

Sec. 8-3064. Visual controls for new development within established one- and two-family neighborhoods.

(a) *Intent.* The purpose of this section is to preserve visual compatibility between uses and to maintain property values within one- and two-family neighborhoods that are largely built-out and have established over time a neighborhood physical appearance and visual quality and are now experiencing new one- and two-family infill development on the remaining vacant lots. The provisions of this section are not intended to impose a pattern of regimented conformity to any specific architectural style or taste but are intended solely to prevent the location or construction of any one- or two-family dwelling structures which would substantially affect adversely the character of a neighborhood, such as reduce its desirability as a place to live, depreciate property values or otherwise be visually incompatible with the architectural characteristics of the neighborhood. The provisions of this section are intended to apply in mature subdivisions and neighborhoods that are largely built-out and not to subdivisions or developing neighborhoods where the sale of lots and development of such lots is diligently being pursued by a builder or developer.

(b) *Standards.* Building permits shall not be issued for one- and two-family dwelling structures located on infill lots if one or more of the following conditions exist:

- (1) The proposed exterior appearance for such dwelling structure lacks form and rhythm of exterior walls and roof to the extent that the street facade is entirely flat in appearance and contradicts the established character of the neighborhood or is inappropriate in appearance with adjacent dwelling.
- (2) The proposed exterior facade for such dwelling structure is to be constructed of a finished material which is visually incompatible with the quality of materials of the dwellings of the surrounding neighborhood.
- (3) The proposed location of such dwelling structure on the lot does not significantly acknowledge or respect established dwelling setbacks and thereby adversely impact the visual quality of the established development pattern.

(c) *Enforcement.* The building inspector upon the receipt of an application for a building permit for a one- or two-family structure located on an infill lot shall refer such application to the planning commission for review and appropriate action pursuant to the provisions of this section. The application referred to the planning commission shall include elevation or perspective drawings adequate in detail to enable the planning commission to determine if the building meets the compatibility standards as set forth in this section. Where the planning commission finds that the proposed building meets the standards of this section it shall so notify its approval to the building inspector. Where the planning commission finds that the proposed building does not meet the standards of this section it shall so notify the applicant and building inspector in writing setting forth its reason for such disapproval, and no building permit shall be issued based on such building design.