

**PEAINE AND ST. JAMES TOWNSHIP ZONING ORDINANCE**  
**Adopted April 26, 2004**

**SECTION 6.13 - "H" HARBOR DISTRICT**

**a) Purpose** - This Zoning District is provided to promote the welfare of the Harbor District designated on the Zoning Map; to promote the topographic features of the harbor and its adjacent lands; to promote the economic advantages of the area's unique existing features; to provide for and preserve commercial and residential structures and uses; and to maintain a compatible development pattern of uses historically or presently existing in this zoning district.

**b) Use Regulations** - Land and/or buildings in this zoning district may be used for the following purposes only:

**1) Residential Use**

(a) Single-family and multiple-family dwellings, including not more than two (2) detached accessory buildings located on a lot, subject to the requirements of Sections 4.03 and 4.04 of this Ordinance. An accessory gazebo or garage shall not exceed a height of twenty (20) feet.

(b) Minimum Dwelling Unit Size.

(1) Single Family Residence - 768 square feet of floor area, 600 feet on first floor of a multi-story building.

(2) Each Multiple Family dwelling unit shall have a minimum of 600 square feet of floor area exclusive of porches, decks, garages and utility rooms.

**2) Commercial Use** - Commercial uses shall be limited to the following uses:

(a) Automobile and other vehicle sales.

(b) Boat, boat motor or related marine repair facilities.

(c) Wet or dry storage of boats, boat sales and brokerage firms, boat builders, yards and shops.

(d) General Office Building (executive, administrative, professional).

(e) Banks, Savings & Loan, Insurance, Real Estate.

(f) Bed and Breakfasts.

(g) Public Utility Offices.

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- 1
- 2 (h) Generally recognized retail business including but not limited to: groceries,
- 3 drugs, dry goods, clothing, and hardware.
- 4
- 5 (c) Single Family Residential dwelling to be used for rental purposes, and motels,
- 6 hotels, and boarding houses.
- 7
- 8 (d) Museums, Art Galleries.
- 9
- 10 (e) Publicly owned and occupied Municipal buildings.
- 11
- 12 (f) Churches and accessory buildings.
- 13
- 14 (g) Municipal playgrounds, recreation areas.
- 15
- 16 (h) Private club, halls.
- 17
- 18 (i) Indoor storage in a permanent structure excluding toxic and/or hazardous
- 19 materials.
- 20
- 21 (j) Indoor recreational uses (bowling alley, billiards).
- 22
- 23 (k) Theaters.
- 24
- 25 (l) Personal service establishments, which perform services on the premises:
- 26 repair (TV, radio, shoe), barber or beauty shop.
- 27
- 28 (s) Shop for custom work, i.e., for making articles provided that the conduct of
- 29 such business is not objectionable as being odorous, unsightly or noisy.
- 30
- 31 (t) Bakery not employing more than five (5) persons.
- 32
- 33 (u) Restaurants, (not including drive-in restaurants), and bars.
- 34
- 35 (v) Gasoline filling or service station subject to the following requirements:
- 36
- 37 (1) Gas pumps, air and water hose shall be set back no less than fifteen (15)
- 38 feet from all street right-of-way lines.
- 39
- 40 (2) Proper driveways for entrance and exit shall be installed.
- 41
- 42 (3) Gas pumps, vents, and filler pipes must be not less than one hundred (100)
- 43 feet from a Single Family residence.

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(4) Prohibited activities include the following: outdoor storage of disabled vehicles for more than seven (7) consecutive calendar days, vehicle body repair, undercoating, painting, tire recapping, and other such activities whose external physical effects could adversely extend beyond the property line.

(w) Special uses that may be authorized include the following uses provided a Special Use Permit has been approved by the Planning Commission in accordance with the procedures, provisions, and standards of Article IX of this Ordinance:

- (1) Living quarters above or attached to the principal structure as long as it has a minimum of 600 square feet of floor area.
- (2) Temporary outdoor displays.
- (3) Institutions for human care including senior housing.

**c) Development Regulations**

1) All buildings are subject to the following requirements:

**(a) Minimum Requirements:**

Front Yard Setback: There shall be a minimum front yard setback of twenty-five (25) feet except for commercial buildings where established buildings on adjacent lots have an average setback of less than the minimum. In such cases, a new or expanded building shall be constructed with a front yard setback equal to the average setback established by the buildings on both sides of and within 200 feet of the new or expanded building. No off-street parking shall be permitted between the street and the front of the commercial building.

Rear Yard Setback: 35 feet

Side Yard Setback: (each side) 10 feet

Lot Size 10,000 square feet

**(b) Maximum Requirements:**

Building Height 40 feet

Lot Coverage 40 %



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- 1       2) All utility lines (power, telephone, water, gas, and cable TV) serving this zoning  
2       district shall be placed underground.
- 3
- 4       3) A buffer strip or screening may be required by the Planning Commission to obtain  
5       compatibility between dissimilar uses.
- 6
- 7       4) Areas for loading and unloading delivery trucks and other vehicles and for refuse  
8       collection service, fuel and other services shall be provided and shall be adequate in  
9       size and shall be arranged so that they may be used without blockage or  
10      interference with the use of access ways or parking facilities.
- 11
- 12      5) Provisions shall be made for safe and efficient ingress and egress to the public  
13      streets servicing this zoning district without undue congestion or interference with  
14      normal traffic flow.
- 15
- 16      6) The developer of residential structures other than Single Family dwellings shall be  
17      required to give consideration to the provision of community areas, laundry  
18      facilities, playground and tot lots, and other services necessary for the comfort and  
19      convenience of residents of this district.
- 20
- 21      7) The property owner shall be required to preserve and incorporate natural features  
22      such as woods, streams and open spaces, which add to the overall development of  
23      the area.
- 24
- 25      8) The Development Plan shall have the following: Provisions for safe and efficient  
26      ingress and egress to the public streets servicing this zoning district without undue  
27      congestion or interference with normal traffic flow.
- 28
- 29      9) All uses must comply with Article VIII, which requires off-street parking and  
30      Article VII, which regulates signs.
- 31
- 32      10) A Development Plan for each structure in this zoning district shall be reviewed for  
33      approval by the Planning Commission for compatibility of use with existing land  
34      uses, in accordance with Article XIV, of this Ordinance, and said Plan shall  
35      indicate or illustrate how the requirements of this Section are being met.
- 36
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