

Division 3-I-7 Residential District R-3

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3-123 Intent

The R-3 District is composed of certain moderate to medium concentrations of residential uses plus certain open areas where similar development appears likely to occur. The standards for this district are designed to stabilize and protect the essential character of the area so designed and to promote and encourage, insofar as is compatible with the intensity of land use, a suitable environment for family life. Development is, therefore, limited to single and multifamily dwellings for both permanent and transient occupancy plus selected additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. In the development and designation of a primarily multifamily district, it is intended that such be accomplished in consonance with the principles of open area planning, as specified hereinafter. Home occupations, as defined, are permitted. Manufactured homes as residences are prohibited.

In addition, this district is intended to provide specifically for facilities which provide assisted living for its residents. Such structure may or may not provide kitchen facilities, and provide services which are integral to the personal and therapeutic care of residents thereof, and which shall receive the appropriate State Licensure.

HISTORY

Amended by Ord. 2013-002 on 10/15/2013

3-124 Permitted Uses

1. In Residential District R-3, any building to be erected or land to be used shall be for one or more of the following uses:
 1. Single-family dwellings.
 2. Two-family dwellings (duplexes).
 3. Townhouses or Townhouse complexes.
 4. Apartment buildings or apartment complexes.
 5. Public and semipublic uses such as schools, churches, playgrounds, parks or hospitals.
 6. Public utilities: poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewage facilities.
 7. Off-street parking as required by Section 3-180 of this article.

8. Guest rooms.
9. Accessory buildings, as defined; however, garages or other accessory buildings, such as carports, porches and stoops attached to the main building shall be considered part of the main building. No portion of any accessory building, including roof, may be closer than three feet to any side or rear property line except that no portion of any swimming pool other than the apron shall be located closer than 10 feet to any side or rear property line. No accessory building shall be located in a front yard.
10. Parking of one commercial vehicle per dwelling unit subject to the following limitations:
 1. No garbage, truck, tractor and/or trailer of a tractor-trailer truck, dump truck with a gross weight of 12,000 pounds or more, cement-mixer truck, wrecker with a net weight of 12,000 pounds or more or similar such vehicles or equipment shall be parked on any public street in any residential district.
 2. Any commercial vehicle parked in any residential district shall be owned and/or operated only by the occupant of the dwelling unit at which it is parked.

3-125 Permitted Accessory Uses

1. Uses which are customarily accessory and clearly incidental and subordinate to permitted principal uses, including:
 1. Home occupations.

3-126 Special Uses

1. The following uses are permitted when authorized by the Town Council of Bowling Green after a recommendation from the Planning Commission:
 1. Swimming pools, private club, corporate or public.
 2. Family care homes, foster homes or group homes.
 3. Day-care center.
 4. Bed and Breakfast Establishment.
 5. Minor Event Facilities.

HISTORY

Amended by Ord. O-2018-002 on 3/1/2018

3-127 Specifications And Requirements

1. Area.

1. For residential lots containing or intended to contain only a single-family dwelling served by public water and sewage disposal, the minimum lot area shall be 12,000 square feet.
2. For residential lots containing or intended to contain only a single-family dwelling served by public water systems but having individual sewage disposal systems, the minimum lot area shall be 15,000 square feet. The administrator may require a greater area if considered necessary by the Health Officer.
3. For residential lots containing or intended to contain only a single-family dwelling served by public sewage disposal systems but having individual water systems, the minimum lot area shall be 15,000 square feet. The Administrator may require a greater area if considered necessary by the Health Officer.
4. For residential lots containing or intended to contain a single-family dwelling served by individual water and sewage systems, the minimum lot area shall be 19,000 square feet or more if considered necessary by the Health Officer.
5. For residential lots containing or intended to contain a two-family dwelling served by public water and sewage disposal systems, the minimum lot area shall be 18,000 square feet.
6. For residential lots containing or intended to contain a two-family dwelling served by public water systems but having individual sewage disposal systems, the minimum lot area shall be 22,000 square feet.
7. For residential lots containing or intended to contain a two-family dwelling served by public sewage disposal systems but having individual water systems, the minimum lot area shall be 22,000 square feet.
8. For residential lots containing or intended to contain a two-family dwelling served by individual water and sewage disposal systems, the minimum lot area shall be 26,000 square feet.
9. For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the Health Officer. The Administrator shall require a greater area if considered necessary by the Health Officer.

2. Setback.

1. Buildings shall be located 30 feet or more from any street right-of-way which is 50 feet or greater in width or 55 feet or more from the center line of any street right-of-way less than 50 feet in width. This shall be known as the "setback line."
2. Permitted exceptions to Front Yard Requirements. When a residential structure is non-conforming due to encroachment into the required Front Yard Setback, such structure may be expanded or extended on either side or both sides provided that the following conditions are met:

1. Such addition or extension shall not come any closer to the front property line or further encroach into the front yard to any greater extent than the front corner of the existing structure on the side proposed for the addition or extension; and
 2. All other requirements of the Zoning Ordinance for the zoning designation of the property, including the side and rear yard setback requirements shall be met.
3. Frontage.
 1. For single-family dwellings, the minimum lot width at the setback line shall be 70 feet or more.
 2. For two-family dwellings, the minimum lot width at the setback line shall be 80 feet or more.
4. Yards.
 1. Side. The minimum side yard shall be 10 feet or more, and the total width of the two required side yards shall be 20 feet or more.
 2. Rear. Each main building shall have a rear yard of 25 feet or more.
5. Height. Buildings may be erected up to 35 feet in height except that:
 1. The height limit for dwellings may be increased up to 45 feet and up to three stories, provided that there are two side yards, each of which is 10 feet or more, plus one foot or more of side yard for each additional foot of building height over 35 feet.
 2. A public or semipublic building, such as a school, church, library or general hospital, may be erected to a height of 60 feet from grade, provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.
 3. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which walls rest.
 4. No accessory building which is within 10 feet of any part lot line shall be more than one story in height. All accessory buildings shall be less than the main building in height.
6. Corner lots.
 1. Of the two sides of a corner lot, the front shall be deemed to be the shorter of the two sides fronting on streets.
 2. The side yard on the side facing the side street shall be 20 feet or more for both the main and accessory building.

3. For subdivisions platted after the enactment of this article, each corner lot shall have a minimum width at the setback line of 100 feet or more.
 4. To reduce traffic hazards, landscaping of corner lots shall be limited to planting, fences or other landscaping features of no more than three and one-half feet in height within the space between the setback line and the property line on the street corner side of the lot.
7. Townhouses and apartment buildings.
1. The minimum lot requirement of 10,000 square feet shall be waived for the individual lots occupied by each Townhouse dwelling unit. However, in consonance with the concept of open area planning, the total lot area and usable open space per dwelling unit, Townhouse or apartment shall be not less than 6,000 square feet. Such usable open space shall be exclusive of areas devoted to streets, alleys and parking area and shall be adequately landscaped with shade trees and grass to provide a park, playground area or swimming pool for the development.
 2. Any freestanding, continuously walled or continuously roofed structure shall contain not more than six Townhouses or six apartments.
 3. Freestanding structures shall not be closer than 30 feet to each other or 15 feet to any property line.
 4. Front and rear yard requirements shall conform to those of the R-3 District.
 5. The developer shall provide fencing and landscaping of a permanent nature which will adequately screen any Townhouse or apartment development from abutting R-1 and R-2 District properties. The Town Planning Commission shall ensure that this provision is effectively met before the Zoning Administrator shall issue a certificate of zoning compliance.
 6. Off-street parking shall be provided by the developer in the amount of two parking spaces per dwelling unit.
 7. Townhouse and apartment developments shall be served by public water and sewage disposal systems.
8. Assisted living facilities.
1. The minimum lot size shall be 3 acres.
 2. The minimum lot frontage shall be 100 feet and the minimum front, side and rear yard shall be 50 feet.
 3. The maximum building height shall be 60 feet.
 4. The maximum density shall be 30 units per acre.
 5. Off Street parking requirements shall be 1 space for every 2 units.

6. Additional handicapped parking shall be 1 for every 10 required parking spaces.
7. No accessory structure shall be located closer than 10 feet to any property line and shall not be located in any front yard.
8. Appropriate screening shall be provided when adjacent to any single or two family residences. Such screening may be provided on the adjacent property.