

Section 4.0 AREA AND SETBACK REQUIREMENTS

4.1 General Area and Setback Requirements

- 4.1.1 All measurements are minimums unless otherwise noted.
- 4.1.2 Area and setback regulations for multi-family developments are in Section 6.8.
- 4.1.3 Regulations governing distances from electric transmission lines are in Section 7.1.
- 4.1.4 Yards are to be unoccupied by structures except as follows: (Rev. 12/19/98)
- A. Flag poles, fences, mail boxes, newspaper tubes, basketball poles, children's playsets, and other minor structures which are of a strictly ornamental or recreational nature;
 - B. Septic systems and wells; and
 - C. as provided for elsewhere in these regulation
- 4.1.5 All buildings containing one or more dwelling units shall be on a lot abutting a street.
- 4.1.6 A corner lot shall comply with the setback requirements for two front yards and two side yards.
- 4.1.7 For residential buildings, decks, porches, steps, ramps and similar structures may extend to within 5 feet of any property line provided:
- A. The deck, porch, step, ramp, or similar structure is not covered by a roof; and
 - B. The deck, porch, step, ramp, or similar structure is at least 5 feet from an accessory structure.
- 4.1.8 For one, two and three family residences, the total area in the required front yard setback used for either parking or covered by impervious surface shall not exceed 50% of the required front yard setback area.
- 4.1.9 Where an existing building is in violation of front, side, or rear yard setbacks or buffer and the applicant has requested an expansion of the building, the Commission may, by special exception, allow a reduction of the setback and/or buffer for such building expansion to the lesser of:
- A. twenty percent of the required setback or buffer; or
 - B. the setback of the existing building.
- 4.1.10 Where an existing use exceeds the maximum impervious surface ratio and a property owner purchases additional contiguous property to expand the use, the maximum impervious surface area on the expanded parcel shall be the sum of:
- A. the impervious surface area of the original parcel; and
 - B. the maximum impervious surface area allowed on the additional parcel.

4.1.11 Legally Non-Conforming Lots

- A. In the R-WP, R-60, R-40, and R-25 zoning districts, a single family dwelling may be constructed or expanded on a lot that is legally non-conforming in terms of area or lot width provided:
- the lot is less than 25,000 square feet in area; and
 - the building conforms to the height, setback and building coverage requirements of an R-15 zoning district.
- B. In the R-15, R-15s, R-10 and R-10s zoning districts, a single family dwelling may be constructed or expanded on a lot that is legally non-conforming in terms of area or lot width provided:
- the lot is less than 10,000 square feet in area; and
 - the building conforms to the height, setback and building coverage requirements of an R-6 zoning district.

4.2 R-WP Zone

For one dwelling unit on a lot:

Lot size: 87,000 sq. ft. excluding inland wetlands if lot is unsewered
65,000 sq. ft. excluding inland wetlands if lot is sewerred

Lot Width: 200 ft.
Front Yard Setback: 50 ft.
Side Yard Setback: 25 ft. on each side
Rear Yard Setback: 100 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: 0.3 for any use
Maximum Building Coverage Ratio: 0.1 for any use

Each lot shall contain a minimum "net buildable" area that has within it a 30,000 square foot rectangle or square area of contiguous land, the shortest being 150 feet and containing

- No ledge rock within 4 feet of the natural ground surface encountered during septic testing in conformance with the Connecticut Public Health Code.
- No inland wetland soils or watercourses
- No land within the areas of special flood hazard as identified by the Federal Emergency Management Agency.
- No naturally occurring slopes exceeding 25% in grade.
- No utility or access easements and rights of way, no conservation easements, and other easements for public or private facilities. (Rev. 2/1/06)

4.3 R-60 Zone

For all uses:

Lot Size: 60,000 sq. ft.

Lot Width: 200 ft.

Front Yard Setback: 50 ft.
Side Yard Setback: 25 ft. on each side
Rear Yard Setback: 100 ft.
Maximum Height: 35 ft. (con't)

Maximum Impervious Surface Ratio: 0.3 for non-residential uses only
Maximum Building Coverage Ratio: 0.1

Each lot shall contain a minimum "net buildable area" that has within it a 30,000 square foot rectangle or square area of contiguous land, the shortest being 150 feet and containing:

- No ledge rock within 4 feet of the natural ground surface encountered during septic testing in conformance with the Connecticut Public Health Code.
- No inland wetlands soils or watercourses.
- No land within the areas of special flood hazard as identified by the Federal Emergency Management Agency.
- No naturally occurring slopes exceeding 25% in grade.
- No utility or access easements and rights of way, no conservation easements, and other easements for public or private facilities. (Rev. 2/1/06)

4.4 R-40 Zone

For all uses:

Lot Size: 40,000 sq. ft.

Lot width: 150 ft.

Front Yard Setback: 50 ft.

Side Yard Setback: 25 ft. on each side

Rear Yard Setback: 75 ft.

Maximum Height: 35 ft.

Maximum Impervious Surface Ratio: 0.3 for non-residential uses only

Maximum Building Coverage Ratio: 0.1

Each lot shall contain a minimum "net buildable area" that has within it a 30,000 square foot rectangle or square area of contiguous land, the shortest being 150 feet and containing:

- No ledge rock within 4 feet of the natural ground surface encountered during septic testing in conformance with the Connecticut Public Health Code.
- No inland Wetlands soils or watercourses.
- No land within the areas of special flood hazard as identified by the Federal Emergency Management Agency.
- No naturally occurring slopes exceeding 25% in grade.
- No utility or access easements and rights of way, no conservation easements, and other easements for public or private facilities. (Rev. 2/1/06)

4.5 R-25 Zone

4.5.1 For one dwelling unit on a lot:

Lot Size: 25,000 sq. ft.

Lot Width: 125 ft.

Front Yard Setback: 30 ft.

Side Yard Setback: 25 ft. on each side

Rear Yard Setback: 50 ft.

Maximum Height: 35 ft.

Maximum Building Coverage Ratio: 0.20

4.5.2 For two dwelling units on a lot:
Lot Size: 37,500 sq. ft.
Lot Width: 175 ft.
Front Yard Setback: 30 ft.
Side Yard Setback: 25 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Building Coverage Ratio: 0.20

4.5.3 For all other uses:
Lot Size: 25,000 sq. ft.
Lot Width: 125 ft.
Front Yard Setback: 30 ft.
Side Yard Setback: 25 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: 0.3

4.6 R-15 Zone

4.6.1 For one dwelling unit on a lot:
Lot Size: 15,000 sq. ft.
Lot Width: 100 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: 15 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Building Coverage Ratio: 0.25

4.6.2 For two dwelling units on a lot:
Lot Size: 22,500 sq. ft.
Lot Width: 150 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: 15 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Building Coverage Ratio: 0.25

4.6.3 For all other uses:
Lot Size: 22,500 sq. ft.
Lot Width: 150 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: 15 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: 0.3

4.7 R-15s Zone

4.7.1 For one dwelling unit on a lot:
Lot Size: 15,000 sq. ft.
Lot Width: 100 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: 15 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Building Coverage Ratio: 0.25

4.7.2 For all other uses except Bed and Breakfast facilities:
Lot Size: 30,000 sq. ft.
Lot Width: 150 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: 15 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: .3

4.7.3 For Bed and Breakfast facilities per Section 6.10: (Rev. 10/22/09)
Lot Size: 22,500 sq. ft.
Lot Width: 145 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: 15 ft. on each side
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: 0.3

4.8 R-10

4.8.1 For one dwelling unit on a lot:
Lot Size: 10,000 sq. ft.
Lot Width: 80 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: minimum 8 ft. one side; total of both sides - 20 ft.
Rear Yard Setback: 40 ft.
Maximum Height: 35 ft.
Maximum Building Coverage Ratio: 0.3

4.8.2 For two dwelling units on a lot:
Lot Size: 15,000 sq. ft.
Lot Width: 120 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: minimum 8 ft. one side; total of both sides - 20 ft.
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Building Coverage Ratio: 0.3

4.8.3 For all other uses:
Lot Size: 15,000 sq. ft.
Lot Width: 120 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: minimum 8 ft. one side; total for both sides - 20 ft.
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: 0.3

4.9 R-10s

4.9.1 For one dwelling unit on a lot:
Lot Size: 10,000 sq. ft.
Lot Width: 80 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: minimum of 8 ft. on one side; total of both sides - 20 ft.
Rear Yard Setback: 40 ft.
Maximum Height: 35 ft.
Maximum Building Coverage Ratio: 0.3

4.9.2 For all other uses except Bed and Breakfast Facilities:
Lot Size: 15,000 sq. ft.
Lot Width: 120 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: 15 ft.
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: 0.3

4.9.2 For Bed and Breakfast Facilities per Section 6.10.1(B):
Lot Size: 22,500 sq. ft.
Lot Width: 145 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: minimum of 8 ft. on one side; total of both sides - 20 ft.
Rear Yard Setback: 50 ft.
Maximum Height: 35 ft.
Maximum Impervious Surface Ratio: 0.3
(2/11/12)

4.10 R-6

4.10.1 For one dwelling unit on a lot and for one principal dwelling unit and one accessory apartment on a lot:
Lot Size: 6,000 sq. ft.
Lot Width: 60 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: minimum of 8 ft. on one side; total of both sides - 20 ft.
Rear Yard Setback: 30 ft.
Maximum Height: 60 ft.
Maximum Building Coverage Ratio: 0.4

4.10.2 For all other uses:
Lot Size: 7,500 sq. ft.
Lot width: 75 ft.
Front Yard Setback: 25 ft.
Side Yard Setback: minimum of 8 ft. on one side; total of both sides - 20 ft.
Rear Yard Setback: 30 ft.
Maximum Height: 60 ft.
Maximum Impervious Surface Ratio: 0.5

4.11 Downtown District (Eff. 12/16/10)

4.11.1 For non-residential buildings and uses:
Lot Size: no minimum area
Lot Width: no minimum
Front Yard Setback: none
Side yard Setback: 20 ft. only if adjacent to a residential zone
Rear Yard Setback: 20 ft. only if adjacent to a residential zone
Maximum Height: 60 ft.

4.11.2 For building with one or more dwelling units:
Requirements are the same as for residential buildings in the R-6 zone

4.12 Local Business

4.12.1 For non-residential buildings and uses:
Lot Size: 10,000 sq. ft.
Lot Width: 80 ft.
Front Yard Setback: 10 ft.
Side yard Setback: 25 ft. only if adjacent to a residential zone
Rear Yard Setback: 25 ft. only if adjacent to a residential zone
Maximum Height: 50 ft.
Maximum Impervious Surface Ratio: 0.75

4.12.2 For building with one or more dwelling units:
Requirements are the same as for residential buildings in the R-6 zone

4.13 Industrial

- Lot Size: 10,000 sq. ft.
- Lot Width: 80 ft.
- Front Yard Setback: 10 ft.
- Side Yard Setback: 25 ft. only if adjacent to a residential zone
- Rear Yard Setback: 25 ft. only if adjacent to a residential zone
- Maximum Height: 60 ft.
- Maximum Impervious Surface Ratio: 0.75

4.14 Industrial Park

- Lot Size: 40,000 sq. ft.
- Lot Width: 150 ft.
- Front Yard Setback: 25 ft. or 75 ft. if adjacent to or across the street from a residential zone *Note the Commission may reduce this setback by Special Exception to not less than 50 feet. (Effective 8-22-02)
- Side Yard Setback: 25 ft. or 75 ft. if adjacent to or across the street from a residential zone *Note the Commission may reduce this setback by Special Exception to not less than 50 feet. (Effective 8-22-02)
- Rear Yard Setback: 50 ft. or 75 ft. if adjacent to or across the street from a residential zone *Note the Commission may reduce this setback by Special Exception to not less than 50 feet. (Effective 8-22-02)
- Maximum Height: 60 ft.
- Maximum Impervious Surface Ratio: 0.65

4.15 INCENTIVE HOUSING OVERLAY ZONE (IH) (EFF. 1/31/11)

4.15.1 Purpose.

- A. The Incentive Housing Overlay Zone (IH) is adopted pursuant to the authority of Connecticut General Statutes Chapter 124b. Its purpose is to encourage affordable housing in both residential and business districts that have the transportation connections, nearby access to amenities and services, and infrastructure necessary to support concentrations of development.
- B. The IH seeks to avoid sprawl and traffic congestion by encouraging a more vibrant residential component to business or mixed use areas to sustain a lifestyle in which residents can walk or use public transportation to reach jobs, services, and recreational or cultural opportunities.
- C. It is a further purpose that the IH enable development and reuse of existing, historic or underutilized buildings or properties in Torrington that may otherwise be lost to progress.

4.15.2 General Requirements.

- A. Any such zone shall be in compliance with the locational requirements of Connecticut General Statutes Chapter 1245b.
- B. Subzones.