

AGENDA FOR THE REGULAR MONTHLY MEETING OF THE PLANNING
COMMISSION OF THE CITY OF AUBURN, NEMAHA COUNTY,
NEBRASKA, TO BE HELD AT THE CITY HALL AT 1101 J STREET
AT 7:00 O'CLOCK P.M., MARCH 20, 2018

1. **Roll Call.**
2. **Announce** – Open Meetings Act is posted.
3. **Acknowledge** new member to the Planning Commission.
4. **Approve** Previous Meeting Minutes.
5. **7:05 pm Public Hearing** to obtain public comment prior to consideration on said date of a proposed request for a Special Exception Use to operate a Home Occupation for a small engine repair/service at 1521 G Street, Auburn, NE, (legal description: Lots 7 and 8, Block 30, Howe & Nixon's Addition to the City of Auburn, Nemaha County, Nebraska). The above described real estate is zoned R-2, Medium Density Residential District pursuant to City Code Section 152.033.

Recommendation to the City Council.
6. **7:15 pm Public Hearing** to obtain public comment prior to consideration of a proposed recommendation for an amendment/supplement to the City of Auburn Code of Ordinances, Chapter 152: Zoning, Section 152.034 R-3 Residential District, to allow the addition of "Retreat Home" to be used to house up to 10 members of a group, staying one or more nights.

Recommendation to the City Council.
7. **Adjournment.**

Note: If you are unable to attend the meeting, please notify Dave Davis (davedavis73@gmail.com). Thank you.

MINUTES OF THE PLANNING AND ZONING (P&Z) COMMISSION OF THE CITY OF AUBURN, NE –
7:00 PM, February 27, 2018

Chair Davis called the meeting to order at 7:00 p.m. and announced that the Open Meetings Act law was posted as required.

The roll was called. Members present: Dave Davis, Doug Jones, Heath Christiansen, Merri Johnson
Members absent: Andy Askins, Derek Hemmingsen

Also present: City Building Inspector Glen Hogue; City Attorney Angelo Ligouri, Eric Bohling, Amy Conner, Amy Walters, Joshua Champlin, Connie Dorsche.

Approve Previous Meeting Minutes. Motion by Merri Johnson, seconded by Heath Christiansen, to approve the minutes of the regular meeting on January 23, 2018. Roll Call: Davis, yes; Jones, yes; Johnson, yes; Christiansen, yes. Motion carried.

Discussion regarding request by Amy Conner and Eric Bohling to allow the house at 1916 – 6th Street, Auburn, NE, to be used as a retreat/rental. The property is zoned R-3 Residential.

Amy Conner distributed information on the concept of renting the house as a retreat. She stated that quilting groups are the proposed target market. The house would also be available for rent by contractors working outages at Cooper Nuclear Station (CNS) at Brownville. CNS contractors and retreat groups would NOT rent the property at the same time. Eric Bohling, the owner of the property, stated that the house was built approximately three years ago and that he is pursuing this retreat/rental possibility only because he has been unable to sell the house.

Connie Dorsche, owner of Needles I (upholstery and quilt shop), spoke about the opportunities for renting the house to quilting groups. She stated that she felt there is a definite market for such a venue, noting the presence of one at rural Cook, which she said is booked a year in advance. She felt it would be good for Auburn's economy.

Amy Walters, a resident on the same block as the house in question, expressed concerns about increased traffic posing safety threats to her young children. Another neighbor, Joshua Champlin, had concerns about the retreat rental clientele expanding to groups other than quilters, and the issues that could present.

City Attorney Ligouri expressed his concerns that adding another category of permitted uses to the R-3 zoning ordinance would undermine the integrity of the ordinances/codes that residents rely on when choosing a residential neighborhood. Currently, bed and breakfast (B&B) operations are allowed in R-3 zones; however, the property in question is not occupied by the owner and therefore fails to meet the qualifications of a B&B. He also stated that the proposed arrangement of renting to transient groups is more of a commercial nature than a typical residential rental. Ligouri advised Mr. Bohling of the formal steps that would need to be taken in order for the Planning and Zoning Commission to make an actual recommendation, one way or the other, to the City Council on this request.

Discussion and Possible Action on rescheduling the monthly Planning Commission meeting date.

Motion by Merri Johnson, seconded by Heath Christiansen, to permanently change the monthly meeting date to the third Tuesday of each month. Roll call: Jones, yes; Davis, yes; Johnson, yes; Christiansen, yes. Motion carried.

The next regular meeting of the Planning and Zoning Commission will be held on March 20, 2018.

Motion by Heath Christiansen, seconded by Doug Jones, to adjourn the meeting. Motion passed unanimously.

Meeting adjourned at 7:55 p.m.

Merri Johnson, Recording Secretary

CITY OF AUBURN, NEBRASKA - HOME OCCUPATION APPLICATION FORM

Please complete and return with the \$25.00 application fee. Make checks payable to City of Auburn, 1101 J Street, Auburn, NE 68305.

Date: 2/15/2018

Name: Neil A. Kerr
Address: 1521 G Street, Auburn, NE 68305
Phone: 402-414-1962

*State License # N/A

FOR OFFICE USE ONLY
City License # _____
H.O. # H018-1

Type of Building: Garage/Accessory Bldg Zone: R-2

What is the Home Occupation to be: Small engine repair/service

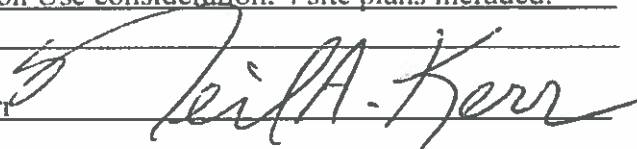
Will the Home Occupation have a name? Yes

If yes, please state the name: Neil's Side Shop

Square foot of Garage/Accessory Bldg: 900
Square foot of Garage/Accessory Bldg to be used: 450

Who is personally responsible for this home occupation? Self, Neil A. Kerr

Special Needs: Requires Special Exception Use consideration: 4 site plans included.

Dated: 2/15/2018 Neil A. Kerr
Applicant 

#####

Date: _____ Comments: _____

Approved: _____ Disapproved: _____ By: _____
City Building Inspector /
Zoning Commissioner

Approved by City Council: _____

Disapproved by City Council: _____

* If applicable
-- Daycares licensed by the State for six or more children are required to have a City Home Occupation License.

RECEIVED

2/15/18

SITE PLAN

SPECIAL EXCEPTION USE

1521 G STREET
AUBURN, NE 68305

15 February, 2018

Neil A. Kerr
1521 G Street
Auburn, Ne 68305-1950
neilanthonykerr@icloud.com

City of Auburn
1101 J Street
Auburn, Ne 68305

Dear Auburn City Officials:

My reason for writing today is to request your consideration for a special exception use permit for a home occupation. According to division (D) of city ordinance § 152.060:

"In the event a home occupation exceeds the restrictions and limitations identified in division (A) above or is an identified prohibited use in division (C) above, an applicant may apply for a special use permit in conformance with §§ 152.160 through 152.162.

While considering a transition from traditional to self-employment, I became aware that a corresponding transition of my home hobby to a small business would result in exceeding some of the restrictions and limitations listed in division (A). Additionally, the small business that I am interested in pursuing is an identified prohibited use in division (C). The restrictions and limitations I identified are:

(A)(4) An accessory building shall not be used for a home occupation.

(A)(6) No equipment or process shall be used in the home occupation which creates noise...

...detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence.

And the identified prohibited use is:

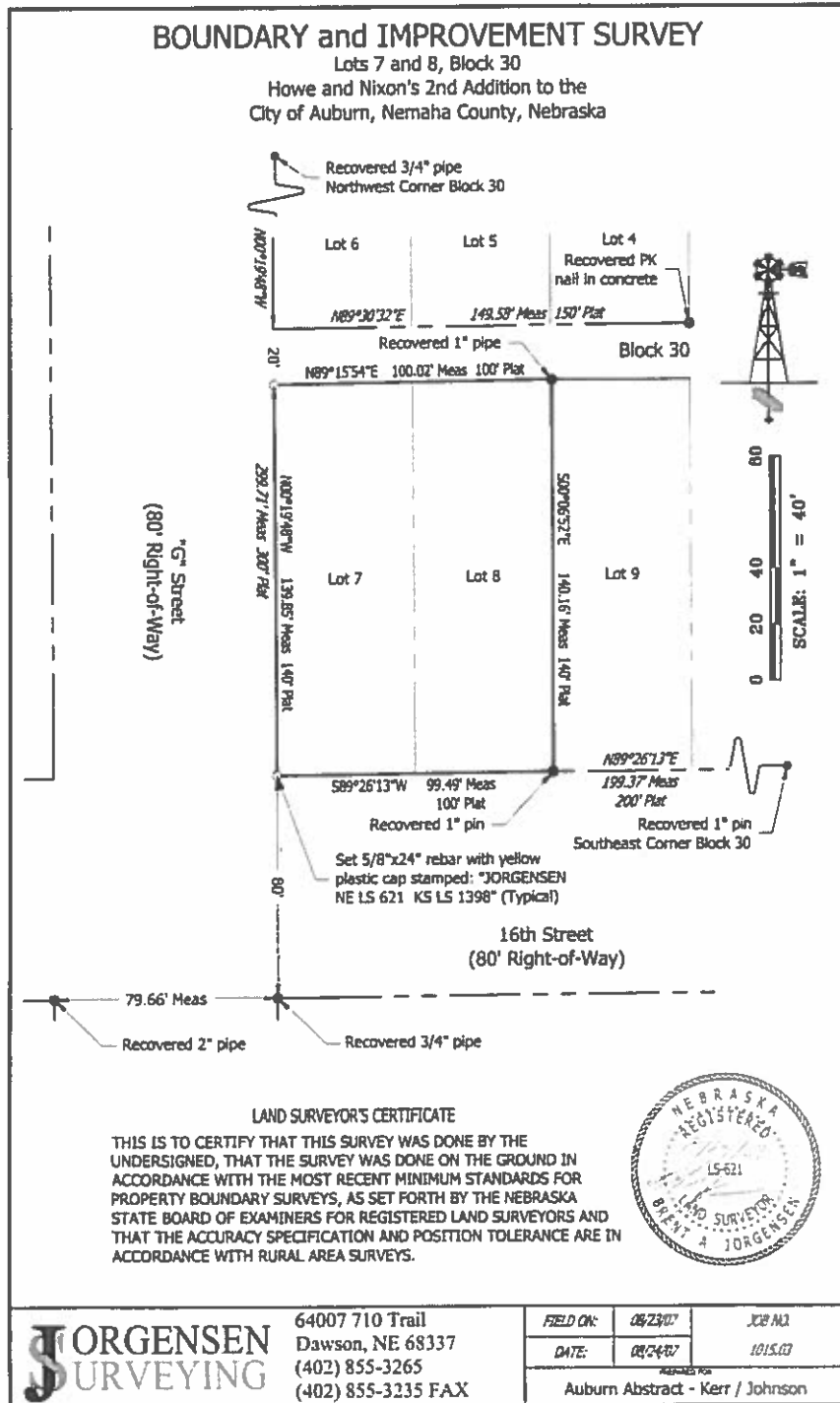
(C)(7) Small engines/engine repair.

Per § 152.161, PROCEDURE, the applicant prepares and submits a site plan.

(A) The applicant for a special exception use permit shall submit at least four copies of a site plan for the proposed use. The site plan shall show the location of all existing and proposed buildings, landscaping, parking areas and individual spaces, points of egress and ingress, fencing, lot dimensions, adjoining streets and structures, and all water courses and flood designated areas. Upon receipt of the application, the Zoning Administrator ...

On the next page a boundary and improvement survey taken on 8/23/07 by Jorgensen Surveying shows all existing buildings, larger landscaping, and the parking area. There are no new buildings for proposal nor are there any individual parking spaces. Egress from the property and ingress to the property is via a single poured cement driveway accessible from G Street. Though the survey shows the accessory building as a 2-car metal garage it is actually a 3-car framed building with vinyl siding. Fencing consists of a cinder block wall on the north and east sides of the property and later, a permit was obtained to fence in the back yard for the dogs. The survey has been updated to show the approximate location of the decorative steel fencing. Some additional landscaping has been added on the west side of the property to more accurately model the current configuration.

This portion of the boundary and improvement survey describes the lot dimensions.



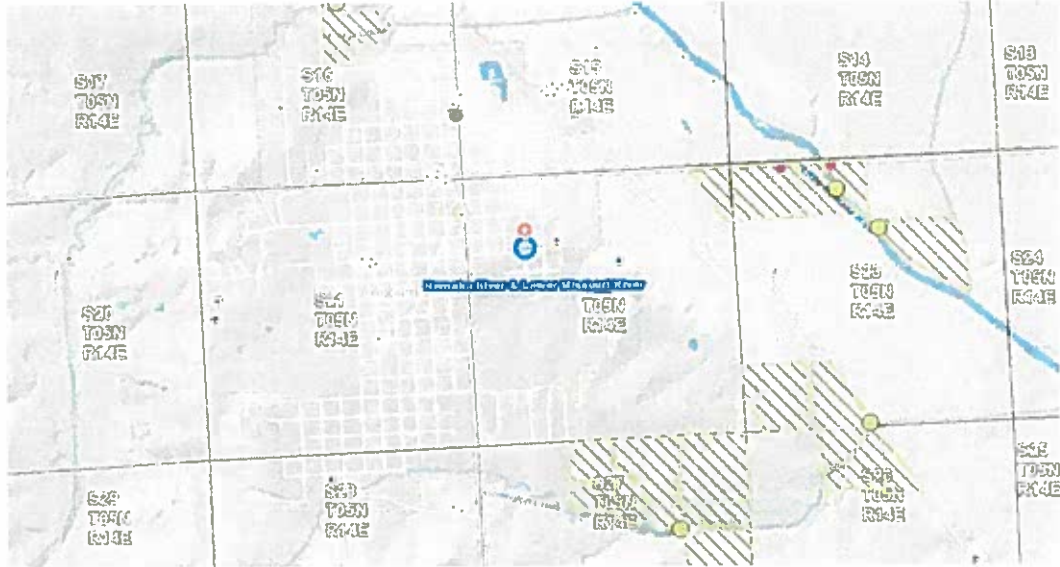
The picture below shows a general location of relative streets and structures in relation to the property being considered for the special use exception.

1521 Street Satellite Picture

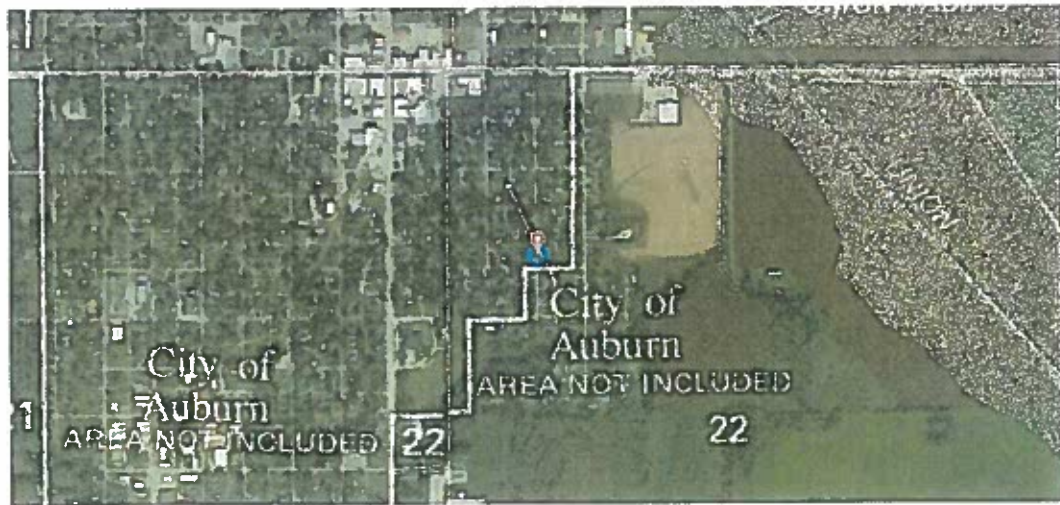


Using the interactive map feature of the Nebraska Department of Natural Resources website, it appears that there are no natural or artificial watercourses adjacent to the property nor is the 1521 G Street address in the flood plain.

Surface Water Map



Flood Plain Map



(3) *There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of the home occupation other than one sign, not exceeding two square foot in area, non-illuminated and mounted flat against the wall of the principal building.*

No additional comments on this point.

(4) *An accessory building shall not be used for a home occupation.*

The special exception use permit that I am requesting is to consider allowing the use of this building during milder temperatures.

(5) *No traffic shall be generated by the home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met off the street and other than in a required front yard.*

I'm not expecting this occupation to significantly change the volume of traffic in this neighborhood. The traffic is already somewhat higher due to being adjacent to 16th Street and near F Street. These streets are often used to access Highway 136 and Highway 75 while bypassing downtown. These streets are also the only streets used to access the Brookridge Acres addition. A potential conflict could be when Hall Funeral Chapel is conducting services. Traffic and parking on G Street gets fairly congested but that is only for a short period of time. If there is any need for parking, 1748 square feet of cement parking is available off-street. I'm not expecting that there would be a need for any parking other than that which is incidental to the drop off or pick up of the project. That being said, I could pick up and deliver the project, as well, which would alleviate the need for parking.

(6) *No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuation in the line voltage off the premises.*

There will be occasional noise associated with this occupation, however, when compared to the normal noises in the neighborhood during seasonal mower or snowblower operation, the noise generation will be relatively short in duration. Certain hours of operation can be used to mitigate neighborhood noise as to when engines could be started and operated.

(7) *No outdoor storage of material or equipment used in the home occupation*

shall be permitted.

If additional storage of material or equipment is needed beyond the square footage of half the attached garage or the 900 square feet of the accessory building, I own property in Howe that could be used to meet my storage needs.

(8) All home occupations must be registered on an application form prescribed by the city and a permit must be received from the office of the City Clerk upon approval of the Building Inspector on an annual basis. The initial permit shall require a fee in the amount as set by resolution for the permit. All annual renewals shall require a fee in the amount as set by resolution. All home occupations must be registered by 2-1-1998.

As stated above, this can be assessed on an annual basis. If successful, this business could be relocated to a more traditional location as the business supports its own growth.

§ 152.033 R-2 RESIDENTIAL DISTRICT

(A) Intent. To provide for medium density residential uses and several compatible supporting uses in a stable, pleasant environment which encourages family life.

I intend to operate this home occupation with the above ordinance in mind. I also realize that the same must be considered by you, the officials of the city, with respect to this special exception use. Thank you for your time and consideration.

Cordially,



Neil A. Kerr

**NOTICE OF PUBLIC HEARING
CITY OF AUBURN, NE., PLANNING COMMISSION
REQUEST FOR SPECIAL EXCEPTION USE
AT 1521 G STREET, AUBURN, NE.**

Public Notice is hereby given by the Planning Commission of City of Auburn, NE., that a Public Hearing will be held at 7:05 p.m. on Tuesday, March 20, 2018, at Auburn City Hall, 1101 "J" St., Auburn, NE. 68305, with said meeting being open to public attendance. An agenda for such meeting is kept continuously current, and is available for public inspection at the City Clerk's Office at Auburn City Hall. A public hearing will be conducted by the Planning Commission of the City of Auburn, NE. in its own capacity.

The purpose of the public hearing is to obtain public comment prior to consideration on said date of a proposed request for a Special Exception Use to operate a Home Occupation for a small engine repair/service at 1521 "G" St., Auburn, NE, (legal description: Lots 7 and 8, Block 30, Howe and Nixon's Addition to the City of Auburn, Nemaha County, Nebraska). The above described real estate is zoned R-2, Medium Density Residential District pursuant to City Code Section 152.033.

All interested parties shall be afforded at such public hearing a reasonable opportunity to express their views regarding the Special Exception Use Request proposed for consideration and possible recommendation to the City Council by the Planning Commission at the public meeting. Individuals requiring interpreter services, Braille, large print or recorded materials please contact the City Clerk, at Auburn City Hall or by telephone at (402) 274-3420.

Sherry Heskett, City Clerk
City of Auburn, NE.

§ 152.060 HOME OCCUPATIONS.

(A) *Restrictions and limitations.* A home occupation may be carried on within a dwelling unit under the following conditions.

(1) No person other than members of the family residing on the premises shall be engaged in the occupation.

(2) The use of the dwelling unit for the one occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants. The maximum allowable area that may be utilized in conducting the home occupation shall be equal to 25% of the floor area of the dwelling unit.

(3) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of the home occupation other than one sign, not exceeding two square foot in area, nonilluminated and mounted flat against the wall of the principal building.

(4) An accessory building shall not be used for a home occupation.

(5) No traffic shall be generated by the home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met off the street and other than in a required front yard.

(6) No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuation in the line voltage off the premises.

(7) No outdoor storage of materials or equipment used in the home occupation shall be permitted.

(8) All home occupations must be registered on an application form prescribed by the city and a permit must be received from the office of the City Clerk upon approval of the Building Inspector on an annual basis. The initial permit shall require a fee in the amount as set by resolution for the permit. All annual renewals shall require a fee in the amount as set by resolution. All home occupations must be registered by 2-1-1998.

(B) *Particular home occupations permitted.* Customary home occupations include, but are not limited to, the following list of occupations; provided, however, that, each listed occupation is subject to requirements of division (A) above:

- (1) Art, dancing and music schools; provided that, instruction is limited to five pupils at one time;
- (2) Professional offices for architects, engineers, planners, lawyers, accountants, bookkeepers and similar professions;
- (3) Offices for realtors, insurance agents, brokers, sales representatives and manufacturing representatives when no exchange of tangible goods is made on the premises;
- (4) Radio, television, phonograph, recorder and all appliance repair services;
- (5) Home crafts and hobbies such as model making, rug weaving, lapidary work, cabinet making and the like;
- (6) Tailoring, alteration and seamstresses;
- (7) Saw filing;
- (8) Beauty parlor or barber services;
- (9) Daycare facilities, providing for no more than six children (excluding children residing at the property); and
- (10) Bed and breakfast; provided, off-street parking is provided and no more than four guests are allowed.

(C) *Particular home occupations prohibited.* Permitted home occupations shall not in any event be deemed to include:

- (1) Mortuaries or funeral homes;
- (2) Restaurants;
- (3) Stables or kennels;
- (4) Antique shops;
- (5) Physicians, dentist or other licensed medical practitioners;
- (6) Auto repair; and

(7) Small engines/engine repair.

(D) *Exception procedure.* In the event a home occupation exceeds the restrictions and limitations identified in division (A) above or is an identified prohibited use in division (C) above, an applicant may apply for a special use permit in conformance with §§ 152.160 through 152.162. (Prior Code, § 11-411) (Ord. 10-07, passed 7-23-2007; Ord. 22-07, passed 9-10-2007) Penalty, see § 152.999

§ 152.061 TEMPORARY USES PERMITTED.

(A) *Contractor's office.* Contractor's office and equipment sheds (containing no sleeping or cooking accommodations) accessory to a construction project and to continue only during the duration of the project.

(B) *Real estate office.* Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) incidental to a new housing development to continue only until the sale or lease of all dwelling units in the development.

(C) *Seasonal sales.* Seasonal sale of farm produce grown on the premises in an agricultural district. Structures incidental to the sale need not comply with the applicable front yard requirements if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used.

(D) *Garage or yard sales.* The sale of personal items on an infrequent basis at a residential use. Sales shall be limited to no more than three days in any one-month period and no more than three sales per year. Sales shall be conducted on the owner's or renter's property and not on or within the public right-of-way. (Prior Code, § 11-411) (Ord. 10-07, passed 7-23-2007; Ord. 22-07, passed 9-10-2007) Penalty, see § 152.999

§ 152.062 NEW WATER WELLS.

(A) No new water wells, except city wells, shall be drilled or constructed within the zoning jurisdiction of the city.

(B) For a property that cannot be served by the city water system or by a Rural Water District, an applicant may apply for a special use permit for a single well per tract or lot; provided that, the well shall not be designed or capable of producing more than 50 gallons of water per minute.

GARAGE, STORAGE. A building or portion thereof designed or used exclusively for housing five or more motor driven vehicles.

GASOLINE SERVICE STATION. Buildings and premises where gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail, and where other automotive services may be rendered and sales made except major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in gasoline stations. A **GASOLINE SERVICE STATION** is not a repair garage or a body shop.

GROUP HOUSING PROJECT. A dwelling project consisting of three or more buildings, to be constructed on a plot of ground which is not subdivided into customary streets or lots, or where existing or contemplated street or streets or lot layouts make it impractical to apply the requirements of these regulations to the individual building units in the housing projects.

HOME OCCUPATION. A business, occupation or profession carried on within a residential dwelling or an accessory building by the resident thereof, which is incidental and secondary to the residential occupancy and does not change the residential character thereof. The regulations pertaining to **HOME OCCUPATIONS** are included in § 152.060.

HOTEL. A building used as a temporary abiding place of individuals or groups of individuals who are, for compensation, lodged with or without meals, and with no culinary provisions in individual units.

INSTITUTION. A building occupied by a non-profit corporation or a nonprofit establishment for public use.

JUNKYARD/SALVAGE YARD. Any area where waste, discarded or salvaged, is bought, sold, exchanged, bailed or packed, disassembled or handled, including the dismantling or "wrecking" of automobiles or other vehicles or machinery, house-wrecking and structural steel materials and equipment, but not including areas where the uses are conducted entirely within a completely enclosed building.

LOADING SPACE, OFF-STREET. Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to the vehicles when required off-street parking spaces are filled. **REQUIRED OFF-STREET LOADING SPACE** is not to be included as off-street parking space in computation of required off-street parking space.

LOT. A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide the yards and other open spaces as are herein required. The lot shall have frontage on an improved public street, or on an improved private street, and may consist of:

- (1) A single lot of record;
- (2) A portion of a lot of record;

RECEIVED

3/2/18

March 1, 2018

Auburn Planning
1101 J Street
Auburn, NE 68305

Dear Members:

This letter is to request an amendment to the R3 City Code to include a Retreat Home. The home could be established as a place to learn with companions.

The house at 916 6th Street could be used in this manner. A retreat home would be used to house up to 10 members of a group. An example would be a quilting quild. They would stay one or more nights learning from each other while creating their work of art.

It is a three bedroom two bath spacious furnished home. The square footage meets the required footage per person listed the code. The available parking meets the requirements listed in the code.

It is our understanding this committee will make a recommendation to the Auburn City Council. Then there will be three public hearings before a change is possible.

It is also our understand that the house at 916 6th street can be used as a rental home until a decision is made.

Retreat: A place affording peace and quiet where something began and flourished.

Respectfully submitted by,

Amy Conner and Eric Bohling

**NOTICE OF PUBLIC HEARING
CITY OF AUBURN, NE. PLANNING COMMISSION
ZONING AMENDMENT/SUPPLEMENT
TO §152.034 R-3 RESIDENTIAL DISTRICT**

Public Notice is hereby given by the Planning Commission of City of Auburn, NE., that a Public Hearing will be held at 7:15 p.m. on Tuesday, March 20, 2018, at Auburn City Hall, 1101 "J" St., Auburn, NE. 68305, with said meeting being open to public attendance. An agenda for such meeting is kept continuously current, and is available for public inspection at the City Clerk's Office at Auburn City Hall. A public hearing will be conducted by the Planning Commission of the City of Auburn, NE. in its own capacity.

The purpose of the public hearing is to obtain public comment prior to consideration of a proposed recommendation for an amendment/supplement to the City of Auburn Code of Ordinances, Chapter 152: Zoning, Section 152.034 R-3 Residential District, to allow the addition of "Retreat Home" to be used to house up to 10 members of a group, staying one or more nights.

All interested parties shall be afforded at such public hearing a reasonable opportunity to express their views regarding the amendment/supplement proposed for consideration and possible recommendation to the City Council. Individuals requiring interpreter services, Braille, large print or recorded materials please contact the City Clerk, at Auburn City Hall or by telephone at (402) 274-3420.

Sherry Heskett, City Clerk
City of Auburn, NE.

	<i>Lot Area (sq. ft.)</i>	<i>Lot Width (ft.)</i>	<i>Required Front Yard (ft.)</i>	<i>Required Side Yard (ft.)</i>	<i>Required Rear Yard (ft.)</i>	<i>Height (ft.)</i>
Multiple-family	1,500 per family	50	17			35
Other permitted uses	7,000	50	17			35

(2) There shall be a required front yard setback of 17 feet on each street side of a double-frontage lot.

(3) Buildings on corner lots shall provide front yard setbacks of 17 feet on both street frontages. The second street frontage front yard setback may be reduced to 15 feet only if further development cannot occur or that adjoining lots would have a setback greater than 15 feet; and designate remaining yards as one rear and one side yard.

(4) Buildings or structures shall not exceed two and one-half stories in height.

(5) The side yard setback between individual units of two-family dwellings and townhouses may be reduced to zero, if the following conditions are met: a one-hour fire rated construction common wall between units starting at the basement level and continuing through to the roof line is maintained.

(H) *Parking regulations.* Parking within the R-2 Residential District shall be in conformance with the provisions of § 152.145.

(I) *Sign regulations.* Signs within the R-2 Residential District shall be in conformance with the provisions of § 152.111.
(Prior Code, § 11-404)

§ 152.034 R-3 RESIDENTIAL DISTRICT.

(A) *Intent.* To provide for high density residential uses and several compatible supporting uses in a stable, pleasant environment which encourages family life.

(B) *Permitted principal uses and structures.*

- (1) Single-family dwellings;
- (2) Two-family dwellings;
- (3) Townhouses;

(4) Multi-family dwellings;

(5) Public parks, buildings and grounds;

(6) Child care home; and

(7) No mobile homes shall be permitted or allowed in any area included in the residential district.

(C) *Permitted accessory uses and structures.*

(1) Home occupations, in accordance with § 152.060; and

(2) Accessory uses and structures normally appurtenant to the permitted uses and structures, when established in conformance with §§ 152.050 through 152.062.

(D) *Permitted conditional uses.* A building or premises may be used for the following in conformance with the conditions prescribed herein:

(1) Bed and breakfast guest home:

(a) Parking, as required in § 152.145;

(b) Signs, as required in § 152.111;

(c) A minimum of four rooms or suites of rooms are made available for use as transient lodging; and

(d) The remainder of the dwelling shall be used and owned as a residence by the host family.

(2) Domestic shelter: the minimum number of occupants of the facility shall not exceed one person per 750 square feet of lot area.

(E) *Special exception uses.* In accordance with §§ 152.160 through 152.162:

(1) Nursing and care homes;

(2) Utility substations;

(3) Mausoleum and columbaria;

(4) Places of worship such as churches, synagogues and temples;

- (5) Communication and utility uses;
- (6) Pre-schools; and
- (7) Child care center.

(F) *Prohibited uses and structures.* All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the R-3 Residential District.

(G) *Height and area regulations.* The maximum height and minimum area regulations shall be as follows:

- (1) General requirements:

	<i>Lot Area (sq. ft.)</i>	<i>Lot Width (ft.)</i>	<i>Required Front Yard (ft.)</i>	<i>Required Side Yard (ft.)</i>	<i>Required Rear Yard (ft.)</i>	<i>Height (ft.)</i>
Dwelling, single-family	5,000	50	17	5 if lot width is less than 70 feet, 10 if lot width is 70 feet to 100 feet and 10% if lot width is greater than 100 feet	20	35
Dwelling, two-family	2,500 per family	25 per family	17		20	35
Dwelling, multiple-family	1,500 per family	50	17		20	35
Other permitted uses	1,500	50	17		20	35

(2) There shall be a required front yard setback of 20 feet on each street side of a double-frontage lot.

(3) Building on corner lots shall provide a second frontage on the street side of not less than 15 feet; provided that, the buildable width need not be reduced to less than 28 feet, yards remaining shall be designated side yards each with a minimum of five feet in depth.

(4) Buildings or structures shall not exceed three stories in height.

(H) *Parking regulations.* Parking within the R-3 Residential District shall be in conformance with the provisions of § 152.145.

(I) *Sign regulations.* Signs within the R-3 Residential District shall be in conformance with the provisions of § 152.111.
(Prior Code, § 11-405)