

## SUBCHAPTER 75

### GENERAL DEVELOPMENT STANDARDS

#### 75.005 Minimum Area of Lots

No lot or parcel shall be divided or reduced in area in such a way as to violate the minimum area and width requirements of the zone in which the lot or parcel is located. No nonconforming lot of record shall be divided or reduced in area in such a way as to violate further the area and width requirements of the zone in which the lot or parcel is located.

#### 75.010 Required Yard Areas not to be Divided

No portion of a lot or parcel necessary to provide the lot area or density of dwelling units required by the zone or plan designation in which that lot or parcel is located shall be divided or reduced in area. No yard, landscaped area, open space, or common area required by this ordinance shall be reduced in area or divided from the lot or parcel for which it is required.

#### 75.015 Yards Apply to Only One Main Building

No yard, landscaped areas, open space, or common area required for a lot or a main building shall be counted as meeting the yard, open space, or area requirements of another lot or building.

#### 75.020 Yards to be Unobstructed

Every required front, side, and rear yard shall be open and unobstructed by buildings or structures from the ground to the sky except for those projections and accessory structures permitted by this ordinance. Objects and materials such as firewood, building supplies, campers, boats, and vehicles which are stored for a period exceeding 30 consecutive days in one calendar year shall be subject to the yard requirements of this ordinance.

#### 75.025 Parking in Required Yards

No parking of an automobile, truck, camper, boat, trailer, or other vehicle shall be allowed within 15 feet of any street, except in a driveway. No parking shall be allowed within any required landscaped area or common area. No driveway or required yard adjacent to a street shall be used for the permanent storage of any trailer, camper, or boat.

#### 75.030 Average Setback from Street

- A. Every building in the RS Zone shall be set back from the front lot line at least 15 feet, except where the average setback of other buildings on the same side of the street is less than 15 feet.

B. The average setback shall be found by measuring the distance from the front lot line to the closest part of the foundation for all dwellings which are within 200 feet of the subject property and which adjoin the same side of the street as that abutting the subject property. Buildings closer than 10 feet or farther than 20 feet from the front lot line shall not be counted in determining average setback.

C. When other sections of this ordinance or any other ordinance require a greater setback than is specified in this section.

#### 75.035 Projections into Required Front Yards

The following projections and structures may project or extend into a required front yard:

- A. Planter boxes;
- B. Chimneys and flues;
- C. Steps;
- D. Cornices;
- E. Eaves;
- F. Gutters;
- G. Belt courses;
- H. Headers;
- I. Sills;
- J. Pilasters;
- K. Lintels;
- L. Other ornamental features not extending more than 24 inches from the main building;
- M. Uncovered porches and balconies provided that the overall height of the appendage is not greater than the height of the ground floor of the primary structure;
- N. Covered, but unenclosed porches, which are not more than three (3) feet above grade;
- O. Stoops, the floors of which are not more than three (3) feet above grade;

P. Bay windows.

In no case shall any of the above projections or structures encroach more than 20 percent into a required front yard.

75.040 Projections into Required Side Yards

A. Cornices, eaves, gutters, bay windows and fire escapes may project into a required side yard not more than two (2) feet.

B. Chimneys, flues, belt courses, leaders, sill, pilasters, lintels, and ornamental features may project not more than 1½ feet into a required side yard.

C. Uncovered decks and patios attached to the main building when measured directly beneath the outside edge of the deck or patio may be extended to the side yard property line provided they are less than two (2) feet in height from ground level.

75.045 Projections into Required Rear Yards

A. Cornices, eaves, gutters, bay windows, fire escapes, outside stairways or other unenclosed, unroofed projections may extend into a required rear yard a maximum distance of five (5) feet.

B. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, gutters, and other ornamental features may project not more than 1½ feet into a required rear yard.

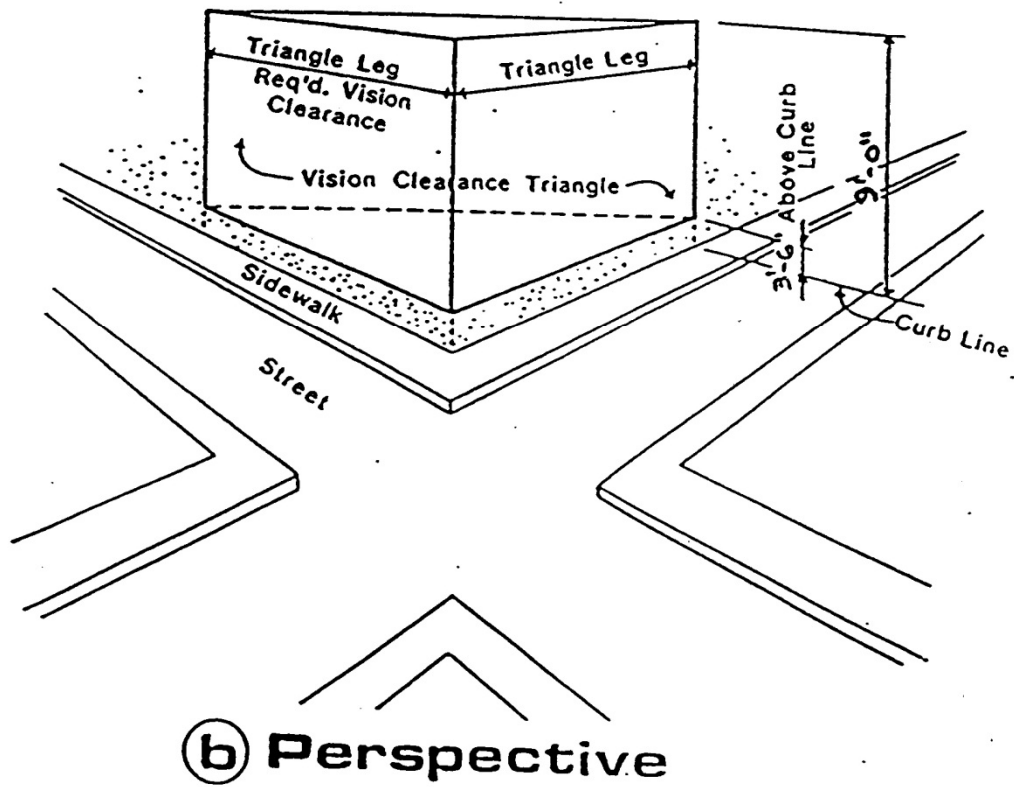
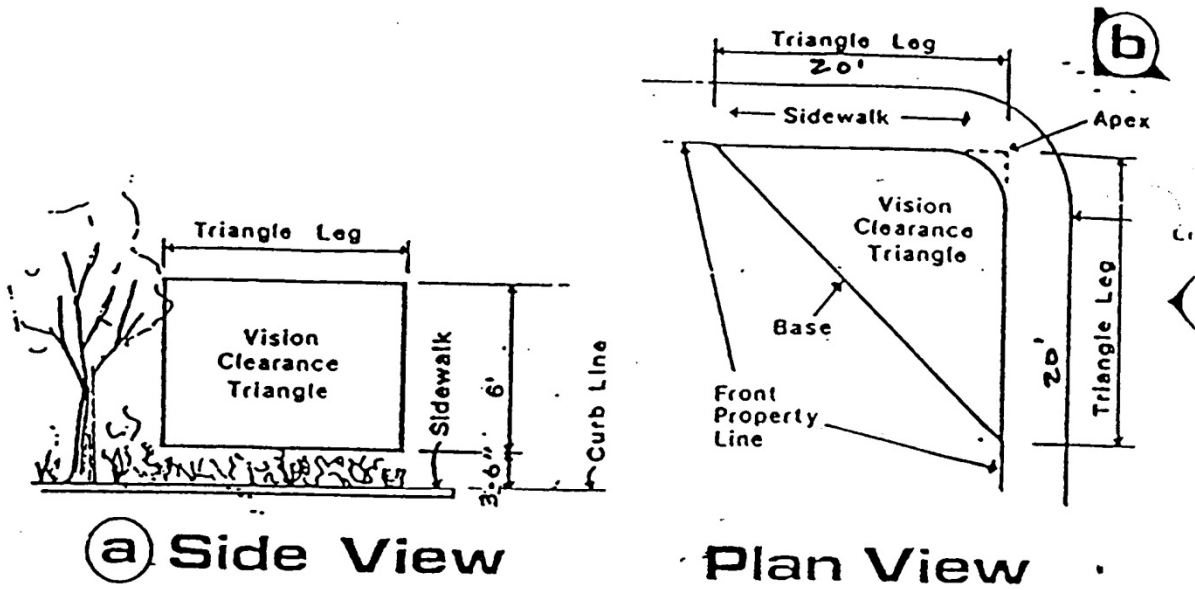
C. Uncovered patios, porches, and decks attached to the main building and having a height of two (2) feet or less may extend to the rear property line.

75.050 Projections Above Required Heights

Towers, chimneys, steeples, electronic communication antennae, and similar projections from the roof of a main building may exceed the height requirements of the zone in which they are located. Such projections shall not contain any habitable space and shall not exceed a total height above ground for 50 feet in any residential zone, or 85 feet in other zone.

75.055 Vision Clearance

Vision clearance, as defined in this ordinance, shall be provided in accordance with the following diagram:



## 75.060 Zero Side Yard (Townhouse) Dwelling Units

Zero side yard townhouse units authorized in approved subdivisions or Planned Unit Developments shall meet the following use and development standards:

- A. Number of attached units. The number of townhouse units constructed as an adjoining structure shall not be more than four (4) dwelling units, each on a lot held in separate ownership. More than one such structure may be allowed per subdivision or planned unit development.
- B. Yards adjacent to a street. This Section does not relieve the requirements of this Ordinance for yards adjacent to a street.
- C. Maintenance easement. As a condition of issuance of a permit for any building having an exterior wall contiguous to a property line, the applicant shall furnish an easement from the owner of the property adjacent to said wall providing for ingress, egress, and use of such adjacent property for the purpose of maintaining, repairing, and replacing the building. Said easement shall be appurtenant to the property on which the building is located and shall be approved as to form by the City Attorney and shall be recorded with Polk County prior to issuance of the permit.