

Article VII. High Density Residential, District R-3

Sec. 70- 49 Statement of Purpose and Intent

This district is intended to establish areas where residential housing of a medium to high density capacity can be located. This district will provide for maximum residential flexibility, utilizing a variety of residential alternatives, while still preserving the essential characteristics of a residential district. This district also allows for certain compatible public and semi-public and very limited commercial land uses, which are intended to serve the needs of the residents of the district. The following regulations are designed to stabilize, protect and promote this type of development, and to ensure that a suitable and comfortable living environment will be provided for people of all ages.

Sec. 70- 50 Permitted Uses.

Unless otherwise provided in Section 70-51 of this Article, the structures to be erected or land to be used in the R-3 Residential District shall be for one of the following uses and its permitted accessory uses; provided that, with the exception of multi-family dwellings, only one main building and its accessory structures may be erected on any lot or parcel of land in this district.

- (a.) Single-family detached dwellings, including Courtyard homes in accordance with Section 70-146(a) of this Chapter.
- (b.) Two-family dwellings.
- (c.) Two-family attached (duplex) dwellings, each unit of which may be separately owned.
- (d.) Town houses, in accordance with Sec. 70-145 of this chapter.
- (e.) Multi-family structures, including apartment houses, garden apartments and condominiums in accordance with Sec. 70-146 of this chapter.
- (f.) Public school, and private schools.
- (g.) Churches and other places of worship, but not including rescue missions.
- (h.) Libraries.
- (i.) Existing cemeteries and the expansion of such cemeteries when the expansion abuts an existing cemetery.
- (j.) Public parks, playgrounds and play fields, bikeways, pedestrian trails, walkways, nature preserves, swimming pools and tennis courts, in accordance with Sec. 70- 28 of this chapter.
- (k.) Minor Public Utilities.
- (l.) Home occupations, in accordance with Sec. 70- 136 of this chapter.
- (m.) Group homes in accordance with Sec. 70- 139 of this chapter.
- (n.) (Reserved).

- (o.) (Reserved).
- (p.) Off-street parking and loading, in accordance with Sec. 70- 150 and Sec. 70- 151 of this chapter.
- (q.) Signs, in accordance with Sec. 70- 152 of this chapter.
- (r.) Fences, in accordance with Sec. 70- 133 of this chapter.
- (s.) Storage of recreational vehicles, in accordance with Sec. 70- 129 of this chapter.
- (t.) Temporary buildings, in accordance with Sec. 70- 136 of this chapter.
- (u.) Dish antennae, in accordance with Sec. 70- 130 of this chapter.
- (j.) Other customary accessory residential buildings and uses that are clearly incidental to the principal building and/or use, in accordance with Sec. 70- 128 of this chapter.
- (k.) Short-Term Rental, Owner-Occupied
- (l.) Short-Term Rental, Non-Owner-Occupied

Sec. 70- 51 Permitted Uses with a Condition Use Permit.

The following uses may be permitted in the R-3 Residential District with a conditional use permit, subject to the procedures and criteria established in this chapter.

- (a.) Professional offices and office buildings, in accordance with Sec. 70- 142 of this chapter.
- (b.) Bed and breakfast establishments, in accordance with Sec. 70- 143 of this chapter.
- (c.) Day care centers/facilities, in accordance with Sec. 70- 140 of this chapter
- (d.) Nursing homes, rest homes and retirement homes, in accordance with Sec. 70- 141 of this chapter.
- (e.) Hospitals.
- (f.) Resorts, country clubs, memorials and golf courses.
- (g.) Private clubs and organizations.
- (h.) Public safety and other community service facilities and public and semi-public uses that are not listed in Sec. 70- 50 of this Article.
- (i.) Major public utilities.
- (j.) Boarding facilities accessory to and operating in conjunction with private schools, in accordance with Sec. 70- 38 of this chapter

- (k.) Manufactured homes, in accordance with the provisions of Sec. 70- 152.1 of this chapter.
- (l.) More than one main use may be permitted only with a conditional use permit on any lot or parcel of land in the R-3 Residential District provided that:
 - 1. The proposed uses are permitted by right or permitted with a conditional use permit in the R-3 district;
 - 2. Each of the proposed uses complies with all other requirements of this chapter; and
 - 3. The governing body, in accordance with the provisions of this chapter, determines that the utilization of the property for more than one main use will in no way adversely impact the property in question or the surrounding neighborhood.
- (m.) Private medical transport service, provided that no emergency lights, sirens or any other loud warning devices are used in conjunction with the operation of the business.

Sec. 70- 52 Area Regulations.

The minimum lot area for uses in the R-3 Residential District shall be 7,500 square feet with the following exceptions:

- (a.) Two-family attached (duplex) dwellings – 11,000 square feet (5,500 square feet per unit).
- (b.) Town houses – Interior lot: 1,800 square feet per unit.
End and corner lot: 3,000 square feet per unit.
- (c.) Multi-family dwellings – 10,000 square feet for the first two (2) dwelling units, plus: 1,500 square feet for each dwelling unit in excess of two contained in an apartment house; or 2,500 square feet for each dwelling unit in excess of two contained in a garden apartment or condominium.
- (d.) Courtyard homes - 4,000 square feet

Sec. 70- 53 Setback Regulations.

No structures in the R-3 Residential District shall be located closer than twenty-five (25) feet to any street right-of-way which is fifty feet or greater in width, or closer than forty-five (45) feet to the centerline of any street right-of-way less than fifty feet in width; except that no building need be set back more than the average setback of the two adjacent structures on either side. This shall be known as the “setback line”. However, if either of the adjacent structures is not in compliance with the applicable setback requirements and has not received a variance therefore, or is not a nonconforming structure by reason of inadequacy of setback, this exception shall not apply. A vacant lot shall be assumed to be occupied by a building housing a minimum setback.

Sec. 70- 54 Frontage Regulations.

The minimum lot width at setback line in the R-3 Residential district shall be fifty (50) feet, with the following exceptions:

- (a.) Two-family attached (duplex) dwellings- Seventy-five (75) feet (thirty-seven and one-half (37 ½) feet per unit).
- (b.) Town houses- Interior unit: Eighteen (18) feet per unit.
End and corner units: Thirty (30) feet per unit.
- (c.) Multi-family dwellings- One-hundred (100) feet.

Sec. 70- 55 Yard Regulations.

- (a.) Side. The minimum side yard in the R-3 Residential District shall be ten (10) feet, with the following exceptions:
 - 1. Town houses- Each main building group shall have a side yard of at least twenty (20) feet when adjoining an R-1 Residential District. In no case shall a side yard of less than ten (10) feet in width be provided for each end residence in the group of town houses.
 - 2. Multi-family dwellings- Twenty (20) feet.
- (b.) Rear. The minimum rear yard in the R-3 Residential District shall be twenty (20) feet.

Sec. 70- 56 Height Regulations.

- (a.) Buildings may be erected up to forty-five feet in height from the average level of the ground adjacent to the front exterior wall, except that:
- (b.) A public or semi-public building such as a church, school or library may be erected to a height of sixty feet above grade, provided that required front, side and rear yards shall be increased one foot for each foot in height over forty-five feet.
- (c.) Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennae, and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building upon which the walls rest.

Sec. 70- 57 Lot Coverage

The buildings of resorts, county clubs, memorials, golf courses, and private clubs and organizations shall not cover more than ten (10) percent of the site.

Sec. 70- 58 Special Provisions

- (a.) Corner Lots

With the exception of town houses, and unless otherwise provided in this chapter, the following provisions shall apply to corner lots in the R-3 Residential District:

- 1. Of the two sides of a corner lot, the front shall be deemed to be the shortest of the two sides fronting on the streets; however, this provision may be waived by the

planning commission, upon recommendation by the zoning administrator, in instances when it is determined that the interests of safety and/or practically are best served by the granting of such a waiver.

2. The side yard on the side facing the side street shall be twenty-five (25) feet or more for both main and accessory buildings.
3. For subdivisions platted after the enactment of this chapter, each corner lot shall have a minimum width at the setback line of not less than fifty (50) feet.

(b.) Recreational Uses.

As provided in Sec. 70- 38 of this chapter.

(c.) Open Space.

As provided in Sec. 70- 38 of this chapter.

(d.) Boarding Facilities for Private Schools.

As provided in Sec. 70- 38 of this chapter.

