

## CHAPTER 8

### OFFICIAL HEIGHT & AREA REGULATIONS

<i>10-8-1:</i>	<i>Height Regulations</i>
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<i>10-8-3:</i>	<i>Accessory Building Requirements</i>
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<i>10-8-5:</i>	<i>Supplemental Height Regulations</i>
<i>10-8-6:</i>	<i>Frontage Regulations</i>

10-8-1: HEIGHT REGULATIONS: Under this Ordinance, height regulations shall be as follows:

- (A) There shall be no minimum or maximum height requirements in the A District;
- (B) Maximum building height in R/A, R1, R2, RM RE, and RO Districts shall be the lesser of two (2) stories or thirty-five (35) feet;
- (C) There shall be no minimum or maximum height requirement in the CB, HC and M Districts; and
- (D) Height regulations as specified in the Uniform Building Code shall be observed in all Districts.

10-8-2:

MINIMUM AREA & SETBACK REGULATIONS

District	Minimum Lot Area	Minimum Width	Minimum Setback Requirements			
			Lot Front	Lot Rear	Lot (from Lot line/Garage/St.Side) Int. Side	Lot (from Lot line/Garage/St.Side) St.side
A	5A	100'	50'	25'	25/50'	
R/A	1A	80'	50'	25'	20/40'	
RE	½ A	115'	45' min 65' max	25'	20'/35'	25'
R1	10,000 sq. ft.	75'	30'	25'	10/25'	15'
R2	6,000 sq. ft.	60'	30'	25'	*	15'
RM	5,000 sq. ft.	50'	20'	20'	*	15'
RO	5,000 sq. ft.	50'	20'	20'	6/12'	15'
CB	0	0	30'	10'***	10/25'	15'
HC	0	0	30'	0'***	0	0
M	0	0	10'	0	0	0
R1-A	See Title 10, Chapter 9A City Code	See Title 10, Chapter 9A City Code	See Title 10, Chapter 9A City Code	See Title 10, Chapter 9A City Code	See Title 10, Chapter 9A City Code	See Title 10, Chapter 9A City Code
R2-A	See Title 10, Chapter 9B, City Code	See Title 10, Chapter 9B, City Code	See Title 10, Chapter 9B City Code	See Title 10, Chapter 9B City Code	See Title 10, Chapter 9B City Code	See Title 10, Chapter 9B City Code

(Ordinance 613 04/13/21) (Ordinance 625 09/28/21)(Ordinance 628 12/14/21)  
 (Ordinance 631 3/08/22)(Ordinance 634 05/10/22)(Ordinance 638 7/26/22) (Ordinance 646 2/23) (Ord. 642)

In all instances, all setbacks are measured from the exterior edge of the foundation of the building.

\* 8" for each foot of building height, but not less than 7.5' per side

\*\* but not less than 20' if rear of lot abuts residential zone

In the RO district, minimums are for residential uses; non-residential uses have a minimum 10' rear setback. (Ordinance 609 02/21)

10-8-3: ACCESSORY BUILDING REQUIREMENTS: The following requirements shall apply to all accessory buildings:

- (A) In the A district, detached accessory and farm buildings shall not be placed in the front setback and side and rear setbacks shall be zero (0) feet except when such building is directly opposite an existing residence, then the setback shall be five (5) feet;
- (B) In all residence districts, accessory building side setback shall be the same as in 8.2 except that setback may be reduced to five (5) feet if the accessory building is located more than twelve (12) feet in the rear of the main building. On corner lots, accessory building side setback shall be fifteen (15) feet on the street side; and
- (C) In all residence districts, accessory building rear setback on interior lots shall be zero (0) feet except where an alley is located at the rear of the lot, in which case setback shall be three (3) feet from the rear lot line.

10-8-4: SUPPLEMENTAL AREA/SETBACK REGULATIONS: In addition to the regulations in 8.2, the following provisions shall apply:

- (A) Multi-family dwellings shall be considered as one building for the purpose of determining front, side and rear setbacks. The entire group as a unit shall require one (1) front, one (1) rear and two (2) side setbacks as specified in 10-8-2;
- (B) Open structures such as porches, canopies, balconies, platforms, carports, covered patios, exterior stairways and similar architectural projections shall be considered parts of the buildings to which attached and shall not project into a required set-back area;
- (C) A well shall not be placed in any existing or designated right-of-way; and

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(D) Roadside stands shall be located at least fifteen (15) feet from the right-of-way.

10-8-5: SUPPLEMENTAL HEIGHT REGULATIONS: In addition to the regulations in 10-8-1, the following provisions shall be adhered to:

(A) Visibility at intersections--On a corner lot in any district nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of two and a half (2 1/2) and ten (10) feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said right-of-way lines forty (40) feet from the point of intersection;

(B) Exceptions to height requirements--Height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above roof level and not intended for human occupancy except when the height of such structure will constitute a hazard to aircraft;

(C) No fence, wall, hedge or other sight-obscuring structure which is more than three (3) feet in height shall be constructed or allowed closer than fifteen (15) feet to the right-of-way line along any public street or road;

RE Zoning District Exception: Street side setback can be reduced to no less than two (2) feet from the right-of-way on the interior roads within a subdivision. This will only apply to residential lots in the RE Zoning District. Notwithstanding the foregoing exception, all lots must still conform to other applicable requirements, such as the vision triangle. (Ordinance 649 7/11/23)

(D) All commercial/manufacturing uses having a common boundary line with a residential use shall have a view-obscuring wall, fence or hedge not less than five (5) feet in height between such uses for the purpose of screening and controlling access, said screen to be installed by the latter developer;

(E) Building height exceptions--Public and public utility buildings, public and private schools and churches may be erected to any height provided the building is set back from required lot lines (8.2) at least one (1) foot for each additional foot of building height above the maximum height permitted in the district in which the building is located; and

(F) Basement houses are prohibited within the City limits.

10-8-6: FRONTAGE REGULATIONS: For the purpose of insuring

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orderly development and to provide adequate access for emergency equipment and other services to all buildings, no residential, commercial or industrial building shall be erected or moved onto any lot, tract or parcel of land in any district adopted under the provisions of this Ordinance unless said lot meets minimum lot width requirements and abuts on a right-of-way or a road meeting one of the following criteria:

- (A) Established roads which are designated as receiving Highway Users Tax Monies or City streets which are deeded, dedicated or abandoned to the public for street purposes;
- (B) Roads or streets which are maintained or accepted for maintenance by the County or City;
- (C) Private roads and easements, provided the following are observed:
  - (1) All property owners using the private road or easement must sign a petition approving such use and acknowledging that no City or County services are provided on said private road or easement and that the City or County will not be held liable for any reason concerning said private road or easement;
  - (2) The private road or easement must be no less than thirty (30) feet wide and be recorded on each property owner's deed;
  - (3) Setbacks shall be the same as provided in 10-8-2 and all other regulations of this Ordinance shall apply; and
  - (4) If the private road or easement provides access to any residential building, then the private road or easement may provide access to only one residential building; and
- (D) A private driveway, subject to the following conditions:
  - (1) The principal structure is at least twenty (20) feet from the nearest building on the same or an adjoining lot;
  - (2) The principal structure is accessible to emergency vehicles, and the private driveway is not less than thirty (30) feet in width;
  - (3) Side, front and rear setbacks are at least as great as those required in the district in which the property is located; and

- (4) The structure is located in harmony with the objectives and characteristics of the district in which it is located.
- (5) If the private driveway provides access to any residential building, then the private driveway may provide access to only one residential building.