

CHAPTER 16
R-5 HIGH DENSITY RESIDENTIAL DISTRICT

Section 1.

The regulations set forth in this Chapter, or set forth elsewhere in this Ordinance when referred to in this Chapter, are the district regulations for the R-5 High Density Residential District.

Section 2. Permitted Uses.

A building or premises shall be used only for the following purposes:

1. Single-family detached and attached dwellings.
2. Two-family dwellings.
3. Multiple-family dwellings.
4. Family/Group Home
5. Apartment hotels/motels.
6. Boarding houses.
7. Home occupations in compliance with Ch. 4, Sec. 11 of this Ordinance.
8. Truck gardens, orchards and wooded areas.
9. Churches.
10. Public schools and private schools having a curriculum as ordinarily given in a public school, and having no rooms regularly used for housing or sleeping purposes.
11. Parks, playgrounds, and community buildings owned or operated by public agencies.
12. Public libraries and museums.
13. Golf courses, country clubs, tennis courts, and similar recreational uses, all non-commercial.
14. Accessory buildings and accessory uses customarily incident to any of the above uses.

Section 3. Special Uses.

The following uses may be permitted by obtaining a special use permit in accordance with Chapter 30 of this ordinance.

1. Office or office building
2. Beauty shops and Barber shops
3. Photography Studios
4. Art galleries and museums
5. Hospitals and clinics, except animal or criminal
6. Nursing homes
7. Funeral homes
8. Institutions, but not penal
9. Fraternities and sororities
10. Private clubs and lodges, except those whose primary activity is a service customarily carried on as a business.
11. Public buildings owned or leased by any department of a Municipal, Township, County, State or Federal Government.
12. Private schools, including pre-school, pre-kindergarten, and special schools.
13. Cemeteries and mausoleums

14. Parking lots used for regular customer parking of automobiles and light trucks located not more than 300 feet from the boundary of any business or industrial district, under such conditions as will protect the character of the surrounding property. Lots shall not store materials, goods, vehicles for sale, rent, storage, or any other business purpose.
15. Customer and employee parking lots for government or institutional uses under such conditions as will protect the character of the surrounding property. Parking lots shall not store goods, materials or commercial vehicles.
16. Bed and breakfast operations: The Board of Adjustment may restrict the number of guest rooms. Only breakfast shall be served and only guests residing in the structure or family members may be served. Off-street parking ratio shall be one space per guest room and a minimum of one space for the owner. Such spaces shall comply with the Front Yard Parking Ordinance. The establishment must comply with all local and state regulations regarding all applicable regulations, permits and licenses.
17. Small hospitality operations which serve the purpose of catering to receptions, banquets, dances, and other special events.

Section 4. Bulk Requirements.

The following requirements shall be observed:

Front Yard	20 feet minimum.. The front yard depth shall be measured from the required right of way lines corresponding to the street classifications in the most recent City of Marshalltown Comprehensive Plan as Amended. If two or more lots in any existing block are occupied by buildings with setbacks less than required and the lots existed on the effective date of this Ordinance, then the average front yard depths of such adjacent lots shall be the established building line.
Side Yard	4 feet minimum each side yard 15 feet minimum both side yards combined When a new single family attached or detached dwelling, or a duplex is constructed the side yard that is contiguous with the outside/exterior wall of an attached garage shall be a minimum of 10 feet. <u>Single-family attached:</u> 8 feet minimum one side yard only. <u>Corner Lots:</u> Width of yard on the side street line shall not be less than half (1/2) the depth of the front yard.
Rear Yard	20% depth of the lot minimum, but no rear yard shall be required to be greater than 25 feet
Lot Area per Dwelling Unit or Unit	Single—family dwellings: 5,000 sq ft minimum Two—family dwellings: 2,500 sq ft minimum Multi—family dwellings, Apartment hotels/motels, and Boarding houses: 2,000 sq ft minimum
Lot Width	An average width of 50 feet minimum However, a building may be erected on a lot which does not conform to this requirement if the following conditions are met: 1. The lot existed on the effective date of this ordinance, 2. The minimum average lot width is not less than 35 feet, 3. All required setbacks and lot area requirements are maintained, 4. No adjacent, vacant lot exists to allow the creation of a conforming lot.

Building Height	3 stories or 45 feet maximum
-----------------	------------------------------

Section 5. Parking Regulations.

Whenever structures are erected or structurally altered, parking spaces shall be provided on the same lot as the main building in accordance with Ch. 7 of this Ordinance.

Section 6. Small Lot Exception.

A small lot is a lot existing as of January 1, 1997, with an area less than 5,000 square feet and which may be used only for a single-family dwelling or an accessory building or use. Such a lot shall also satisfy the following requirements:

- a) Any dwelling constructed upon a small lot shall not be less than 700 square feet in size.
- b) The dwelling, accessory buildings, driveways, sidewalk and other paved or graveled areas shall not comprise more than 50% of the square footage of any small lot.
- c) No driveway shall be constructed in front of the dwelling, but must be to the side of the dwelling, except for any dwelling area portions attached to and located above or behind a garage.
- d) The driveway shall be no wider than 10 feet for a single car garage and 16 feet for a double car garage.
- e) There shall be no parking in the front yard nor at any point off the driveway.
- f) All other provisions of this Chapter shall apply to small lots unless inconsistent with this section.
- g) No lot, split or subdivided after January 1, 1997, shall be considered a small lot for purposes of construction under this ordinance. In addition, this small lot exception applies only to lots platted and existing as of January 1, 1997.

The Marshalltown Board of Adjustment shall have no jurisdiction to grant an exception or variance as to any small lot in the City of Marshalltown, Iowa.