

CHAPTER 8

RESIDENCE ZONE “R-3” REGULATIONS

8.01 The regulations set forth in this chapter, or set forth elsewhere in the Zoning Code are the zoning regulations for Residence Zone “R-3”.

8.02 Permitted Uses:

A. Any use permitted in Zones R-1 and R-2.

B. Single-Family (attached) Dwellings.

Yards:

1. There shall be a front yard having a depth of not less than twenty-two (22) feet and six (6) inches, provided, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.
2. For a lot that has frontage on more than one (1) street, the required front yard shall be provided on all streets.
3. Side Yard: None required if adjoining a common wall. There shall be a side yard setback of fourteen (14) feet for units with a side wall not attached to a common wall and facing an open area.
4. Rear Yard: There shall be a rear yard having a depth of not less than twenty (20) feet except for lots with three (3) front yards, in which case the minimum rear yard shall be five (5) feet.
5. For a one (1) family dwelling, every lot or tract of land shall have a minimum width of forty-three (43) feet at the building line, at least twenty-five (25) feet frontage and an area of not less than five thousand (5,000) square feet.
6. Minimum Dwelling Size: Every single family attached dwelling shall have a minimum floor area of six-hundred (600) square feet.
7. Height Regulations: No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height.
8. Accessory buildings may be located not closer than five (5) feet to the rear and side property line but shall not project into any front yard.

Permitted Uses:

C. Single-Family (detached) Dwellings:

Yards:

1. The minimum front yard, for purposes of constructing any building on a lot in this zone, shall be at least thirty-five (35) feet in depth from the road frontage line, except that the average depth of the front yards on adjacent lots shall be required, either as established by the main buildings on such adjacent lots respectively existing within one-hundred (100) feet of the main building proposed on the lot between them or as specified on the recorded plat in which

such adjacent lots exist, but in no case shall be required to exceed fifty (50) feet, regardless if the average front yards of adjacent lots is a greater distance.

2. For a lot that has frontage on more than one (1) street, the required front yard shall be provided on all streets.
3. There shall be a side yard of fourteen (14) feet total for both sides, with a minimum width of seven (7) feet, for either side, except for lots with more than one (1) front yard, in which case, the minimum side yard shall be seven (7) feet on the side, if any, not fronting on a street.
4. Rear Yard: There shall be a rear yard having a depth of not less than thirty (30) feet, except for lots with three (3) front yards, in which case the minimum rear yard shall be seven (7) feet, if any, not fronting on a street.
5. Every lot or tract of land on which there is erected a single family detached dwelling, shall have a minimum width of seventy (70) feet at the building line, at least twenty-five (25) feet of frontage and an area of not less than eight-thousand (8000) square feet.
6. Minimum Dwelling Size: Every single family dwelling shall have a minimum floor area of seven hundred twenty (720) square feet.
7. Height Regulations: No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height.
8. Accessory buildings may be located not closer than five (5) feet to the rear and side property line but shall not project into any front yard.
9. All lots of record or subdivisions with preliminary plats approved by the Warren County Regional Planning Commission prior to the effective date of these regulations (which approval has not lapsed by reason of inactivity as provided in the "Warren County Subdivision Regulations") shall be controlled by the Zoning Regulations under which they were approved and shall not be considered as "non-conforming" to this zone.

D. Two-Family Dwellings

Yards:

1. There shall be a front yard having a depth of not less than thirty-five (35) feet, provided, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.
2. For a lot that has frontage on more than one (1) street, the required front yard shall be provided on all streets.
3. Side Yard: There shall be a side yard of fourteen (14) feet total for both sides, with a minimum width of five (5) feet, for either side, except for lots with more than one (1) front yard, in which case, the minimum side yard shall be five (5) feet on the side, if any, not fronting on a street.
4. Rear Yard: There shall be a rear yard having a depth of not less than thirty (30) feet, except for lots with three (3) front yards, in which case the minimum side yard shall be five (5) feet on the side, if any, not fronting on a street.

5. Every lot or tract of land on which there is erected a two-family dwelling, shall have a minimum width of sixty (60) feet at the building line, at least thirty (30) foot frontage and a minimum area of ten thousand (10,000) square feet, plus an additional area of twenty-five hundred (2,500) square feet for each family over one (1).
6. Minimum Living Area: Every two family dwelling shall have a minimum floor area of six hundred (600) square feet of living space by outside dimensions exclusive of porches, garages and cellars, for each family.
7. Height Regulations: No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height.
8. Accessory buildings may be located not closer than five (5) feet to the rear and side property line but shall not project into any front yard.

E. Multiple Family Dwellings.

Yards:

1. There shall be a front yard having a depth of not less than thirty-five (35) feet, provided, no alignment setback or front yard depth shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet.
2. For a lot that has frontage on more than one (1) street, the required front yard shall be provided on all streets.
3. There shall be a side yard on both sides of a three (3) story building, which side yards shall have a width of not less than ten (10) feet. Any multi-family building under three stories shall have a side yard of fourteen (14) feet total for both sides, with a minimum width of five (5) feet, for either side, except for lots with more than one (1) front yard, in which case, the minimum side yard shall be five (5) feet on the side, if any, not fronting on a street.
4. Rear Yard: There shall be a rear yard having a depth of not less than thirty (30) feet, except for lots with three (3) front yards, in which case the minimum side yard shall be five (5) feet on the side, if any, not fronting on a street. For three (3) story buildings, the rear yard shall be at least forty (40) feet, except that for buildings fronting on three (3) streets, the rear yard shall be a minimum of ten (10) feet.
5. Every lot or tract of land on which there is erected a multiple dwelling, shall have a minimum width of sixty (60) feet at the building line, at least thirty (30) feet of frontage and a minimum lot area of ten thousand (10,000) square feet, plus an additional area of twenty-five hundred (2,500) square feet for each family over one (1).
6. Every multi-family unit shall have a minimum of four hundred (400) square feet of living space by outside dimensions, exclusive of porches, garages and ceilings.
7. The height of multi-family dwellings shall be unlimited, except that for each foot over forty-five feet, the front, side and rear yards shall be increased by one

(1) foot and there shall be adequate fire extinguishing facilities as approved by the Hamilton Township Fire Department.

8. Accessory buildings may be located not closer than five (5) feet to the rear and side property line but shall not project into any front yard.

F. Permitted Uses other than single, two or multi-family dwellings.

1. There shall be a front yard having a depth of not less than fifty (50) feet.
2. For a lot that has frontage on more than one (1) street, the required front yard shall be provided on all streets.
3. Side Yard: There shall be a side yard of twenty (20) feet total for both sides, with a minimum width of five (5) feet for either side, except for lots with more than one (1) front yard, in which case the minimum side yard shall be five (5) feet on the side, if any, not fronting a street.
4. Rear Yard: There shall be a rear yard having a depth of not less than thirty-five (35) feet, except for lots with three (3) front yards, in which case the minimum rear yard shall be five feet.
5. Intensity of use: Every lot or tract shall have a minimum width of two-hundred (200) feet at the building line, at least two-hundred (200) feet of continuous frontage and an area of not less than one acre or 43,560 square feet.
6. Minimum Size: All uses other than single family dwellings shall have a minimum area of nine-hundred sixty (960) square feet of living space by outside dimensions, exclusive of porches, garages and cellars.
7. Height Regulations: No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height.
8. Accessory buildings may be located not closer than five (5) feet to the rear and side property line but shall not project into any front yard.