

## NOTICE OF MEETING

### BONDURANT PLANNING AND ZONING COMMISSION

November 08, 2012

MTG NO. 12-16

**NOTICE IS HEREBY GIVEN** that a meeting of the Planning and Zoning Commission will be held at 6:00 p.m., on Thursday, November 08, 2012, in the Community Room at the Bondurant City Center, 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

#### AGENDA

- 1) Call to Order
- 2) Roll Call
- 3) Perfecting and Approval of the Agenda
- 4) Approval of the Commission Minutes – October 25, 2012
- 5) Ms. Erin Ollendike, Civil Design Advantage, 3405 Southeast Crossroads Drive, Grimes, Iowa, representing Travis Sisson, 5700 University Avenue, Suite 220, West Des Moines, Iowa – Presentation of a Preliminary Plat for Renaud Ridge  
**RESOLUTION NO. PZ-12-19** – A Resolution recommending approval of the Preliminary Plat for Renaud Ridge, Bondurant, Polk County, Iowa
- 6) **RESOLUTION NO. PZ-12-20** – A Resolution recommending approval of the Plat of Survey for Lincoln Estates, Bondurant, Polk County, Iowa
- 7) Discussion items
  - a. R-3 side yard setback
- 8) Reports/Comments and appropriate action thereon:
  - a. Commission Member Comments
  - b. Commission Chair Comments
  - c. City Administrator Comments
- 9) Adjournment

## **CITY OF BONDURANT**

### **PLANNING AND ZONING COMMISSION**

#### **MINUTES**

A meeting of the City of Bondurant Planning and Zoning Commission was held in the Community Room at the Bondurant City Center on October 25, 2012, at 6:00 p.m.

Present:                   Commission Chair David Higgins  
                                Commission Member Michele Bailey  
                                Commission Member Brian Clayton  
                                Commission Member Judi Mendenhall  
                                Commission Member Roy McCleary  
                                Commission Member Wesley Enos  
                                City Administrator Mark Arentsen  
                                Finance Director Lori Dunham  
                                Administrative Assistant Misty Richardson-Kugler

Absent:                   Commission Member Jennifer Keeler

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the Bondurant Post Office on October 22, 2012. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Commission Chair Higgins called the meeting to order at 6:01 p.m. Roll call was taken and a quorum was declared. Motion made by Commission Member McCleary, seconded by Commission Member Mendenhall, to approve the agenda as presented. Roll call: Ayes: 6. Nays: 0. Motion carried.

Motion made by Commission Member Mendenhall, seconded by Commission Member Bailey, to approve the Planning and Zoning Commission Minutes of October 11, 2012. Roll call: Ayes: 6. Nays: 0. Motion carried.

Brad Kuehl, Project Manager, Civil Design Advantage LLC, 3405 Southeast Crossroads Drive, Suite G, Grimes, Iowa, representing Arbor Ridge, LLC, presented a Preliminary Plat for Arbor Ridge Plat 7. The plat contains 24 single family lots with a minimum width of 65 feet, located from Grant Street, North, to Deer Ridge Drive, Northwest, Bondurant, Polk County, Iowa. Commission Member McCleary inquired about the City Engineer's approval. City Administrator Mark Arentsen stated all issues were resolved on October 25, 2012. Mr. Kuehl said sewer and water have been completed but streets and storm water will need to be installed. Mark inquired about lots 1 & 2, sewer easement and the 29' paving on Aspen. Mr. Kuehl stated that street paving on Aspen will be 29' wide. He also said that sewer will be

installed north of Aspen Dr., to the north plat line on an easement on lots 1 and 2. Commission Member Clayton inquired about the elevation and visibility coming onto Grant Street, North.

City Administrator Mark Arentsen asked if this project will begin in the spring? Brad Kuehl stated that the grading would take place this fall and paving will begin next spring. Motion made by Commission Member McCleary, seconded by Commission Member Bailey, to approve Resolution No. PZ-12-18, a Resolution recommending approval of the Preliminary Plat for Arbor Ridge Plat 7, Bondurant, Polk County, Iowa. Roll Call: McCleary-Yes, Bailey-Yes, Enos-Yes, Higgins-Yes, Clayton-Yes, Mendenhall-Yes. Motion carried.

**The following items were discussed as part of Commission Members' comments:**

- Commission Member Mendenhall– No comment.
- Commission Member Bailey – No comment.
- Commission Member Clayton – No comment
- Commission Member McCleary – Inquired about contradiction between Zoning Code and Comprehensive Plan and the need to update the side yard setback in the Zoning Code.
- Commission Member Enos - No comment.

**The following item was discussed as part of Commission Chair Higgins' comments:**

- Welcomed Wesley Enos

**The following item was discussed as part of City Administrator Arentsen's comments:**

- Distributed a Preliminary Plat for Renaud Ridge for November 8, 2012, Commission meeting. Travis Sisson is the developer.

Motion made by Commission Member McCleary, seconded by Commission Member Bailey, to adjourn the meeting. Roll call: Ayes: 6. Nays: 0. Motion carried. Commission Chair Higgins declared the meeting adjourned at 6:16 p.m.

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Lori Dunham  
Finance Director

ATTEST:

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David Higgins  
Commission Chair

**Resolution: PZ-12-19**

**Agenda Item: #05**

**Date: November 08, 2012**

BE IT RESOLVED, by the Planning & Zoning Commission of the City of Bondurant, Polk County, Iowa:

That the Preliminary Plat for Renaud Ridge, Bondurant, Polk County, Iowa, is hereby approved and forwarded to the City Council with a recommendation for approval of same.

Moved by \_\_\_\_\_ Second By \_\_\_\_\_ to adopt.

Comm. Action	Yeas	Nays	Pass	Absent
Bailey				
Clayton				
Enos				
Higgins				
Keeler				
McCleary				
Mendenhall				
Motion carried				
_____				
David Higgins, Chair				

**CERTIFICATE**

I, Mark J. Arentsen, City Administrator of said City hereby certify that at a meeting of the Planning and Zoning Commission held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

\_\_\_\_\_  
Mark J. Arentsen  
City Administrator



## Mark Arentsen

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**From:** Erin Ollendike [ErinO@cda-eng.com]  
**Sent:** Tuesday, October 30, 2012 10:47 AM  
**To:** Slattery, Ed  
**Cc:** marentsen@cityofbondurant.com  
**Subject:** Renaud Ridge  
**Attachments:** Renaud Ridge west storm connection.pdf

Ed,  
We are working through the preliminary plat comments and should have them revised and turned in either late today or first thing tomorrow morning. I have a couple of questions on certain comments.

1. The drainage calculations and the preliminary plat drawing show the storm sewer on 5<sup>th</sup> Street NW will be significantly overloaded with release from the two westside storm water basins. This situation must be corrected.
  - As shown on the attached exhibit and discussed in the drainage calculations we are only tying in a 15" RCP into the existing 18" RCP. The manhole shown in the ROW shows a 15" coming out with two 24" RCP pipes coming into it. The 15" acts as the restriction and we are utilizing storage in both ponds for detention. No calculations were available when we requested them previously so I don't know what was planned for in the 18" RCP but I know that we are releasing less than what was previously going there because of the detention ponds. Please let me know if this doesn't work and we can try to provide more storage in the ponds and restrict the release rate more. We would like to know what release rate was planned for this area when Deer Ridge was done.
  
9. The street ROW widths for all streets but 4<sup>th</sup> Street NW are shown with a 50' width. Chapter 180 of the Subdivision Regulations requires 60' wide ROW widths. A formal variance request must be made to P&Z to maintain 50' as shown.
  - We would like to show the transition of 50' ROW from the existing tie in streets to the 60' ROW proposed as shown on the preliminary plat. I will submit a letter requesting the variance. If P&Z does not agree we can change it to 60' ROW's prior to the City Council meeting.

Please let me know if you have any questions or wish to discuss these comments in further detail. Thanks.

Erin Ollendike, P.E. | *project manager*

CIVIL DESIGN ADVANTAGE LLC

3405 SE Crossroads Drive, Suite G Grimes, IA 50111

o 515.369.4400 f 515.369.4410 c 515.208.9188

[ErinO@cda-eng.com](mailto:ErinO@cda-eng.com)

[www.CDA-eng.com](http://www.CDA-eng.com)



CIVIL DESIGN ADVANTAGE L.L.C.

ENGINEERS, LANDSCAPE ARCHITECTS,  
PLANNERS & SURVEYORS

November 1, 2012

Attn: Mark Arentsen  
City Administrator, City of Bondurant  
200 2<sup>nd</sup> Street NE  
Bondurant, Iowa 50035

RE: **Renaud Ridge**  
Preliminary Plat  
CDA 1207.278

Dear Mr. Arentsen:

It is our understanding that your current city code requires that all right-of-ways (ROW) be platted at a 60 foot width. We would like to request a variance to allow 50 feet on 5<sup>th</sup> Street NW and the loop of Sycamore Drive NW. The existing ROW for Arbor Ridge Plat 1 to the north and Deer Ridge Crossing Plat 3 to the west is platted at 50 feet. We feel this would maintain consistency throughout the developments and 4<sup>th</sup> Street NW would be a good transition point for the larger ROW as shown on the preliminary plat. We would like for this request to be considered with the preliminary plat at the November 8<sup>th</sup> Planning and Zoning Commission meeting. Please contact me with any questions.

Sincerely,

CIVIL DESIGN ADVANTAGE, LLC

Erin K. Ollendike, P.E.  
Project Manager

cc: Ed Slattery, Stanley Consultants, Inc.  
Travis Sisson, TM Sisson PC  
Chance Chesnut, Huber Grading  
File

RENAUD RIDGE  
COMMENT RESPONSE LETTER  
November 1, 2012

Below is a list of each of the comments and our responses given by the City of Bondurant's comments received on October 26, 2012.

1. The drainage calculations and the preliminary plat drawing show the storm sewer on 5<sup>th</sup> Street NW will be significantly overloaded with release from the two westside storm water basins. This situation must be corrected.
  - **The storm sewer on the preliminary plat has been labeled to show that we are proposing a 15" RCP be connected into the existing 18" RCP downstream on the Deer Ridge Crossing plat. The 15" RCP acts as a restriction for the two detention basins. No calculations are available for the subdivision to the west so we have no information on the amount of water designed for the system. However, we are not releasing more than what is going there today during the 5-year storm event.**
2. For clarity, we would like metes and bounds descriptions shown on the plat boundary.
  - **The bearing and distance has been added to the boundary.**
3. Show ROW width and street width for the existing Sycamore Drive NW and Grant Street N.
  - **The ROW and street widths has been labeled.**
4. Show sidewalk connection (landing) on east side of Grant Street N on the east side.
  - **A sidewalk connection has been shown.**
5. Indicate or show sidewalks on both sides of all new streets.
  - **The sidewalks have been shown.**
6. Provide names of landowners to west at Deer Ridge Plat 2,3 and 4.
  - **The landowner names have been added.**
7. Show that all irregularly shaped lots have a minimum of 65' of width at the building setback line.
  - **The dimension has been added as requested on irregularly shaped lots.**
8. For side yard setbacks, clarify the note to indicate 10' and 14' setbacks represent the total setbacks with 5' and 7' on either side, respectively.
  - **The setback information has been changed.**
9. The street ROW widths for all streets but 4<sup>th</sup> Street NW are shown with a 50' width. Chapter 180 of the Subdivision Regulations requires 60' wide ROW widths. A formal variance request must be made to P&Z to maintain 50' as shown.
  - **We would like to maintain the 50' ROW as shown. We feel this is an adequate transition from the connecting streets which are 50' ROW.**
10. Show location of cluster mailboxes.
  - **Mailbox locations have been shown. These may change once the post office has had time to review.**
11. Are the 8" storm sewers to be used as sump collection lines? If so, they should be labeled as such.
  - **The 8" storm sewers are for sump service collection. They have been labeled on the plans.**

## Mark Arentsen

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**From:** Slattery, Ed [slatteried@stanleygroup.com]  
**Sent:** Monday, November 05, 2012 11:31 AM  
**To:** Mark Arentsen  
**Subject:** RE: Renaud Ridge

They have done an excellent job responding to our comments.

Edwin R. Slattery, P.E.  
Principal Environmental Engineer  
Stanley Consultants, Inc  
100 Court Ave., Ste 300  
Des Moines, Iowa 50309  
515.447.4413  
515.246.8617 (fax)

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**From:** Mark Arentsen [<mailto:marentsen@cityofbondurant.com>]  
**Sent:** Monday, November 05, 2012 10:35 AM  
**To:** Slattery, Ed  
**Subject:** Renaud Ridge

Ed, Renaud Ridge is on the P&Z agenda for approval this Thursday. Are there any outstanding items?

*Mark Arentsen*

City Administrator  
City of Bondurant, Pop. 3,860  
200 Second St., NE, PO Box 37  
Bondurant, IA 50035  
515-967-2418  
515-971-6855 (Cell)  
515-967-5732 (Fax)  
[marentsen@cityofbondurant.com](mailto:marentsen@cityofbondurant.com)  
[www.cityofbondurant.com](http://www.cityofbondurant.com)

**Resolution: PZ-12-20**

**Agenda Item: #06**

**Date: November 08, 2012**

BE IT RESOLVED, by the Planning & Zoning Commission of the City of Bondurant, Polk County, Iowa:

That the Plat of Survey for Lincoln Estates is hereby approved and forwarded to the City Council with a recommendation for approval of same.

Moved by \_\_\_\_\_ Second By \_\_\_\_\_ to adopt.

Comm. Action	Yeas	Nays	Pass	Absent
Bailey				
Clayton				
Enos				
Higgins				
Keeler				
McCleary				
Mendenhall				
Motion carried				
_____				
David Higgins, Chair				

**CERTIFICATE**

I, Mark J. Arentsen, City Administrator of said City hereby certify that at a meeting of the Planning and Zoning Commission held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year above written.

\_\_\_\_\_  
Mark J. Arentsen  
City Administrator



## Lori Dunham

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**From:** Mark Arentsen [mailto:marentsen@cityofbondurant.com]  
**Sent:** Thursday, October 25, 2012 6:54 PM  
**To:** 'Lori Dunham'  
**Subject:** FW: Park Area  
**Attachments:** 20121025\_160755.pdf

Lori, Please include approval of the attached Plat of Survey on the 11/8 P&Z agenda.

*Mark Arentsen*

City Administrator  
City of Bondurant, Pop. 3,860  
200 Second St., NE, PO Box 37  
Bondurant, IA 50035  
515-967-2418  
515-971-6855 (Cell)  
515-967-5732 (Fax)  
[marentsen@cityofbondurant.com](mailto:marentsen@cityofbondurant.com)  
[www.cityofbondurant.com](http://www.cityofbondurant.com)

**From:** Karie [mailto:kpropertieskarie@qwestoffice.net]  
**Sent:** Thursday, October 25, 2012 4:54 PM  
**To:** [marentsen@cityofbondurant.com](mailto:marentsen@cityofbondurant.com)  
**Subject:** Park Area

Hello Mark-

This is the plat of survey for the park area required in Bondurant. Please let me know what your process is.

We are currently using the land as "storage" for equipment and materials...we would like to continue to do that.

Please advise.

Thank you-

Karie

Karie Kading Ramsey  
Kading Properties LLC  
7008 Madison Ave  
Urbandale IA 50323  
515-276-9384 office  
515-229-2740 cell  
515-276-0181 fax  
[kpropertieskarie@qwestoffice.net](mailto:kpropertieskarie@qwestoffice.net)

as there is a natural depression there and will have a depth of two feet. There is a gas line in that area but water is not expected to be present at all times. Commission Member Bailey inquired about expansion in the future. Mr. Collison stated that if they need to expand in the future, it would have to be at a different location. The lot is full with no room for future expansion. Commission Member Bailey inquired if the storm water draining to the north of Mrs. Stoll's home would flow above ground or below ground. Mr. Collison said that there will be no pipes for drainage and there is a swale on the south property line. Commission Member Bailey inquired about the maintenance building access gate and if there was going to be a driveway extended to it. Mr. Collison stated that the building will house lawnmowers and the grease trap and people will have to park and walk to the building.

City Administrator Arentsen stated that the purpose of this meeting is to just approve the building so MNC2 can start with their construction. The Bird's Nest has to be out of their portable building at the school's site by August 2012. So the questions being asked are all good questions but tonight's meeting is just to approve the building. There are things that have not been completely determined yet. A revision to the Site Plan, at the Commission Members' seats, showed the gravel drive in the City right of way highlighted in yellow. City Administrator Mark Arentsen stated that this would be paved by the City. Commission Member Bailey stated that the City is setting a precedent by paving the driveway for a resident. City Administrator Arentsen stated that may be true but he could not think of another situation in town where this same situation appears. Mrs. Bailey stated that the City has the same situation across the highway with the Kading Property. There was discussion on TIF, Council approval, the City right of way and history of Grant Street.

Commission Member Bailey asked if the side yard setbacks have been met. City Administrator Arentsen stated that the City Engineer has approved the setback placing. The ordinance is not very clear because it calls for a total fifty foot side yard setback instead of stating a minimum amount for each side. Commission Chair Higgins stated that after this meeting the Commission needs to clarify the R-3 section of the Zoning Code to prevent someone from having a two foot side yard on one side and a forty-eight foot side yard on the other side. Commission Member Bailey asked about the four foot sidewalk from the building to the back and what route the kids will walk to the school. Mr. Collison stated that adults would walk the kids across the school parking lot on the northwest side of their lot. They are working with the school on how that would work. Mrs. Bailey was concerned about the safety of the kids with all of the cars driving through there to drop off their kids. Mrs. Bailey asked if there would be a fence on the property to keep kids from running onto the school yard. Mr. Collison stated that a fence would run from the northwest building corner north and west along the property line, south to the property line and north to the southwest building corner.

through November. Commission Member Bailey stated that there is a water issue in this neighborhood. City Administrator Arentsen said that the City will have to address the water issue. Commission Chair Higgins stated that the waterway in the neighborhood needs an overhaul, the Kading development is a small portion of the problem. Commission Chair Higgins inquired if the park in the development was open to everyone and it is. Commission Member Bailey stated that the vegetation that is currently planted in the area is bad for allergies (ragweed). Mr. Novelli distributed photos of their current development in Altoona on 28th Avenue, Southwest. Stone Wainscoting will be on the front and rear of the homes, not on the sides. Commission Member Meehan asked the cost of the rent. Rent will be \$800.00 for three bedroom apartment with one car attached garage. City Administrator Arentsen inquired if the tenant was responsible for all utilities? Tenants are responsible. Council Member Bogaards asked what the average length of stay is and Mr. Novelli stated that it is 2.5 years. Tenants sign a one year lease with month to month lease thereafter. Kading Properties vacancy rate is 1.04%. Majority of renters are families and older women, along with a few college students. City Administrator Arentsen asked when the expected start date would be and Mr. Lee stated that the intent is to start May 5 and will build the project all at once. Mr. Arentsen asked if school buses would have access to their street and school buses are allowed on the street. Motion made by Commission Member Bailey, seconded by Commission Member Meehan, to amend Resolution No. PZ-12-03, by accepting the Site Plan, with the addition of the lease agreement and condominium regime documents, for Lincoln Estates Condominiums I, located at Lot 24 of Clarence Oleson Vista Estates Plat 4, Bondurant, Polk County, Iowa. Roll Call: Bailey-Yes, Meehan-Yes, Keeler-Yes, Higgins-Yes. Motion carried.

City Administrator Arentsen led a discussion on the finalization of the Comprehensive Plan. The Council will adopt the plan at the May 07, 2012, Council meeting. Commission Member Keeler asked if the City was going to receive hard copies of the final plan?

City Administrator Arentsen stated that the **side yard setback for R-3 Zoning** will be discussed at the next Planning and Zoning Commission meeting.

**The following items were discussed as part of Commission Members' comments:**

- Commission Member Keeler – Neighbor inquired about the lack of screening at the Mulberry Point apartments when screening is required in the code and a camper is parked there all of the time. Attended BDI meeting, Developer Tour on May 3 from 3:00-4:30 p.m.
- Commission Member Bailey – Victory Lane property needs cleaning up, tires piled up, ground has something saturated in it as the bushes are dying. Wooden Nickel has window taped with a ramp up to it. Diagonal Business Park, owned by Bill Elson, has trailers and old trucks parked on the grass by Tomlinson Welding.
- Commission Member Meehan – No comment.

**178.04 R-3 MULTI-FAMILY RESIDENTIAL.** The “R-3” District is intended and designed to provide for certain medium density residential areas of the City now developed with one-family, two-family and multiple-family dwellings, and areas where similar residential development seems likely to occur.

1. **Principal Permitted Uses.** Only the uses of structures or land listed in this section shall be permitted in the “R-3” District.
  - A. One-family dwellings, to include manufactured homes and family homes in accordance with the following definitions:
    - i. Family homes, a community based residential home which is licensed as a residential care facility or as a child foster care facility to provide room and board, personal care, rehabilitation services, and supervision in a family environment exclusively for not more than eight developmentally disabled persons and any necessary support personnel.
  - B. Two-family dwellings.
  - C. Multiple-family dwellings, including row housing, cooperative apartment houses and condominium units.
  - D. Alterations and conversions of single-family dwellings into two-family dwellings in accordance with the lot area, frontage and yard requirements as set forth in this section and the fire separation provisions of the Building Code.
  - E. Boarding and rooming houses.
  - F. Churches, cathedrals, temples, and similar places of worship, provided that all principal buildings be set back a minimum of fifty (50) feet from all property lines.
  - G. Museums, libraries, parks and playgrounds, community centers and similar uses operated by the City.
  - H. Golf courses, country clubs, tennis courts and similar recreational uses, provided that any such use not be operated primarily for commercial gain.
  - I. Public and parochial schools, elementary and secondary, and other educational institutions having established current curriculum the same as ordinarily given in the Bondurant-Farrar public school system, but excluding boarding schools, nursery schools and child care centers, provided that all principal buildings are set back a minimum of fifty (50) feet from all property lines.

- J. Zero lot line dwellings, including semi-detached duplex and townhomes.
- K. Nursing, convalescent and retirement homes.
- L. Child care centers and nursery schools.

**2. Permitted Accessory Uses.**

- A. Uses of land and or structures customarily incidental and subordinate to one of the principal permitted uses, unless otherwise excluded.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- C. Private swimming pools when enclosed by a non-climbable fence at least six (6) feet in height.
- D. Private plant nurseries and greenhouses not exceeding two hundred forty (240) square feet of floor area and not involving retail or wholesale sales.
- E. TV Dish Antennas in accordance with Chapter 177.11 of the Zoning Code – General Regulations.
- F. Accessory uses in the “R-3” District are exempt from the size limitations contained in Section 177.04.
- G. Signs in accordance with Chapter 181 of this Code of Ordinances.

**3. Permitted Conditional Uses.**

- A. Home occupations. A conditional use permit must be applied for and received from the Board of Adjustment for a home occupation which does not meet the requirements set forth in Section 177.15 of the Zoning Code – General Regulations.
- B. Communication towers (freestanding type), see section 177.12 of the Zoning Code – General Regulations.
- C. Communication towers (building-supported type), see Section 177.13 of the Zoning Code – General Regulations.
- D. Wind Energy Conversion Systems (WECS) see section 177.14 of the Zoning Code – General Regulations.

**4. Bulk Regulations.** The following minimum requirements shall be observed, subject to the modifications contained in Section 177.07.

- A. Minimum Lot Area: 9,000 square feet.
- B. Maximum Density: 20 dwelling units per acre.

- C. Minimum Floor Area: Single-family – 950 square feet; two-family – 900 square feet per unit; if building is 2 or more stories, minimum first floor area is 800 square feet for single-family and 550 square feet for two-family; multiple-family – no living space requirements.
- D. Lot Width: Single-family – 65 feet; two-family – 70 feet; multi-family – 85 feet; corner lot – 85 feet.
- E. Front Yard: Single-family and two-family – 30 feet; all other uses – 50 feet.
- F. Side Yards: Single-family and two-family – 7 feet on each side; multiple-family – 11 feet on each side; other principal permitted uses – 50 feet.
- G. Rear Yard: Single-family and two-family – 35 feet; other principal permitted uses – 50 feet.
- H. Maximum Height: Principal building – 45 feet; Accessory building – 14 feet.
- I. Maximum Number of Stories: Principal building – 3 stories; Accessory building – 1 story.
- J. Additional requirements for multi-family dwellings:
  - 1) Site Plan submittal per Chapter 180.
  - 2) 20% open space as a minimum.
  - 3) Landscaping per Chapter 180.
  - 4) Public Improvements per City specifications.
  - 5) Public streets and utilities required for Townhomes.
  - 6) Private drives, parking and utilities allowed for Condominiums.
  - 7) 30 foot buffer where adjacent to single family or two-family residential.
  - 8) Multi-family dwellings only permitted on platted lots of record.

**Summary of R-3 Bulk Regulations:**

(A) Minimum Lot Area	9,000 sq. ft.
(B) Maximum Density	20 units per acre
(C) Minimum Floor Area	950 sq. ft., single family 800 sq. ft., first floor of single family 750 sq. ft. for two-family 550 sq. ft., first floor of two-family none – multi-family
(D) Lot Width	65 ft., single family 70 ft., two-family 85 ft., multi. Family 5 ft. for corner lots 100 ft. if no sanitary sewer not available
(E) Front Yard	30 ft. for dwellings 50 ft. for any permitted use other than dwellings
(F) Side Yard	7 ft. each side, single family, two-family 11 ft. each side, multi. Family 3 ft. accessory buildings 50 ft. for all other permitted uses
(G) Rear Yard	35 ft. for single/two family 3 ft. accessory buildings 50 ft. for any permitted use other than single/two family
(H) Maximum Height	35 ft. principal buildings 14 ft. accessory buildings
(I) Maximum Stories	3 stories for principal buildings 1 story for accessory buildings

5. **Off Street Parking and Loading.** See Sections 177.08 and 177.09.
6. **Zero Lot Line Requirements.** Townhomes, Condominiums, and semidetached duplexes, cooperatives, or any other form of attached real property transfer which utilize shared walls as part of the structure shall conform with the following requirements:
  - A. Covenants must be submitted which address all legal implications associated with shared walls.

B. Prior to construction, a registered land surveyor shall precisely stake the location of the structures. Verification shall be submitted to the building department prior to receiving a building permit.

C. Filing Requirements:

(1) Townhomes or any shared wall units where the property is transferred is subject to the following: Prior to filing or recording any documents relating to townhome ownership with the State or County officers, the declarant shall file with the City the townhome instruments, including any Declaration of Covenants and Restrictions, Articles of Incorporation, and By-Laws.

(2) Condominiums or any shared wall units where the property is not transferred is subject to the following: Prior to filing or recording any documents relating to townhome ownership with the State or County officers, the declarant shall file with the City the condominium instruments including the Declaration of Covenants and Restrictions, By-Laws, Plats, and Condominium Disclosure Statement or Articles of Cooperation.

7. **Parkland Dedication.** The land area devoted to open space and landscaping shall be governed as set forth below:

A. Formula. The total area devoted to open space and landscaping shall not be less than the following Minimum Required Acres of Parkland Dedication as set forth by the following formula:

i. (Number of units in development) x (2.0 persons per unit) = Multi-family Population Area Estimate.

ii. (Multi-family Population Estimate) x (.0025 acres) = the Minimum Required Acres of Parkland Dedication.

iii. Maximum Density of Development will be applied when calculating formulas.

B. Definitions. As used in section 178.04(6) the following terms have the following definitions:

i. *Green Space*: an open and easily maintained area of land involving a low level of development.

ii. *Minor Subdivision*: a subdivision with no proposed streets and less than four lots.

iii. *Park*: an area of land set aside for public use and maintained for recreational purposes.

C. Requirements and Criteria:

- i. Such open space shall be maintained as a grassed and landscaped area, either as a park or green space, and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as a part of the landscaping theme.
- ii. All land to be dedicated must comply with the City's Comprehensive Plan.
- iii. All land to be dedicated must be approved by the appropriate councils.
- iv. If there is a bike/pedestrian/recreational trail, the Developer is required to dedicate land or trail easements that correspond to the existing trail.
- v. Water areas, ponds, streams, or other types of bodies of water shall not be included in determining park or green space.

D. Exemptions:

- i. Developments that do not include residential units.
- ii. Developments where building permits have been issued prior to the approval and amendment of section 178.04(6).
- iii. Developments already existing prior to the approval and amendment of section 178.04(6).
- iv. Parcels developed prior to the approval and amendment of section 178.04(6) that are being reconstructed for additional residency.
- v. Replacement of a destroyed building when the replacement is of the same size and use as the destroyed building.
- vi. Minor subdivisions.

*(Ordinance 07-217)*

**178.03 R-2 ONE- AND TWO-FAMILY RESIDENTIAL.** The “R-2” District is intended and designed for certain medium density residential areas of the City now developed with one-family and two-family dwellings, and areas where similar residential development seems likely to occur.

1. **Principal Permitted Uses.** Only the uses of structures or land listed in this section shall be permitted in the “R-2” District.

A. One-family dwellings, to include manufactured homes and family homes in accordance with the following definitions:

(1) Manufactured home, provided it is located and installed according to the same standards for a foundation system, setback, and minimum square footage which would apply to a site-built, single-family dwelling on the same lot. “Manufactured home” means a structure built according to construction standards promulgated by the United States Department of Housing and Urban Development under authority of 42 U.S.C. Sec. 5403.

B. Two-family dwellings.

C. Alterations and conversions of single-family dwellings into two-family dwellings in accordance with the lot area, frontage and yard requirements as set forth in this section and the fire separation provisions of the Building Code.

D. Churches, cathedrals, temples, and similar places of worship, provided that all principal buildings be set back a minimum of fifty (50) feet from all property lines.

E. Museums, libraries, parks and playgrounds, community centers and similar uses operated by the City.

F. Golf courses, country clubs, tennis courts and similar recreational uses, provided that any such us be not operated primarily for commercial gain.

G. Private plant nurseries and greenhouses not exceeding two hundred forty (240) square feet of floor area and not involving retail or wholesale sales.

H. Public and parochial schools, elementary and secondary, and other educational institutions having established current curriculum the same as ordinarily given in the Bondurant-Farrar public school system, but excluding boarding schools, nursery schools and child care centers, provided that all principal buildings are set back a minimum of fifty (50) feet from all property lines.

2. **Permitted Accessory Uses.**

- A. Uses of land and or structures customarily incidental and subordinate to one of the principal permitted uses, unless otherwise excluded.
- B. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work.
- C. Private swimming pools when enclosed by a non-climbable fence at least six (6) feet in height.
- D. TV Dish Antennas in accordance with Chapter 177.11 of the Zoning Code - General Regulations.
- E. No exterior advertising signs or displays shall be permitted except an indirectly lighted name plate not to exceed two (2) square feet in area, attached flat against the building. Furthermore, Signs must be in accordance with Chapter 181 of the Codes of Ordinances.

3. **Permitted Conditional Uses.**

- A. Home occupations. A conditional use permit must be applied for and received from the Board of Adjustment for a home occupation which does not meet the requirements set forth in Section 177.15 of the Zoning Code - General Regulations.
- B. Family homes. A family home is a community based residential home that is licensed as a residential care facility or as a child foster care facility to provide room and board, personal care, rehabilitation services, and supervision in a family environment exclusively for not more than eight developmentally disabled persons and any necessary support personnel.
- C. Communication towers (freestanding type), see section 177.12 of the Zoning Code – General Regulations.
- D. Communication towers (building-supported type), see Section 177.13 of the Zoning Code – General Regulations.
- E. Wind Energy Conversion Systems (WECS), see section 177.14 of the Zoning Code – General Regulations.

4. **Bulk Regulations.** The following minimum requirements shall be observed, subject to the modifications contained in Section 177.07.

- A. Lot Area: Single-family dwelling – 7,500 square feet; two-family dwelling – 8,000 square feet; without public sewer - 20,000 square feet.
- B. Minimum Floor Area: ranch style - 950 square feet; two story – 1,000 square feet of livable space; split level style - 875 square feet on two (2)

adjacent levels; and split foyer style – 850 square feet on the main floor.

- C. Lot Width: Single-family dwelling - 65 feet; two-family dwelling - 70 feet; corner lot - 70 feet; without public sewer - 100 feet.
- D. Front Yard: Dwelling - 30 feet. All other principal uses - 50 feet.
- E. Side Yards: one (1) and one and one half (1 ½) stories – 10 feet side yard, 5 feet minimum on each side; two (2) and three (3) stories – (14) feet total side yard, 7 feet minimum on each side; church or school – 35 feet on each side; 3 feet for any accessory building. All other principal uses - 50 feet.

*(Ordinance 04-202)*

- F. Rear Yard: Dwelling - 35 feet. All other principal uses - 50 feet.
- G. Maximum Height: Principal building - 35 feet; Accessory building - 12 feet.
- H. Maximum Number of Stories: Principal building – 3 stories; Accessory building - 1 story.
- I. Accessory Buildings: Maximum area for accessory Garage – 1,000 sq. ft. Maximum area for Yard shed – 160 sq. ft.

**Summary of R-2 Bulk Regulations:**

(A) Minimum Lot Area	7,500 sq. ft. 8,000 sq. ft. for two family dwellings 20,000 sq. ft. where sanitary not available
(B) Minimum Floor Area	950 sq. ft., ranch style 1000 sq. ft., two story 875 sq. ft., split level style 850 sq. ft., split foyer style
(C) Lot Width	65 ft., single family 70 ft., two-family 70 ft. for corner lots 100 ft. if no sanitary sewer not available
(D) Front Yard	30 ft. for dwellings (25 ft.) 50 ft. for any permitted use other than dwellings
(E) Side Yard	10 ft. total side yard, 5 ft. minimum on each side, 1 and 1 ½ stories 14 ft. total side yard, 7 ft. minimum on each side, 2 and 3 stories 35 ft on each side, church or school 3 ft. accessory buildings 50 ft. for any permitted use other than dwellings
(F) Rear Yard	35 ft. for single family 3 ft. accessory buildings 50 ft. for any permitted use other than dwellings
(G) Maximum Height	35 ft. principal buildings 12 ft. accessory buildings
(H) Maximum Stories	3 stories for principal buildings 1 story for accessory buildings
(I) Accessory Buildings	1,000 sq. ft. – Maximum Area for Accessory Garage 160 sq. ft. – Maximum Area for Yard Shed

5. **Off Street Parking and Loading.** See Sections 177.08 and 177.09.

6. **Parkland Dedication.** The land area devoted to open space and landscaping shall be governed as set forth below:

A. Formula. The total area devoted to open space and landscaping shall not be less than the following Minimum Required Acres of Parkland Dedication as

set forth by the following formula:

- i. (Number of units in development) x (2.63 persons per unit) = One and Two Family Population Area Estimate.
  - ii. (One and Two Family Population Estimate) x (.0025 acres) = the Minimum Required Acres of Parkland Dedication.
  - iii. Maximum Density of Development will be applied when calculating formulas.
- B. Definitions. As used in section 178.03(5) the following terms have the following definitions:
- i. *Green Space*: an open and easily maintained area of land involving a low level of development.
  - ii. *Minor Subdivision*: a subdivision with no proposed streets and less than four lots.
  - iii. *Park*: an area of land set aside for public use and maintained for recreational purposes.
- C. Requirements and Criteria:
- i. Such open space shall be maintained as a grassed and landscaped area, either as a park or green space, and shall not include access drives, parking areas, structures or buildings; except ornamental structures included as a part of the landscaping theme.
  - ii. All land to be dedicated must comply with the City's Comprehensive Plan.
  - iii. All land to be dedicated must be approved by the appropriate councils.
  - iv. If there is a bike/pedestrian/recreational trail, the Developer is required to dedicate land or trail easements that correspond to the existing trail.
  - v. Water areas, ponds, streams, or other types of bodies of water shall not be included in determining park or green space.
- D. Exemptions:
- i. Developments that do not include residential units.
  - ii. Developments where building permits have been issued prior to the approval and amendment of section 178.03(5).
  - iii. Developments already existing prior to the approval and amendment of section 178.03(5).

- iv. Parcels developed prior to the approval and amendment of section 178.03(5) that are being reconstructed for additional residency.
- v. Replacement of a destroyed building when the replacement is of the same size and use as the destroyed building.
- vi. Minor subdivisions.

*(Ordinance 07-216)*