

SECTION XVII MULTI-FAMILY BUILDING(S) R-3

17.01 **PURPOSE:** The R-3 Multi-Family District is established to provide for a limited amount of alternative housing types to the traditional detached single-family dwellings in the Township. It is the intent of this district to allow for both multi-family and single detached cluster dwellings in locations that meet the following criteria, in conformance with the Comprehensive Plan:

- As a transitional land use between lower-density single-family residential areas (areas currently zoned R-1 Residential) and non-residential areas;
- In areas adjacent to major highways such as Interstate 90; and
- In locations that are currently zoned for single-family residential (areas currently zoned R-1 Residential) where low-density residential is not likely to develop because of locational or site conditions.

It is further intended that such districts be located so as to minimize their impacts on existing low density residential developments, through the regulation of size, location and density of units and the application of appropriate landscaping and buffer areas, with adequate public services available to support the density. (All 7/18/2008)

17.02 **PERMITTED USES:** The following uses of buildings and land and no others shall be classified as R-3:

- A. Multi-family Building(s) (1/13/1986; Amended 6/18/1998)
- B. Single Detached Cluster Dwelling(s) (7/18/2008)

17.03 Any multi-family building(s) or single detached cluster dwelling(s) may be constructed only on a parcel of land serviced by public sanitary sewers and public water. (1/13/1986; Amended 6/18/1998 and 7/18/2008)

17.04 **MINIMUM LOT AREA:**

- A. The minimum lot area to be developed for multi-family building(s) or single detached cluster dwelling(s) shall be 10 acres. The entire tract of land to be developed shall be contiguous and shall be considered one zoning lot.
- B. Single detached cluster dwellings may be included in a multi-family building development, in compliance with the regulations for multi-family buildings set forth in this chapter.

(1/13/1986; Amended 6/18/1998 and 7/18/2008)

17.05 **DENSITY:** Density shall not exceed eight (8) dwelling units per acre for multi-family buildings. Density shall not exceed 6.0 dwelling units per acre for single detached cluster dwellings. The maximum number of units permitted shall be calculated by:

- A. Deducting the following from the total project area:
 1. Any existing public right-of-way within the project boundary; and
 2. Any buffer strip areas required, as set forth in this chapter.
- B. Multiplying the remaining area by the maximum density permitted in this Section.

(7/13/1982; Amended 7/18/2008)

17.06 MINIMUM LOT WIDTH:

- A. No multi-family buildings or single detached cluster dwellings or project shall be erected upon any parcel of land having a frontage of less than two hundred (200) feet on the right-of-way sideline of a dedicated road. (1/13/1986; Amended 6/18/1998 and 7/18/2008)
- B. The minimum frontage on the right-of-way sideline of a dedicated road shall not be reduced in size from the right-of-way sideline of a dedicated road to the building setback line. (4/9/1979)

17.07 SETBACK BUILDING LINES: No building or structure in an R-3 District shall be erected or located within fifty (50) feet of the right-of-way sideline of a public road or street and such area shall be landscaped and maintained. (5/13/1975; Amended 7/18/2008)

17.08 SIDE AND REAR YARDS: A multi-family building or single detached cluster dwelling shall have a minimum side and rear yard clearance as hereinafter set forth which space shall remain open and unoccupied by any building or structure. (1/13/1986; Amended 6/18/1998 and 7/18/2008)

- A. Side and rear lot line clearance - thirty (30) feet from property lines or buffer strip. (1/13/1986)
- B. Minimum distance between multi-family buildings – fifty (50) feet end to end (end - the shortest dimension) and fifty (50) feet or two (2) times the height of the building, whichever is greater, front and rear (long dimension). Said distance to be measured between the closest points of the buildings. (1/13/1986; Amended 6/18/1998)
- C. Minimum distance between single detached cluster dwellings: for single one-story detached cluster dwellings, ten (10) feet; for one and one-half (1 ½) story dwellings, twelve (12) feet; and for two (2) story dwellings, 15 feet, side wall to side wall. (7/18/2008)

When dwellings with a different number of stories abut each other, the spacing requirement for the higher story building, as set forth in this section, shall prevail. (7/18/2008)

- D. Accessory uses or structures to a multi-family building or single detached cluster dwelling shall have a minimum side and rear lot line clearance of ten (10) feet and shall be thirty (30) feet from any other building or structure, and shall not be located in any buffer strip. (1/13/1986; Amended 6/18/1998 and 7/18/2008)
- E. A minimum buffer strip of fifty (50) feet shall be provided when said multi-family building(s) or single detached cluster dwelling(s) or project abuts an R-1 or R-4 District. The buffer strip shall be planted with grass and landscaped with the purpose of providing a year-round vertical green combination of shrubs and trees between any multi-family building or single detached cluster dwelling project and any R-1 or R-4 District. Private roads shall not be located in any buffer strip. Said buffer strip shall not be included in calculations for density. (1/13/1986; Amended 6/18/1998; 12/17/1998 and 7/18/2008)

17.09 MAXIMUM HEIGHT OF BUILDINGS:

- A. No building or structure shall be erected or maintained which is in excess of thirty-five (35) feet in height except church spires, belfries, clock towers, wireless towers, scenery lofts or other mechanical appurtenances where erected upon and as an integral part of such building. (1/13/1983)
- B. No accessory use to a multi-family building or single detached cluster dwelling shall exceed eighteen (18) feet in height. (1/13/1986; Amended 6/18/1998 and 7/18/2008)

17.10 MINIMUM DWELLING AREA:

- A. Every multi-family dwelling shall contain the following minimum residential floor area per family dwelling unit:
 - 1. Single bedroom or efficiency dwelling unit – 800 square feet.
 - 2. Two bedroom dwelling unit - 1,000 square feet.
 - 3. Each additional bedroom - 200 square feet minimum.
 (All 5/6/1969; Amended 7/18/2008)
- B. Every single detached cluster dwelling shall contain the following minimum residential floor area per family dwelling unit:
 - 1. 1 story - 1200 square feet
 - 2. 1 ½ story - 1400 square feet
 - 3. 2 story - 1600 square feet
 (All 7/18/2008)
- C. There shall be an attached garage required for each multi-family or single detached cluster dwelling unit, which shall contain a minimum of two (2) enclosed spaces. (6/7/1984; Amended 7/18/2008)

17.11 DISTANCE OF PRIVATE STREETS: No private street shall be located closer than 20 feet to any boundary, property line or public right-of-way sideline of the proposed multi-family or single detached cluster dwelling development. (7/18/2008)

17.12 BUILDING AND DRIVE IDENTIFICATION:

- A. A map clearly identifying the drives and buildings shall be provided to the Zoning Inspector prior to the issuance of the Zoning Permit as provided in Section XI.
- B. Prior to the issuance of an Occupancy Permit, as provided in Section XII of this Resolution, all buildings and units shall be identified by letter and/or number on the exterior of each building, which letter or number shall be clearly distinguishable from the access drive to said building. (1/13/1986; Amended 7/18/2008)

C. All private drives shall be clearly identified by name and said name shall be displayed on an identification sign which shall be in conformance with the street identification signs for public streets and roads in the Township. Naming of drives shall be consistent with the Lake County Subdivision Regulations as to duplication of names and names sounding the same. (4/9/1979)

17.13 AREAS ZONED R-3 MULTI-FAMILY BUILDING(S) (1/13/1986; Amended 6/18/1998 and 7/18/2008): On file in the Zoning Office, Concord Town Hall.

17.14 SITE PLAN REVIEW: Prior to the construction, alteration, expansion or modification of a use in the R-3 District, a site plan for such activity shall be reviewed and approved according to the procedures set forth in Section XXXVI of the Zoning Resolution. (6/15/2007)