The land derived from reduction of lot size shall be provided and maintained as open space or recreational areas for joint use by the residents of the cluster subdivision or offered to the county as agreed to by the Planning Commission, except where such additional reduction of lot size occurs as a result of utilizing TDRs pursuant to § 155.090(D) and division (A)(5) of this section;

~~(34)~~ Cluster subdivisions must be served by public water and sewerage facilities;

~~(45)~~ Common open space shall not be less than 15% of the gross acreage of any tract submitted for cluster subdivision.

(a) A maximum of 50% of the required open space may be steep slopes, streams, ponds, watercourses, and floodplains;

(b) A minimum of 10% of the required open space or one and one-half acres, whichever is greater, shall be suitable for active recreational use and may not exceed a grade of 3%; and

(c) For tracts or parcels less than ten acres, the Planning Commission may approve deviations from these percentage requirements.

~~(56)~~ A cluster subdivision receiving TDRs may increase density at two TDRs for every ten lots created in accordance with division (A) above;

~~(67)~~ In order to be eligible for clustering, all lot yield from the entire property shall be included on the preliminary subdivision plan.

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