

**CHAPTER 11**  
**TOWN OF LISBON ZONING ORDINANCE**

**SECTION 15 A-3 AGRICULTURAL/RESIDENTIAL ESTATE DISTRICT**

**(a) Purpose and Intent**

This District is intended to be a transition between rural, agricultural uses and low-density single-family suburban residential development. These lands provide for limited agricultural use and single family residential estate type dwellings.

**(b) Permitted Uses**

1. Single-family dwellings with a minimum 440 square foot attached garage.
2. Gardening, apiculture as defined in this ordinance [also refer to Section 3(i)(5)(AA)], but not on lots less than one (1) acre in size, and livestock and non-commercial poultry/fowl raising, and livestock grazing as regulated in Section 15(b)3, Section 15 (b)4, and Section 15(b)5C below.
3. The keeping of poultry/fowl is permitted on any lot, except no poultry/fowl are allowed in a recorded subdivision on lots less than three (3) acres. The keeping of poultry/fowl and livestock shall be regulated so that there shall be no more than one (1) livestock equivalent and twenty (20) poultry/fowl for the first three (3) acres of land, and one (1) livestock equivalent and twenty (20) poultry/fowl per one (1) acre of land thereafter. The keeping of poultry/fowl or livestock shall be done under maximum practical conditions of neatness and sanitation so as not to be detrimental to the surrounding uses. All poultry/fowl shall be kept confined or enclosed and not permitted to run at large in recorded subdivisions. All lands to be utilized for the keeping of livestock or poultry/fowl must be under the same ownership. As of the date of adoption of this ordinance, livestock in recorded subdivisions is allowed on lots of three acres or more excluding lands zoned C-1 Conservancy District, or EFD or UC zoned lands.
4. The keeping of hogs, male goats, or fur bearing animals shall not be permitted on less than twenty (20) acres.
5. The following accessory buildings and uses, subject to the conditions specified:
  - A. Private garages, when located on the same lot, and not involving the conduct of a business; provided, however, that no private garage shall be erected unless that principal building to which such garage is an accessory use has been erected or is to be erected simultaneously with said garage.
  - B. Private boathouses, provided no living quarters are included in said boathouse. Only one (1) boathouse per lot is permitted. New boathouses are prohibited.
  - C. Stables, barns, or poultry houses on lots at least three (3) acres in size, and provided that no building housing livestock or poultry shall be closer than fifty (50) feet to any lot line.
6. Home occupations/professional offices as defined in this ordinance, when incident to the residential use and when situated in the dwelling, subject to the following conditions:
  - A. No name plate exceeding three (3) square feet in area shall be permitted.
  - B. Such home occupation or professional office shall not occupy more than twenty (20)

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- percent of the floor area of the residence.
- C. Such home occupation or professional office shall not employ more than one (1) person not a resident on such lot.
  - D. Adequate off-street parking facilities shall be provided adjacent, or reasonably adjacent to the residence housing such occupation or office.
  - E. Such permitted use shall not include the conduct of any retail or wholesale business on the premises, nor the removal of sand, gravel or stone for commercial purposes.
  - F. Such permitted use shall not include the use of any machinery, tools, or other appliances that can reasonably be construed as creating an abnormal nuisance to the surrounding property owners.
  - G. Such permitted use shall be permitted subject to the condition that no materials or equipment used incident to the home occupation/professional office are stored on the premises except in those circumstances where the materials and equipment are stored within the residence.
7. A sign pertaining to the lease or sale of any building or land provided such sign does not exceed twenty (20) square feet in area. A sign not exceeding six (6) square feet in area may be maintained by the owner or occupant of any land or building for the purpose of displaying the name of the owner or occupant, or for the purpose of warning against trespasses. Signs shall be in accordance with Chapter 13, Signs, of the General Code of Ordinances (refer to Addendum A).
8. Hobby kennels may be permitted on parcels more than one acre in area if they are accessory to a single-family residence, but not including the operation of a commercial kennel unless a conditional use permit is obtained, provided such use has the specific approval of the town plan commission, meets all of the standards for the issuance of a commercial kennel conditional use provided in Section 4 (h) 2 A-C, and will not adversely affect the use of adjacent lands as may be determined by findings of the town plan commission. The Town Clerk shall notify landowners within 100 feet of the subject property and in any case to land owners immediately adjacent and across the street from such use, in writing by regular mail 10 days prior to the meeting at which this matter will be discussed. The town plan commission may establish conditions of approval as deemed appropriate to protect adjacent properties. The town may deny the request on the basis of a finding that such a use would be incompatible and a possible nuisance to surrounding uses and not in the public interest. Any person aggrieved by a decision of the plan commission relative to this provision may appeal such decision to the board of appeals for review and determination as provided for in Section 34 of this Ordinance.

Where two (2) or fewer dogs are kept, such use shall be considered accessory to the principal use and shall not require special approval by the plan commission. In any case, if the keeping of any number of dogs accessory to the principal use becomes a nuisance to the neighborhood as may be determined by the town plan commission or town board, such use shall be terminated or the nuisance abated. Where necessary, the town plan commission or town board may take appropriate steps to abate such nuisance.

9. Family home day care.

(c) **Prohibited Uses**

1. Adult-Oriented Establishments

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(d) **Conditional uses**

1. Animal Hospitals, Veterinarian Clinics, and Commercial Kennels.
2. Bed and Breakfast
3. Cemeteries and Mausoleums
4. Churches, Synagogues, and Other Buildings for Religious Assembly
5. Commercial Truck Parking
6. In Law Units
7. Limited Family Business
8. Private Clubs and Resorts
9. Public and Semi-Public Buildings and Uses
10. Single family residential Planned Unit Developments
11. Communication Towers
12. Antique shops, gift shops, arts and crafts studios

(e) **Building location**

1. Setback: Fifty (50) feet minimum.
2. Offset: Thirty (30) feet minimum.
3. Shore Setback: Seventy-five (75) feet minimum.

(f) **Height regulations**

1. Principal building: Forty-five (45) feet maximum if a two story and fully exposed on at least one side of the building. Thirty-five (35) feet maximum if a one story with or without an exposure, or a two story with no exposure.
2. Accessory building: Eighteen (18) feet maximum.

(g) **Area regulations**

1. Floor area:
  - A. Minimum required
    - i. First floor: One thousand (1,000) square feet.
    - ii. Total: Sixteen hundred (1,600) square feet.
  - B. Maximum F.A.R permitted: Fifteen (15) percent.
2. Lot size:
  - A. Minimum area: Three (3) acres.
  - B. Minimum average width: Two hundred (200) feet.
3. Open space: Two (2) acres.