

Article 2.2. Conventional Zoning Districts
~~Division 2.2.2. Residential~~ **ARTICLE II. DISTRICT REGULATIONS**

Section 2.2-3-9-31.2.1. Residential E-estate (RE).

(a) ~~Intent. The residential, estate (RE) district is intended to require~~ The purpose and intent of this district is to ~~provide for low-density, allow low-density, large-lot residential and related uses~~ highly restricted, large lot developments using a small percentage of the lot area for buildings.

(b) ~~Permitted Uses (P) and Structures, principal uses and structures.~~ The following uses and structures are permitted in this district:

- ~~(1) Single-family detached, conventional or DCA-approved modular.~~ Single-family dwellings.
- ~~(2) Emergency services~~ Nonprofit parks and playgrounds.
- ~~(3) Family day care homes~~ Occupied single-family residences used as family day care homes.
- ~~(4) Park, public or not-for-profit.~~

~~One (1) guest house or servant's quarters for each permitted single-family dwelling, provided that total lot area shall be not less than twice the minimum lot area required for a single-family dwelling.~~

~~(5) Art and music instruction provided only one (1) student at a time is receiving instructions.~~

(c) ~~Permitted Accessory Uses and Structures. (For additional conditions, see Article 3.1. Accessory Uses and Structures.)~~

(d) ~~Conditional Use (C): (For rules and regulations for any use designated as a Conditional Use, see Article 3.2. Conditional Uses)~~

~~(1) Horse stable.~~

~~(2) Cluster subdivision. (see Article 4.2. Cluster Development)~~

~~(3) Telecommunications facility, 50 feet or less in height. (see Division 3.6.5. Communication Towers)~~

~~(4) Model residential unit.~~

~~(5) Bed and breakfast, 1 or 2 bedrooms.~~

~~(6) Home occupation Type 1. (see Article 3.4. Home Occupations)~~

~~(7) 4H uses and activities.~~

~~(8) Guest home (must meet density requirements). Section ?? "Accessory Uses and Structures". The following uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are also permitted in this district, including:~~

~~(1) Private garages and storage structures.~~

~~(2) Greenhouses and other horticultural uses, provided no retail sales are made on the premises.~~

~~(3) Swimming pools.~~

~~(4) Boat docks.~~

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~~(5) Private stables.~~

~~(6) Tennis courts.~~

~~(de) Prohibited Uses and Structures:~~ Any use or structure not expressly or by reasonable implication permitted herein or permitted by ~~S~~Special ~~E~~Exception shall be unlawful in this district, including ~~manufactured mobile-homes.~~

~~(ef) Special Exceptions (S):~~ (For procedure see ~~section 3-9-7 Division 1.1.5. Special Exceptions.~~) ~~section 3-9-7, "Special Exceptions."~~ The following are special exceptions in this district:

(1) ~~Animal sanctuary, zoo~~ Cluster houses and patio houses, provided a site plan is approved.

(2) ~~Domestic animal breeding~~ Yacht clubs, country clubs and golf courses, including executive or par-3 golf courses, but not including miniature golf courses or practice driving ranges not associated with a golf course, provided that any required parking area or building is located at least fifty (50) feet from property zoned for residential use.

(3) ~~Plant nursery.~~ Houses of worship, in accordance with ~~section 3-9-80.1~~

(4) ~~Cemetery, mausoleum~~ Private aircraft landing strips and heliports.

(5) ~~Day care, adult or child.~~ Home occupations in accordance with ~~section 3-9-79~~

(6) ~~Public building~~ Group home facilities, child and adult day care facilities.

(7) ~~Elementary, middle, or high school~~ Essential services and emergency services.

(8) ~~University or college.~~

~~Adult congregate living facilities in accordance with ~~section 3-9-63.1~~~~

(9) ~~Community garden. (see Division 3.6.4. Community Garden.)~~

(10) ~~Fish and wildlife management area, nature preserve.~~

(11) ~~Private landing field.~~

(12) ~~Telecommunications facility, greater than 50 feet in height. (see Division 3.6.5. Communication Towers.)~~

(13) ~~Essential services.~~

(14) ~~Bed and breakfast, 3 or more bedrooms.~~

(15) ~~Clubhouse, community center.~~

(16) ~~Place of worship. (see Division 3.7.4. Place of Worship)~~

(17) ~~Home occupation Type 2. (see Article 3.4. Home Occupations.)~~

~~(189)~~ Such other uses as determined by the ~~Z~~zoning ~~O~~official or his/her designee to be:

a. Appropriate by reasonable implication and intent of the district.

b. Similar to another use either explicitly permitted in that district or allowed by special exception.

c. Not specifically prohibited in that district.

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The ~~board of zoning appeals~~ BZA shall review a favorable determination of the ~~zoning~~ Zoning Official under this provision at the time the special exception application is presented to it. An unfavorable determination of the Zoning Official or his/her designee shall be appealable pursuant to ~~section 3-9-6~~ Division 1.1.1. BZA section 3-9-6 of these regulations.

(gf) ~~Development Standards:~~ The following development standards shall apply in this district:

Minimum lot requirements:

~~Area – Acres~~

RE-55

RE-44

RE-33

RE-22

RE-11

~~Width – Feet~~

RE-5250

RE-4225

RE-3200

RE-2150

RE-1125

Minimum yard requirements:

~~Yard Feet~~

Front40

Side20

Rear20

Abutting water20

Accessory buildings shall be not closer than ten (10) feet from any rear property line.

Maximum lot coverage by all buildings, percent20

Maximum height of structures, feet38

Maximum residential density for:

RE-5, unit per 5 acres1

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- RE-4, unit per 4 acres1
- RE-3, unit per 3 acres1
- RE-2, unit per 2 acres1
- RE-1, unit per 1 acres1

Lot (min.)		
Area (acres)	<u>1</u>	<u>5</u>
Width (ft.)	<u>125</u>	<u>250</u>
Yard (min. ft.)		
Front	<u>40</u>	<u>40</u>
Side	<u>20</u>	<u>20</u>
Rear	<u>15</u>	<u>15</u>
Abutting water	<u>20</u>	<u>20</u>
Bulk (max.)		
Lot coverage	<u>20%0%</u>	<u>200%</u>
Height (ft.)	<u>38</u>	<u>38</u>
Density (units/acres)	<u>1 per acre</u>	<u>1 per 5 acres</u>

Where properties lie anywhere on a barrier island or within one thousand two hundred (1,200) feet of the water of Charlotte Harbor, the Gulf of Mexico, Lemon Bay, Gasparilla Sound, Placida Harbor, Red Fish Cove, the Myakka River, the Peace River, or Coral Creek, structures must also be constructed in accordance with ~~section 3-9-98~~ Article 4.12. Waterfront Property. ~~section 3-9-98.~~

- (g) *Signs.* Signs shall be in accordance with ~~section 3-9-95~~ Article 4.10. Sign Code. ~~section 3-9-95~~
- (h) *Off-street parking.* Off-street parking shall be in accordance with ~~section 3-9-90~~ Article 4.9. Parking Standards. ~~section 3-9-90~~

(Minutes of 12-8-81, § 7; Res. No. 85-286, § 1, 10-15-85; Res. No. 87-78, §§ 7, 8, 5-19-87; Res. No. 87-254, § 16, 10-20-87; Ord. No. 89-34, § 5, 5-31-89; Ord. No. 94-55, §§ 11-13, 11-3-94; Ord. No. 2002-008, § 1, 1-28-02)

Editor's note

These provisions were formerly found in ~~§ 3-9-30~~ ~~§ 3-9-30~~. The provisions of former ~~§ 3-9-31~~ ~~§ 3-9-31~~ are now found in ~~§ 3-9-32~~ ~~§ 3-9-32~~

Cross reference – Tree requirements for RE district, ~~§ 3-2-187.~~