

4. Boundaries indicated as parallel to, or extension of, features indicated in subsections (1) through (4) above shall be so construed.
5. Distances not specifically indicated on the Zoning Map shall be determined by measurement in accordance with the scale of the map;
6. In cases of further uncertainty, the Zoning Commission shall determine the location of the boundary.

2.4 APPLICATION OF DISTRICT REGULATIONS

The requirements set by this regulation within each district shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided.

1. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
2. **LOTS IN ZONES ABUTTING THE FLOODPLAIN ZONE**
Where a parcel of land is located in two zones, one of which is a Floodplain Zone, all zoning requirements for the applicable non-floodplain zone must be met within that portion of the parcel which is not located in the Floodplain Zone.
3. **UNBUILDABLE LAND**
Land in any zone which in the judgment of the Town Zoning or Town Planning Commission may be unfit for human habitation for health reasons shall not be built on for that purpose until the building permit has the written approval of the Health Officer.
4. **LOTS IN TWO ZONING DISTRICTS**
Where a lot of record at the time of passage of these regulations or any amendments thereto falls into two or more zoning districts, any questions of uncertainty as to district boundaries shall be determined by the Zoning Commission.

2.5 REGULATIONS DECLARED TO BE MINIMUM REGULATIONS

In their interpretation and application, the provisions of this Regulation shall be held to be minimum regulations, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this Regulation are at variance with the requirements of any other lawfully adopted rules, regulations, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

SECTION 3 RESIDENTIAL DISTRICTS

3.1 PURPOSES

These residential zoning districts are established to provide for residential neighborhoods that are in harmony with the natural features of the land and the needs of present and future Simsbury residents.

3.2 DESIGNATION OF RESIDENTIAL DISTRICTS

District Name	District Symbol
High Density Residential	R-15

Moderate Density Residential	R-25
Moderate Density Residential	R-30
Low Density Residential	R-40
Rural Residential	R-80
Rural Residential	R-160
Residential – Open Space	R40OS
	R80OS

3.3 LIMITATION OF PRINCIPAL USES

Only one principal use shall be permitted on a residential lot, unless otherwise stated, except that non-agricultural uses may be permitted on farms, subject to the requirements of Section 8.5, in addition to a principal residential use or other agricultural uses on the same lot.

3.4 PERMITTED AND SPECIAL EXCEPTION USES

Residential - Principal Uses	R-15	R-25	R-30	R-40	R-80	R-160	R-40OS	R-80OS
Single family detached dwelling	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Open space development in accordance with Section 3.12	SE	SE	SE	SE	SE	SE	SE	SE
Rear Lot(s) in accordance with Section 3.5	SE	SE	SE	SE	SE	SE	NO	NO
Residential Accessory Uses	R-15	R-25	R-30	R-40	R-80	R-160	R-40OS	R-80OS
Short-Term Rentals	OK	OK	OK	OK	OK	OK	OK	OK
Uses customary, subordinate, and incidental to a permitted use	OK	OK	OK	OK	OK	OK	OK	OK
Temporary public gatherings in accordance with Section 3.7	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Establishment of one (1) accessory dwelling unit in accordance with Section 3.4.2	SE	SE	SE	SE	SE	SE	SE	SE
Keeping of animals that are accessory to the residential dwelling unit in accordance with Section 3.6(E)	OK	OK	OK	OK	OK	OK	OK	OK
Outside storage of recreational vehicles and other equipment in accordance with Section 3.7(E)	OK	OK	OK	OK	OK	OK	OK	OK
Home Business in accordance with Section 3.5.3.1	OK	OK	OK	OK	OK	OK	OK	OK
Home Based Service Business in accordance with Section 3.5.3.2	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Home Based Service Business in accordance with Section 3.5.3.2(I)	SE	SE	SE	SE	SE	SE	SE	SE

Energy generating devices- Commission may permit greater height and area requirements than the regulations allow	SE	SE	SE	SE	SE	SE	SE	SE
Non-Residential Uses	R-15	R-25	R-30	R-40	R-80	R-160	R-400S	R-800S
Accredited private elementary and/or secondary schools.	SE	SE	SE	SE	SE	SE	SE	SE
Boarding schools or boarding camps in accordance with Section 3.6(B)	SE	SE	SE	SE	SE	SE	SE	SE
Aircraft landing fields	SE	SE	SE	SE	SE	SE	SE	SE
Non-profit membership clubs in accordance with Section 3.6(D)	SE	SE	SE	SE	SE	SE	SE	SE
Municipal, state and federal government facilities.	SE	SE	SE	SE	SE	SE	SE	SE
Cemetery	SE	SE	SE	SE	SE	SE	SE	SE
Public utility installations needed for the public convenience and necessity.	SE	SE	SE	SE	SE	SE	SE	SE
Temporary buildings associated with construction of a permitted use in accordance with Sections 3.7(G)	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Place(s) of worship.	SE	SE	SE	SE	SE	SE	SE	SE
Golf Clubs and riding clubs in accordance with Section 3.6(C)	SE	SE	SE	SE	SE	SE	SE	SE
Development of affordable housing on Town-owned land whether or not the housing itself is owned by a municipal, state or federal government	SE	SE	SE	SE	SE	SE	SE	SE
Assisted Living Facility, Congregate Senior Housing Facility and/or Continuing Care Retirement Community	SE	SE	SE	SE	SE	SE	SE	SE
Day care or child center	SE	SE	SE	SE	SE	SE	SE	SE
Health Care Facilities in accordance with Section 4.6(C)								
Agricultural Uses	R-15	R-25	R-30	R-40	R-80	R-160	R-400S	R-800S
Agriculture and Agricultural Events	OK	OK	OK	OK	OK	OK	OK	OK
Non-agricultural farm events	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Nursery	SE	SE	SE	SE	SE	SE	SE	SE
Farm Stand	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
ZP = Zoning Permit SE = Special Exception OK = No permit necessary allowed within Zoning District								

3.5 RESIDENTIAL ACCESSORY BUILDINGS AND USES

1. SIZE AND LOCATION OF ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS

All accessory structures require a Zoning Permit.

- a. In all residential districts, accessory structures shall not be located in front yards except:
 - i. Properties which are greater than one acre in size and the primary structure is greater than 150 feet from the front property line, the structure can be located in the front yard provided that it is no closer to the property line than the front yard setback for the zoning district.
 - ii. Lots that are considered thru lots, an accessory structure can be located behind the primary structure provided that it conforms to all zoning district setbacks.
 - iii. Corner lots, accessory structures may be located in the front yard provided that the location is no closer to the front property line than the primary structure and conforms to the front yard setback for the zoning district.
- b. An Accessory Structure shall not exceed a height of 15 feet.
- c. An Accessory Structure located in a rear yard shall not exceed 250 square feet of building area; shall be located a minimum of 10 feet from the lot line.
- d. An Accessory Structure that exceeds 250 square feet in building area must conform to the building setbacks for the zoning district.
- e. The maximum cumulative building area for all accessory structures on a lot shall not exceed a total of 50% of the building area of the primary building.

2. ACCESSORY DWELLING UNITS

Purpose: The purpose of this section is to help implement the goals, policies and objectives of the Housing section of the Plan of Conservation and Development, providing a variety of housing opportunities for all segments of the population while at the same time preserving the appearance, architecture and general design of the Town’s neighborhoods by permitting, by site plan approval or special exception, the creation of a single accessory dwelling unit which is incidental and subordinate to the existing single-family dwelling.

Eligibility for Conversion: The single-family dwelling being converted to include an accessory dwelling unit must be in conformance with all applicable requirements of these regulations.

A. Attached Accessory Dwelling Units

- 1. One (1) accessory dwelling unit in the main dwelling (within the footprint of the primary dwelling unit) unit may be permitted subject to site plan approval provided that it conforms to the following conditions:
 - a) The owner of record, or beneficiary of life estate, must reside in either the accessory dwelling unit or primary dwelling. An affidavit acknowledging the residency is required from property owner.
 - b) The area devoted to the accessory dwelling unit shall be up to 600 sq. ft. or 30% of the gross floor area of the primary dwelling, whichever is greater.
 - c) Only one accessory dwelling unit is permitted for each lot.
 - d) The primary dwelling unit and the accessory dwelling unit shall comply with building, health, and fire prevention codes.
 - e) Any secondary entrances incorporated into the principal residence shall reflect the architectural style of the single-family unit.