

**7.6 “R-3” Single Family Residence District****7.6.1 Purpose**

This District is intended for rural residential uses located outside of urban growth areas consisting of primarily single family detached housing with limited opportunities for 2- to 4-unit developments. Density shall be limited to a maximum of 2.1 units per acre for residences served by private septic systems. Additional density is allowed for residences served by community septic systems or public septic systems.

**7.6.2 Permitted Uses**

- (A) Single family detached dwellings, provided the following design standards are met:
  - (1) No such dwelling shall have a ground floor space of less than 800 square feet.
  - (2) No such dwelling shall have a width of less than 20 feet at its narrowest point. This restriction shall not apply to breezeways or other passageways that connect principal parts of a dwelling as long as the principal parts of the dwelling have a width of at least 20 feet at the narrowest point.
- (B) Daycare Facilities, Licensed Group Family, serving 14 or fewer children
- (C) Essential Services
- (D) Field Crops
- (E) Government Buildings and Structures
- (F) Program Facilities, Nonresidential (12 or fewer people)
- (G) Program Facilities, Residential (6 or fewer people)
- (H) Recreational Facilities
- (I) Religious Institutions
- (J) Wildlife Forest and Woodland Management

(Ord. #248, adopted 02/21/95) (Ord. #265, adopted 07/16/96) (Ord. #352, adopted 12/07/02) (Ord. #408, adopted 11/02/06) (Ord. #440, adopted 10/20/09)

#### 7.6.3 Permitted Accessory Uses

- (A) Accessory Buildings
- (B) Animal units in accordance with Section 9.4
- (C) Antennas
- (D) Home Occupations in conformance with the provisions of Section 9.14
- (E) Micro-WECS subject to Section 9.23 (Ord. #440, adopted 10/20/09)
- (F) Recreational Facility
- (G) Solar Energy System, Accessory in accordance with subsection 9.20.3 (Ord. #455, adopted 6/21/16)

(Ord. #410, adopted 04/17/07) (Ord. #264, adopted 07/16/96) (Ord. #308, adopted 11/04/99) (Ord. #350, adopted 09/17/02) (Ord. #429, adopted 07/15/08) (Ord. #431, adopted 10/07/08)

#### 7.6.4 Conditional Uses

- (A) Bed and breakfast
- (B) Cemeteries
- (C) Child Care Center (Ord. #458, adopted 01/17/17)
- (D) Duplex, triplex and quad residential housing units on properties served by a public, community or central sewage treatment system
- (E) Energy efficient subterranean dwellings
- (F) Farming, general
- (G) Golf Courses
- (H) High voltage transmission lines of between 100 and 200 kilovolts according to Section 9.11

- (I) Manufactured Home Park in accordance with Section 9.15
- (J) Program Facilities, Nonresidential with a licensed capacity of 13-16 persons
- (K) Public utility buildings
- (L) Schools
- (M) Substations with a voltage designed for and capable of operations at a nominal voltage of 100 kilovolts or more according to Section 9.11.

(Ord. #206, adopted 01/08/91) (Ord. #222, adopted 10/06/92) (Ord. #265, adopted 07/16/96) (Ord. #308, adopted 11/04/99) (Ord. #352, adopted 12/17/02) (Ord. #354, adopted 01/21/03) (Ord. #369, adopted 10/21/03) (Ord. #407, adopted 11/14/06) (Ord. #412, adopted 07/17/07) (Ord. #440, adopted 10/20/09)

#### 7.6.5 Interim Use Permit

- (A) Home extended business in conformance with the provisions of subsection 9.14

#### 7.6.6 Lot and Site Dimensions

(Ord. #308, adopted 11/04/99) (Ord. #364, adopted 07/15/03)

##### (A) Lot Dimensional Standards

###### (1) Lot Area Requirements

- (a) Private sewer, per dwelling unit:

21,000 sq. ft. minimum

- (b) Community sewer per dwelling unit:

17,000 sq. ft. minimum

- (c) Public sewer, per dwelling unit:

12,000 sq. ft. minimum

- (d) All lots shall have the minimum lot area that is comprised of non-wetland.

## (2) Lot Width:

- (a) 21,000 sq. ft. lot: 100 feet minimum
- (b) 17,000 sq. ft. lot: 90 feet minimum
- (c) 12,000 sq. ft. lot: 80 feet minimum

## (3) Lot Depth:

- (a) 21,000 sq. ft. lot: 170 feet minimum
- (b) 17,000 sq. ft. lot: 145 feet minimum
- (c) 12,000 sq. ft. lot: 120 feet minimum

## (B) Site Dimensional Standards

## (1) Setbacks

## (a) All Structures, Setbacks from Roads:

Classified Roads	Setback from centerline*	Setback from right-of-way*
Principal Arterial	150 feet	100 feet
Minor Arterial	125 feet	65 feet
Major Collector	125 feet	65 feet
Minor Collector	125 feet	65 feet
Local collectors and un-classified roads	Setback from centerline*	Setback from right-of-way*
County Road	125 feet	65 feet
Township Road	63 feet	30 feet

\* The more restrictive standard will apply.

(Ord. #440, adopted 10/20/09) (Ord. 470, adopted 01/22/19)

## (b) Residential Structure Setbacks

(Ord. #407, adopted 11/14/06)

## (i) Abutting Land zoned A or R-A

- a. Side Yard or Rear Yard 50 feet minimum

(Ord. #388, adopted 07/05/05)

- (ii) Abutting Land zoned R-1, R-2, R-3 or R-S
  - a. Side Yard: 15 feet minimum
  - b. Side Yard where Residential Fire Protection Water is available with a subdivision: 10 feet minimum
  - c. Rear Yard: 30 feet minimum

(Ord. #300, adopted 05/04/99)

- (iii) Setback from feedlots: See Section 9.12

## (c) Other Structure Setbacks

- (i) Side Yard 15 feet minimum
- (ii) Rear Yard 30 feet minimum
- (2) Building Height 40 feet maximum
- (3) Total Lot Coverage (impervious surface) maximum 25 percent

(Ord. #352, adopted 12/17/02)

- (C) See Section 7.14.5(A) for additional shoreland requirements

## 7.6.7 Lot Access

(Ord. #398, adopted 05/08/06) (Ord. #468, adopted 07/17/18)

- (A) Every lot, tract or plot of land, including outlots, shall abut or have direct vehicular access to a public road. Each lot shall have a minimum road frontage equal to the required lot width; however, the Board of Commissioners with approval of a final plat or the Department of Development Director with an Administrative Land Split may approve a flag lot that meets the following criteria:

- (1) Have ownership to a dedicated public right-of-way by a minimum 33 foot wide access; or,
- (2) In the event that a parcel is unable to be accessed to or from a public right-of-way by land under common ownership, an access and utility easement may be provided to a dedicated public right-of-way by a minimum 33 foot wide access for ingress, egress and utilities. The easement must meet the following criteria: shall be granted for roadway and utility purposes, must be perpetual, be binding upon the heirs, successors and assigns, have a defined legal description, contain provisions for construction, maintenance, repair, alteration and contain provisions for enforceability by the grantor/grantee.
- (3) The public right-of-way shall meet the minimum requirements stated in subsection 10.11.2; however, the construction design standards of the road shall be subject to the requirements of the Township for which the road is so located.

#### 7.6.8 Water Well and Septic System Requirements

- (A) Every land use permit issued for property zoned R-3, which property has no public sewer system, shall contain the following conditions and requirements: "Each well shall be at least fifty feet deep and shall be cased and grouted to prevent contamination from upper soil layers. In order to avoid contamination of neighboring wells and to comply with the setback requirements of Section 9.22, the well and septic system on said property shall be located in the same respective areas of the lot as on the adjoining lots. Non-compliance shall be cause for revocation of the permit by the Department of Development."
- (B) The Board of Adjustment may consider a variance application from this subsection if there is no hazard to the public health, safety and welfare.