

ARTICLE 6

"R-3" MULTIPLE-FAMILY RESIDENTIAL DISTRICT

6.1 PURPOSE AND INTENT

The "R-3" Multiple-Family Residential District is established to provide a District suitable for family living in an area characterized by medium to high density residential uses. This District allows single family dwellings, duplexes, triplex and fourplex uses, apartment buildings, and certain community facilities and conditional uses. The "R-3" District should only be established in areas where street and utility systems are adequate to accommodate high density development.

6.2 PERMITTED USES

The following uses and structures, and no others, are permitted in the "R-3" Multiple-Family Residential District.

1. All permitted uses in the "R-1" and "R-2" Residential Districts, as listed in Article 4.2 and Article 5.2.
2. Three-Family Dwellings (Triplexes).
3. Four-Family Dwellings (Fourplexes).
4. Apartment Buildings.
5. Condominiums.
6. Townhouses.
7. Churches, or similar places of worship.
8. Nursing Homes and Homes for the Aged, approved and licensed by the State of Kansas.
9. Child Day Care Home or Child Day Care Center, approved and licensed by the State of Kansas.
10. Boarding and Lodging Houses.
11. Board home designated and regulated by the State of Kansas as a family foster home providing twenty-four-hour-a-day care for one to four (4) non-related children with a maximum of six (6) children under sixteen (16) years of age, including the provider's children.

12. Group Home. A dwelling occupied by not more than ten (10) persons, including eight (8) or fewer physically handicapped, mentally retarded or other developmentally disabled persons who need not be related by blood or marriage and not to exceed two (2) staff residents who need not be related by blood or marriage to each other or to the physically handicapped, mentally retarded or other developmentally disabled residents of the home, which dwelling is licensed by a regulatory agency of the State of Kansas.
13. Public libraries, museums, places of historic interest, or similar public buildings and philanthropic institutions.
14. Community buildings or neighborhood centers, recreation fields, sporting or athletic facilities operated by a not-for-profit entity.
15. Medical and dental clinics. This shall not include veterinary clinics.
16. Professional services limited to that of attorney, medical doctor, dentist, real estate, architect, engineer, financial consultant, and, tax preparation or any other professional service occupation for which a governmental license is required.

6.3 CONDITIONAL USES

The following uses and structures may be permitted only after they have been reviewed and approved as required by Article 21.4.

1. Funeral Homes/Mortuaries.
2. Golf courses, except miniature golf courses and driving tees.
3. Public utility uses and public services, as follows:
 - a) Enclosed structures housing utility substations.
 - b) Elevated Water Towers.
 - c) Elevated communication towers operated by the public utility.
 - d) Police and Fire Stations.
4. Home occupations, in conformance with Article 16.

6.4 LOT SIZE REQUIREMENTS

1. No single family dwelling shall be erected or altered on a lot which makes provisions for less than five thousand five hundred (5,500) square feet of lot area. Minimum lot widths shall not be less than fifty-five (55) feet at the building setback line and minimum lot depths shall not be less than one hundred (100) feet.

2. A lot on which there is erected a two-family dwelling shall contain an area of not less than two thousand five hundred (2,500) square feet per family. Minimum lot widths shall not be less than fifty (50) feet at the building setback line and minimum lot depth shall not be less than one hundred (100) feet.
3. A lot on which there is erected a multiple dwelling shall contain an area of not less than one thousand five hundred (1,500) square feet per family, but in no instance shall a minimum lot width be less than fifty (50) feet at the building setback line and a minimum lot depth be less than one hundred (100) feet.
4. Where a lot has less area than therein required and is a lot of record at the time of the passage of this regulation, that lot may be used only for single-family dwelling purposes, or for any other non-dwelling use permitted in this Article.

6.5 LOT COVERAGE

For single family and two-,three-, and four-family dwellings the maximum lot coverage by all buildings, principal and accessory, shall not exceed forty-five (45) percent. Apartment dwellings may be allowed to exceed the forty-five (45) percent lot coverage, provided proper setbacks are maintained and provided parking areas conform with the provisions of Article 15.

6.6 YARD REQUIREMENTS

The following minimum yard requirements shall apply in all "R-3" Multiple-Family Residential Districts.

1. Front Yard:
 - a) Each lot in the "R-3" Multiple-Family Residential District shall have a front yard of not less than twenty-five (25) feet.
 - b) Where platted lots have a double frontage, or are located at the intersection of two streets, the required front yard shall be provided on both streets.
2. Side Yard:
 - a) There shall be a side yard on each side of a building, having a width of not less than five (5) feet, for buildings not exceeding two and one-half (2-1/2) stories.
 - b) There shall be a side yard which shall have a width of not less than eight (8) feet on each side of a three story building.

3. Rear Yard:
 - a) There shall be a rear yard having a depth of not less than twenty-five (25) feet for a building not exceeding two and one-half (2-1/2) stories.
 - b) A three story building shall have a rear yard of not less than thirty (30) feet in depth.
4. Yard setback requirements in excess of the above requirements that are part of a recorded subdivision plat shall be observed when a building permit is issued. Yard setback requirements that are less than the above minimums that are part of a recorded plat shall not govern, and a building permit shall be issued only for the minimum standards imposed by this ordinance. In the event that a recorded subdivision plat does not require greater yard setback requirements, the provisions of Article 6.8 - "Projections Into Yards" shall still apply.

6.7 HEIGHT REGULATIONS

No building shall exceed three (3) stories nor forty-five (45) feet in height.

6.8 PROJECTIONS INTO YARDS

1. The following elements may project into or be erected on any required yard.
 - a) Landscaping elements.
 - b) Fences and walls not to exceed a height of eight (8) feet.
 - c) Open porches and paved patio areas.
 - d) Necessary elements for the delivery of utility services.
2. The following structures may project into any required yard, but not more than four (4) feet.
 - a) Chimneys and fireplaces structures provided they are not wider than ten (10) feet.
 - b) Eaves, sills, cornices, and similar architectural features.
 - c) Door steps, stairways, balconies, awnings, and planter boxes.

6.9 PARKING REQUIREMENTS

1. Two off-street parking spaces shall be provided for each single-family dwelling unit.
2. Four off-street parking spaces shall be provided for each two-family dwelling unit.
3. Multiple-family dwelling units shall provide one and one-half (1-1/2) parking spaces for each individual dwelling unit containing one bedroom. Two (2) parking spaces shall be provided for each individual dwelling unit containing two or more bedrooms.

4. All other uses, permitted and conditional shall conform with the parking requirements of Article 15.