

Section 6.00 R-1 - LOW DENSITY RESIDENTIAL DISTRICT

Section 6.01. Purpose.

The R-1 district is intended to provide for low density residential development with a limited number of institutional and recreational uses permitted. The district is designed to protect residential areas now developed and to regulate the efficient use and orderly development of vacant land designated for residential uses. It is essential that areas be designated and regulations imposed for various kinds of residential developments in order that the city can plan ahead for services, future schools, parks, streets and utilities. The regulations are designed to promote a suitable environment for family life. Recreational and institutional uses which are compatible with residential areas are also permitted on parcels of adequate size to allow required parking and building needs. A site plan, as described in section XI, is required by the planning commission.

Section 6.02. Permitted Uses.

The following uses shall be permitted in the R-1 residential districts:

- A. Single-family dwellings with garage
- B. Attached duplex dwellings
- C. Publicly owned parks and playgrounds
- D. Home occupations
- E. Accessory buildings or structures and uses customarily incidental to any of the above listed uses when located on the same property, provided such accessory buildings or structures are less than 800 square feet in area and located a minimum of five (5) feet from the back and side lot line and have a ten (10) feet maximum side wall height with a nine (9) feet maximum door height. The entrance of a garage must be at least twenty (20) feet from the property line.

Section 6.03. Conditional Uses.

The following uses may be permitted in the R-1 residential district upon recommendation of the planning commission and approval of the city council.

- A. Single family dwellings with garage to be built by a date as specified by the planning commission
- B. Accessory buildings and structures of over 800 square feet in size.
- C.. Attached three and four unit dwellings
- D. Churches, chapels and similar places of worship
- E. Public schools and similar private education institutions
- F. Hospitals, nursing, rest or convalescent homes
- G. Public utility buildings such as substations, transformer stations and regulator stations without storage yards
- H. Day care or nursery schools

I. Funeral homes with adequate parking

J. Community buildings

K. Bed and breakfast inns

L. Accessory buildings and structures and uses customarily incidental to any of the above listed uses when located on the same property

Section 6.04. Bulk Regulations.

The following minimum requirements shall be observed:

A. Lot area, width and yard requirements

Use	Lot Area	Lot Width		Yards			
		At Street	At Building	Front	Rear	Least Side	Sum of Sides
Single Family Dwelling	10,000 sq. ft	45'	75'	30'	25'	6'	16'
Two Family Dwellings	14,000 sq. ft	50'	80'	30'	25'	6'	16'
Other Uses	20,000 sq. ft	100'	100'	30'	45'	12'	24'

B. Building height. No residential building hereafter erected or altered shall exceed thirty-six (36) feet in height. Provided, however, public and semipublic buildings, churches, cathedrals, temples, hospitals or schools may be erected to a height of sixty (60) feet when set back from all lot lines not less than one (1) foot, in addition to required yard dimensions, for each foot such building exceeds thirty-six (36) feet in height.

C. Corner lot, special requirements. On any corner lot or lot fronting on more than one street, no building or structure shall be placed or erected closer than twenty-five (25) feet to any property line abutting and paralleling a street. All corner lots shall be at least ten (10) percent larger in lot frontage at the building line and lot area than is required above for one (1) and two (2) family dwellings.

D. Maximum impervious surface coverage shall not exceed forty (40) percent.

E. Building dimension requirements. The main exterior walls of each residential structure shall not be less than twenty (20) feet wide at the narrowest point of the structure.

Section 13.11. Conditional Uses.

Any proposed conditional use permitted by the provisions of this ordinance shall be submitted to the planning commission and the city council for review and determination of its applicability to the district in which it is proposed. The following procedure shall be followed for conditional use permit application:

A. Application

1. The applicant requests proper form for a conditional use permit from the zoning administrator
2. The application shall be filed with the zoning administrator accompanied by the fee as set by the city council. The application shall contain the following information:
 - A. The legal description and local address of the property
 - B. The names and addresses of the owners of all property within three hundred fifty (350) feet of the property for which the conditional use permit is being applied
 - C. Detailed description of the proposed conditional use
 - D. Detailed plans of all buildings, roadways and any other structural or cultural improvements
 - E. A map showing the locations, dimensions and use off all property within three hundred fifty (350) feet of the applicant's property including streets, alleys, railroads and other physical and cultural features
 - F. A statement describing the reasons for the request of the conditional use permit
 - g. Other information or exhibits as required by the planning commission and city council in making recommendations, determinations and dispositions on the application

B. Application processing

1. Upon receipt of the application by the zoning administrator, a copy of the completed application and attachments shall be forwarded immediately to the planning commission
2. The planning commission shall set the date for a public hearing and instruct the zoning administrator to give notice of time, place and purpose of the public hearing in the following manner:
 - A. Notify by mail all property owners within three hundred fifty (350) feet of the property at least ten (10) days prior to the date of the public hearing
 - B. Give public notice in a newspaper of general circulation in the city at least ten (10) days prior to public hearing
 - C. Notify the appropriate township board of supervisors, county planning commission and other agencies as instructed or deemed necessary
3. The planning commission or delegation thereof shall view the area being considered for a conditional use permit

C. Public hearings

1. The chairperson of the planning commission shall conduct the public hearing
2. The applicant and/or his representative shall appear before the planning commission and answer any questions relative to the proposed conditional use permit

3. An accurate record of all testimony shall be kept by the secretary of the planning commission. This record shall include the names of all persons who participated in the meeting

D. Recommendation

1. The planning commission shall consider all possible adverse effects of the proposed conditional use permit and what, if any, additional requirements may be necessary to prevent such adverse effects

2. The planning commission, in considering an application for a conditional use permit, shall make findings on the following criteria and report these findings in its recommendation to the city council:

A. That the establishment, maintenance or operation will not be detrimental to or endanger the public health, safety or general welfare and is not contrary to established standards, regulations or ordinances of other governmental agencies

B. That each structure or improvement is so designed and constructed that it is not unsightly, undesirable or obnoxious in appearance to the extent that it will hinder the orderly and harmonious development of the city and of the district wherein proposed

C. That the use will not be substantially injurious to the permitted uses nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish and impair property values within the area

D. That the establishment of the use will not impede the orderly and normal development and improvement of the surrounding property for uses permitted in the zoning district

E. That adequate water supply and sewage disposal facilities are provided and in accordance with applicable standards

F. That adequate access roads, on-site parking, on-site loading and unloading berths and drainage have been or will be provided

G. That adequate measures have been taken to provide ingress and egress so as to minimize traffic congestion on public roads

H. That the use will not be in major conflict with the comprehensive city plan

I. That the use will conform to all other applicable regulations as required in this ordinance

3. The planning commission shall make a decision and forwards its report and recommendations to the city council within forty-five (45) days from the date of public hearing

E. Decision

1. Upon receipt of the report and recommendations from the planning commission, the city council shall place the consideration of the application for a conditional use permit on the agenda for its next regular meeting

2. The city council shall make a decision on the application for a conditional use permit within forty-five (45) days after the regular council meeting following the receipt of the report and recommendations from the planning commission
3. The concurring vote of a majority of the full council membership shall be necessary for the approval or denial of an application for a conditional use permit
4. Decisions of the city council shall immediately be filed and recorded with the zoning administrator. Copies shall be sent to the applicant and/or his representative
 - A. The council shall detail its reasons for denial or approval
 - B. Upon approval of an application, the council may impose any additional special conditions if considered necessary to protect the public health, safety and welfare

F. Issuance

1. The zoning administrator shall issue a conditional use permit for a particular use on a particular tract of land
2. The conditional use permit, if granted, shall also be recorded with the county recorder and become a part of the title to the property
3. A conditional use permit shall become void one (1) year from the date of issuance if significant construction has not been undertaken