

CHAPTER 4

GENERAL PROVISIONS

SECTION:

10-4-1: Height Regulations
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10-4-1: HEIGHT REGULATIONS:

A. R-1, Suburban Residential District: All structures in the R-1 Suburban Residential District shall be limited to two (2) stories or twenty five feet (25') in height whichever is higher.

B. Other Districts: Structures in all other districts shall not exceed thirty five feet (35') in height above average ground level unless approved by the Board of Adjustment.

C. Variances: The Board may authorize a variance to the height regulations in any district if, in addition to the other findings it must make:

1. All front, side, and rear yard depths of buildings are increased one foot (1') for each additional one foot (1') of height; or

2. The structure is among or similar to any of the following: television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, grain elevators, stage towers and scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, flagpoles, silos, air conditioning and heating units and windmills.

3. There is no maximum height to which the Board is limited in granting such variances. (Zoning Ord. as amd.)

10-4-2: SCREENING:

A. Adjacent To Residential Use: Where any business or industrial use, structure, parking or storage, is adjacent to property zoned or developed for residential use, that business or industry shall provide screening along the boundary of the residential property. Screening shall also be provided where a business, parking lot, or industry is across the street or alley from a residential zone, but not on that side of a business or industry considered to be the front.

B. Exterior Storage: All exterior storage shall be screened except materials and equipment presently being used for

construction on the premises.

C. Specifications:

1. Height: The screening shall consist of a fence or wall not less than six feet (6') high, made of materials approved by the Planning Commission.
2. Placement: The screening shall be placed along property lines but shall not extend within fifteen feet (15') of any street or driveway from the street right of way.
3. Vegetation: Planting of a type approved by the Planning Commission may also be required in addition to or in lieu of fencing. (Zoning Ord. as amd.)

10-4-3: FENCING¹:

A. Rear And Side Yards: Fences seven feet (7') in height or smaller shall be a permitted use in the rear and side yards of all districts.

B. Approval Required: Fences higher than seven feet (7') and any fence which extends into a front yard shall be permitted only if approved by the Board of Adjustments.

C. Swimming Pools: Swimming pools shall be enclosed by a fence or wall not less than six feet (6') above ground level to prevent uncontrolled access by children. Location of pools is subject to utility company approval. (Zoning Ord. as amd.)

10-4-4: OUTDOOR PARKING AND STORAGE:

A. Unlawful Parking:

1. Special Permit Required: The outdoor parking or storage of unlicensed motor vehicles, nonoperating, wrecked, junked, discarded or partially dismantled motor vehicles, motor vehicle parts, tractors, house trailers, trucks, truck tractors, truck trailers, and similar vehicles is prohibited in a residence district and on the side of any street at any point where such street abuts upon a residence district, unless a special permit therefor is first obtained from the Council.

2. Term Of Special Permit: No such special permit shall be issued for a period of more than sixty (60) days.

3. Exemption: This subsection shall not be applicable to any such vehicle parked for a reasonable time for the purpose of loading or unloading, nor to those light vehicles classified as pickups, panels or sedan deliveries parked on the premises or on the street abutting upon the premises occupied as a residence by the

¹. See also Title 9, Chapter 7 of this Code.

owner thereof, if such vehicles are licensed and in operating condition.

B. Unlawful Storage:

1. Special Annual Permit Required: It is unlawful for any person owning, keeping, driving, or in charge of any a) house trailer, mobile home, vacation trailer, vacation bus, airplane, construction or home occupation machinery, equipment or supplies, or b) other machinery, equipment, supplies or materials not customarily used or needed in connection with the occupancy of residential property for residential purposes, to cause or permit the same to be stored outside of a building on private property in any residence district any part of three (3) consecutive days or for a total of more than thirty (30) days during any calendar year without first obtaining a special annual permit to do so.

2. Exemption: Provided, that no special annual permit is required for a house trailer, mobile home or vacation trailer less than twenty feet (20') in length. House trailers mobile homes, vacation trailers and similar recreational vehicles may be parked in an authorized portion of any public street, alley, public right of way, or driveway for the periods of time and subject to the conditions contained in the parking ordinances of the City.

C. Exterior Parking In Front Yards:

1. Limitations: Exterior parking in front yards shall be limited to the established driveway area by currently licensed and operable vehicles of nine (9) passengers or less and trucks not exceeding three-quarter ($3/4$) ton capacity, with such vehicles being licensed by the regular residents of the property and their occasional guests and invitees.

2. Variance Required: The parking of any other type of vehicle which is otherwise permitted to be parked on residential property under the provisions of this Title is prohibited in the front yard of residential property unless a variance therefor is first obtained from the Board of Adjustments.

3. Parking On Boulevards: No vehicles shall be parked on any boulevard adjacent to any public street in the residence district. (Zoning Ord. as amd.)

10-4-5: TEMPORARY STRUCTURES:

Temporary structures and trailers used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued initially by the Council for a six (6) month period and may be extended to a maximum of twelve (12) months. (Zoning Ord. as amd.)

10-4-6: Standards for New Construction and the Development of

Vacant Property

All newly constructed single-family homes or single-family homes moved into the City shall conform to the following:

1. The minimum width of the main portion of the structure shall be not less than twenty-four feet, as measured across the narrowest portion.
2. Have a minimum of 800 square feet above grade of year-round habitable space. Habitable space is defined as a space in a building for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces and similar areas are not considered habitable spaces.
3. The exterior walls of all dwellings shall be placed upon and secured to a permanent foundation of concrete, masonry or treated wood construction and shall include frost footings, all in accordance with the applicable portion of the State Building Code.
4. Have enclosed off-street parking spaces for passenger vehicles equal to the number of required off-street parking spaces.

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