

## **§ 19-9. R-3 RESIDENTIAL AND OFFICE.**

### **§ 19-9.1. Permitted Uses. [Ord. #90-8, S 5; Ord. #2001-19, S 3; Ord. #2003-12, S 3; Ord. #30-2005, S 1; Ord. #2014-04, SS 22, 23]**

- a. Single-family detached dwellings.
- b. Personal services, including but not limited to barbers, beauty parlors, shoe repair, professional or business offices, banks and other financial institutions.
- c. Retail stores for the sale of convenience and shoppers' goods.
- d. Clubs or Lodges.

### **§ 19-9.2. Accessory Uses. [Ord. #90-8, S 5; Ord. #2002-12; Ord. #2003-12, S 3; Ord. #08-2007, S 1; amended 3-14-2022 by Ord. No. 2022-05]**

- a. Swimming pools, jacuzzies/hot tubs, cabanas, private garages, children's playhouses, storage sheds, greenhouses, gazebos, and workshops accessory to residential uses. Cabanas, greenhouses and gazebos shall conform to the setback requirements for sheds as set forth in subsection 19-5.3 of this Chapter.
- b. Home occupations and home professional offices which meet the following criteria:
  1. The principal building on the lot shall be designated and used as a residence.
  2. The occupation shall be carried on entirely within the principal structure or in a structure clearly subordinate thereto and containing less cubic footage than the principal structure.
  3. All materials and equipment shall be stored entirely within an enclosed structure.
  4. No more than three (3) persons, including the owner or tenant of the residence, shall be employed in the occupation on the lot at any one time.
  5. The occupation itself shall not be visible from any point on the lot lines of the lot, nor shall the occupation give off any noise, smoke, vibration, odor, radiation, or cause any other nuisance which is incompatible with the character of the district.
- c. Workshops shall be included as an allowable accessory use, accessory to residential uses.

### **§ 19-9.3. Area and Bulk Regulations. [Ord. #90-8, S 5; Ord. #2002-12; Ord. #2003-12, S 3; Ord. No. 2017-04 § 3]**

- a. See Schedule of District Regulations.

Editor's Note: The Schedule of District Regulations are included as an attachment to this Chapter.

- b. The front yard shall be a minimum of twenty-five (25') feet provided, however, that where an established building line exists closer than twenty-five (25') feet to the street line, then the front yard can conform to the established front yard setback within the same block. In those blocks where the established front yard is greater than twenty-five (25') feet, new construction within the fifty (50') feet of an existing building may be placed no more than five (5') feet closer to the front property line than the existing building, but in no event shall any new construction under this provision be nearer to the twenty-five (25') feet from the street line.
- c. Notwithstanding the foregoing, single-family residential dwellings located on corner lots shall have a rear yard setback of seven and one-half (7.5') feet. **[Ord. No. 2017-04 § 3]**

**§ 19-9.4. Conditional Uses. [Ord. #90-8, S 5; Ord. #28-2005, S 1; Ord. #2008-06, S 3]**

- a. Banks and other financial institutions, provided that:
  - 1. The architecture is in keeping with surrounding residences.
  - 2. The lot shall front on and have access to a major street.
- b. Laboratories and/or company offices, provided that:
  - 1. The operations of the laboratories or offices shall not create any noises, smoke, vibration, odor, radiation or any nuisance which is incompatible with the character of the district.
  - 2. All operations shall be conducted within an enclosed building.
  - 3. All storage shall be enclosed.
  - 4. No transfer of goods through retail sale shall take place on the property.
  - 5. No manufacturing of goods for sale shall take place on the property.
  - 6. The lot shall front on and have access to a major street, and ingress and egress shall be restricted to said major street.
- c. Funeral parlor, provided that:
  - 1. The embalming process is conducted within an enclosed structure and creates no noise, smoke, vibration, odor, radiation or other nuisance which is incompatible with the character of the district.
  - 2. All materials or equipment shall be stored entirely within an enclosed structure.
  - 3. The lot shall front on and have access to a major street.
- d. Mixed-use building, provided that:

1. Residential apartments are located above the ground floor, above professional offices only.
2. Maximum number of units: 2
3. Maximum number of bedrooms per unit: 2
4. Parking must be provided on-site, in conformance with the Residential Site Improvement Standards.
5. There shall be a minimum 5-foot wide buffer planted between all parking areas and adjacent land uses. The buffer strips may consist of native plant materials, or a combination of native plant materials and structural materials, planted in a fashion that the buffer reduces glare, air and noise pollution and soil erosion.
6. Mixed use buildings are subject to the area and bulk regulations set forth for the R-3 District as listed within the Schedule and District Regulations.

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- e. Facilities used for organized services, meetings, and/or gatherings presided over by an officially recognized leader, and educational facilities shall be permitted in the above referenced zones subject to the following:
  1. The lot shall have a lot frontage of at least two hundred fifty (250') feet.
  2. The lot shall have a lot area of at least one hundred eight thousand nine hundred (108,900) square feet (two and one-half (2 1/2) acres).
  3. The lot shall have a front yard setback of at least fifty (50') feet.
  4. The lot shall have a side yard setback of at least thirty (30') feet.
  5. The lot shall have a rear yard setback of at least forty (40') feet.
  6. The lot shall have a building coverage of not more than twenty (20%) percent.
  7. The lot shall have a lot coverage of not more than seventy (70%) percent.
  8. The lot shall have a frontage on a primary or secondary arterial street as noted on Figure 7 — Circulation Plan delineated in the Master Plan, last revised 1999. These streets are limited to State Highway Route 88, Herbertsville Road, Bridge Avenue, Beaver Dam Road, Arnold Avenue, and Bay Avenue.
  9. The primary structure on the lot (i.e., the church) shall not exceed one story.
  10. The height of the primary structure (i.e., the church) on the lot shall not exceed forty-five (45') feet at the ridge with a maximum eave height of thirty-two (32') feet.
  11. Any secondary structures on the lot shall not exceed two (2) stories or thirty-two (32') feet.

12. Parking requirements will be based on the design standards.
13. Secondary structures shall follow the same setbacks as the primary structure.

The parsonage facility used for the housing of the officially recognized religious leader(s), who is actively officiating within a church within the Borough, shall be required to be located on the same property as the church for which it serves.

An educational facility or spiritual center will be permitted as a secondary structure to a church.

Religious schools and parsonages (ancillary uses) shall be permitted as conditional uses on the same lot and as part of an accessory use to a church. Under these circumstances the religious school, parsonage, or other permitted ancillary use must comply with all applicable design standards.