

ARTICLE VI (B)

Section 3. "R-3" Multiple Family Dwelling District

- A. Intent and Purpose:** The "R-3" Multiple Family Dwelling District is intended for the purpose of allowing high residential density land use with compatible single and two family dwellings, apartments, certain home occupations, certain community facilities and certain special uses, yet retain the basic residential qualities.
- B. District Regulations:** In district "R-3", no building shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the uses listed in Section C below.
- C. Use Regulations:**
1. Single Family Dwellings
 - a. Residential Design Manufactured Homes placed on a permanent foundation that meets the requirements of Article 5, Section 7 of this Ordinance
 2. Two-family Dwellings
 3. Multiple Family Dwellings
 4. Boarding and lodging homes
 5. Churches and similar places of worship and parish houses
 6. Golf courses, except miniature golf courses and driving tees operated for commercial purposes
 7. Institution of higher learning, including dormitory accommodations
 8. Public open spaces including parks, play grounds and recreational area owned and operated by a public agency
 9. Public and parochial elementary, middle and high schools or private schools with equivalent curriculum
 10. Hospitals, but not animal or mental hospitals
 11. Non-profit institutions of education, philanthropic or eleemosynary nature, except penal or mental institutions
 12. Nursing homes and homes for the aged
 13. Customary accessory uses and structures located on the same lot or group of lots with the principal use, including tennis courts, open air swimming pools, private garages, garden houses, barbecue ovens and fireplaces but does not include uses unrelated to the principal use or any activity commonly conducted for gain except as provided in other sections of this Ordinance
 14. Temporary structures incidental to construction work but only for the period of such construction. Basements and cellars will not be occupied until the building is complete

15. The following may be allowed by Special Use Permit when submitted, reviewed and approved by the Board of Zoning Appeals

- a. Any public building erected on land used by any department of the City, County, State or Federal Government
- b. Cemetery or crematory
- c. Telephone exchanges, electric substations and regulator stations, or other public utilities
- d. Public and private parking on lots adjacent, contiguous or across the alley from a "C-1", "C-2", or "C-3" district
- e. Home Occupations
- f. Day Care Homes
- g. Group Day Care Homes
- h. Pre-schools
- i. Child or adult day care centers

D. Intensity of Use Regulations: Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated or reconstructed shall be located upon lots containing the following areas:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand square feet (5,000 sq. ft.).
2. A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand square feet (3,000 sq. ft.) per family.
3. A lot on which there is erected a multiple-family dwelling shall contain an area of two thousand square feet (2,000 sq. ft.) per family unit.
4. Dormitories, lodging housing, nursing homes, and boarding houses shall provide one thousand square feet (1,000 sq. ft.) of lot area for each occupant.
5. Where a single lot of record as of the effective date of this Ordinance has less than five thousand square feet (5,000 sq. ft.) and its boundary lines along their entire length touched land under other ownership on the effective date of this Ordinance and have not since been changed, such lot may be used only for single-family dwelling purposes, or for other non-dwelling uses permitted in this district providing such structure does not occupy more than 40% of the lot area and providing the structure conforms with other yard and height requirements of this district.

Each lot will have an average width of not less than fifty feet (50'), except that if a single lot of record as of the effective date of this Ordinance, as defined in the definitions section of this Ordinance,

has less area or width than herein required and its boundary lines along their entire length touched lands under other ownership on the effective date of this Ordinance and have not since been changed, such lot may be used for a single-family dwelling if the structure conforms with other yard and height requirements in this district.

Exception: The lot may be less than an average 50 feet width if it abuts a lot with a smaller width and is congruent with the neighborhood.

E. Height Regulations: No building shall exceed thirty-five feet (35') in height except as otherwise provided in other sections of this Ordinance.

F. Lot Coverage: The maximum lot coverage of impervious surfaces shall not exceed **fifty percent (50%)** of the lot.

G. Yard Requirements:

1. Front Yard:

a. There shall be a front yard having a depth of not less than twenty-five feet (25') measured at right angles from the front lot line to the nearest point of the front wall of the building, except as provided in other sections of this Ordinance.

b. Cornices, canopies, cantilever roofs, eaves, bay windows, balconies or similar features may overhang into a required setback up to (3) feet.

c. Porches, stoop overhangs, carports, cornices and bay windows may project into a Front Yard setback a maximum of (5) feet IF the main living unit is setback at least Twenty five (25) feet from the lot line.

d. Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard of twenty-five feet (25') and a side yard of twenty feet (20') on corner lots (lots abutting two (2) or more streets), the front yard shall be determined by the Zoning Administrator.

e. Corner lots shall have a vision triangle within which no planting or landscaping shall occur that will cause sight restrictions for vehicle drivers. The sight triangle is defined in Article III, Section 2-62. (See Attachment # 1).

2. Side Yard:

- a. Except as provided in other sections of this Ordinance, there shall be a side yard having a width of not less than five feet (5') on each side yard of a building, measured at right angles from the nearest point on the side lot line of the lot to the nearest point of the wall or projection of the structure (whichever is closest), establishing a setback line parallel to the side lot line which extends between the front and rear setbacks thirty-five feet (35') or less in height, and there shall be a side yard having a width of not less than eight feet (8') on each side of a building in excess of thirty-five feet (35').
- b. Whenever a lot of record as of the effective date of this Ordinance has a width of fifty feet (50') or less, the side yard on each side of a building may be reduced to a width of not less than three feet (3') providing the height of the building does not exceed thirty-five feet (35').
- c. Whenever a side yard abuts an alley the side yard shall not be less than eight feet (8') from the alley line.
- d. Whenever a side yard abuts a ten-foot (10') easement with only a fire hydrant water feeder line, the side yard from the center of the easement shall not be less than eight feet (8') horizontally to the footing of the structure and no architectural projection shall be less than six feet (6') from the centerline of the easement.

- 3. Rear Yard:** Except as provided in other sections of this Ordinance there shall be a rear yard with a depth of no less than twenty-five feet (25') measured at right angles from the nearest point on the rear lot line to the nearest point of the structure or if an alley or easement abuts the rear lot line the twenty five feet (25') may be from the center of the alley or easement providing the alley or easement is no wider than twenty feet (20').

- The above setbacks are for most residential lots within the City of Liberal. Some setbacks may vary from the standard, and each will be reviewed accordingly by the Building Inspector or his or her designee. The decision of the Building Inspector or his or her designee as to the approval of the Building Inspector or his or her designee as to the approval of setbacks that vary from the standard is final.

- No structure may be built in, on or over an easement, including, any architectural features listed above.