

Title 16 – Chapter 6

16-6-1	Heights
16-6-2	Yards
16-6-3	Existing Development District (Floating)

MODIFICATIONS

16-6-1 HEIGHTS. *

- (a) The district height limitations stipulated elsewhere in this Ordinance may be exceeded, but such modifications shall be in accord with the following:
- (1) Architectural Projections--such as spires, belfries, parapet walls, cupolas, domes, flues and chimneys, are exempt from the height limitations of this Ordinance.
 - (2) Special Structures--such as elevator penthouses, gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, substations, and smokestacks are exempt from the height limitations of this Ordinance.
 - (3) Essential Services--utilities, water towers, electric power and communication transmission lines are exempt from the height limitations of this Ordinance.
 - (4) Communication Structures--such as radio and television transmission and relay towers, aerials, and observation towers, shall not exceed in height three (3) times their distance from the nearest lot line.
 - (5) Public or Semi-Public Facilities--such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices and stations, may be erected to a height of sixty (60) feet, provided all required yards are increased not less than one (1) foot for each foot the structure exceeds the district's maximum height requirement.

16-6-2 YARDS.

- (a) The yard requirements stipulated elsewhere in this ordinance may be modified as follows:

- (1) Uncovered stairs, landings, loading docks, and fire escapes may project into any yard but not to exceed six (6) feet and not closer than three (3) feet to any lot line.
 - (2) Architectural projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments may project into any required yard; but such projection shall not exceed two (2) feet.
 - (3) Accessory uses according to Chapter 2.9 and detached accessory structures are permitted in the rear yard, and buildable area only.
 - (4) Off-street parking is permitted in all yards of the business districts, but shall not be closer than thirty (30) feet to any public right-of-way in residential districts.
 - (5) Essential services, utilities, electric power and communication transmission lines are exempt from the yard and distance requirements of this Ordinance.
 - (6) Landscaping and vegetation are exempt from the yard requirements of this Ordinance.
 - (7) Yard areas which are not readily identifiable due to irregular lot shape, unique lot location, etc. shall be designated by the Zoning Administrator and all applicable basic district standards shall apply.
 - (8) Entrances for physically disabled persons shall be allowed to utilize a substandard setback where necessitated by unique circumstances of the lot, structure, or individual. Every effort shall be made to conform to the required setbacks as much as practicable.
 - (9) Approval of the reduced setback shall be by administrative review/approval of the Zoning Administrator. Discontinuance of the use as an entranceway shall necessitate removal of the entranceway. No conversion to living area shall be made without a variance granted by the Board of Appeals.
- (b) Additions. Additions in the street yard of existing structures shall not project beyond the average of the existing street yards on the abutting lots or parcels.
- (c) Average Street and Shore Yards. The required street or shore yards may be decreased in any residential or business district to the average of the existing street or shore yards of the like structures of the two abutting parcels on each side, but in no case less than fifteen (15) feet in any residential district and five (5) feet in any business district for street yards and no less than fifty (50) feet for shore yards.

- (d) Noise. Sirens, whistles, and bells which are maintained and utilized solely to serve a public purpose are exempt from the sound level standards of this Ordinance.

16-6-3 EXISTING DEVELOPMENT DISTRICT. (Floating)

- (a) Statement of Intent. This district is intended to provide for an adjustment of lot size, yard and access requirements Chapter 2.7 in those districts where existing or surrounding development, though compatible in character to the basic zoning district, does not meet one or more of the basic district standards.
- (b) Principal Uses. (According to underlying district).
- (c) Basic District Standards.
 - (1) A principal structure and its accessory structures may be erected on any vacant, legal lot or parcel which was on record in the County Register of Deeds Office before the effective date or amendment of this Ordinance. Also, a principal structure may be extended, altered or converted and its accessory structures may be erected when the existing structure was built in compliance with any permit requirements in effect before the effective date or amendment of this Ordinance and where the principal structure was located on the lot in compliance with those zoning regulations which were applicable at the time of its construction and provided any addition does not add to, or extend, the nonconforming setbacks
 - (2) In each existing case, all the district requirements shall be complied with insofar as practical, but shall not be less than the following (except as may be provided in Sec. 17.27):
 - (a) Lot.
 - 1. Width--Minimum--None.
 - 2. Area--Minimum--None.
 - (b) Building.
 - 1. Height--Maximum--According to underlying district.
 - (c) Yards.
 - 1. Street (Vacant)--Minimum--30 ft. The second street yard on corner lots shall be not less than fifteen (15) ft.
 - 2. Street (Built)--Minimum--According to prior zoning standards.
 - 3. Rear--Minimum--25 ft.

4. Side--Minimum--Total shall be 26% of the lot width, with no one (1) yard less than five (5) ft. except in floodplain, side yard setbacks shall be a minimum of 7' on one side and 10' on the other.
 5. Shore--Minimum--75 ft.
- (3) Structures located within B-4 Business Parks, M-1 Light Industrial and M-2 Heavy Industrial Districts having any frontage on railroad right-of-way or property shall be allowed a zero (0) setback on that frontage. Accessory structures in all zoning districts shall be allowed zero (0) setback on railroad right-of-way or property frontage.
 - (4) Accessory structures in all zoning districts having any frontage on a railroad right of way or property shall be allowed a zero setback on that frontage.