

BUILDING REQUIREMENTS

Front Yard

Within the restricted residence district there shall be a front yard of no less than 25 feet, except as follows:

1. **Between Existing Buildings.** Where a building is to be erected on a parcel of land that is within 100 feet of existing building on both sides, the minimum front yard shall be a line drawn between the closest front corners of the adjacent buildings on the two sides, or
2. **Adjacent of Existing Building.** Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one side only within the same block, such building may be erected as close to the street as a line drawn from the closest front corner of that building to a point 25 feet back from the front lot line measured at the center of the lot on which the proposed building is to be erected.
3. **Double Frontage.** Where lots have a double frontage, the front yard as required herein shall be provided on both streets.

Side Yard

Within the restricted residence district no building shall be erected closer than 3 feet to either side lot line.

Rear Yard

Within the restricted residence district there shall be a rear yard provided for each principal building of no less than 25 feet or 10 percent of the depth of the lot, whichever amount is smaller.

Minimum Size Of Principle Structure

Within a restricted residential district no principle structure shall have a width or length less than 20 feet.

Permanent Foundation Required

Every principal residential structure shall be affixed to a permanent foundation. A permanent foundation consists of load-bearing support walls, constructed of concrete, that are buried at least 42" deep. The permanent foundation shall be in the form of a solid wall located under the exterior walls of the structure as to support and secure the structure. In all installations (including mobile homes, manufactured homes and modular homes) shall be attached to the permanent foundation in such a manner as to prevent lateral movement, settling or heaving. The permanent foundation system must be visually compatible with the aesthetics of surrounding residential structures.

Garages and Other Accessory Buildings

A garage or other similar accessory building may be built in a rear yard but such garage or accessory building shall not occupy more than 30 percent of a rear yard and shall not be nearer than 2 feet to any side or rear lot line, except that when a garage is entered from an alley it shall not be located closer than ten 10 feet to the alley line and except that a garage that is located closer than 10 feet to the rear line

of the main building shall provide the side yard for the main building. Also, a garage or accessory building may be built in a side yard if compliance is made with the same side yard requirements as for the main building.

Fences

Fences in which the openings between the materials of which the fence is constructed represent less than 10 percent of the total surface may be erected to a height not exceeding 4 feet along the lot boundaries of the side yard and rear yard of a lot, except that no such fence shall be erected within the 30 feet of the intersection of the two street lines. Wire fences and other fences in which the openings between the materials of which the fences constructed represent more than 70 percent of the total fence area may be erected to a height of 6 feet, except within 30 feet of the intersection of two street lines. Fences may be constructed in front yards of a lot only to a height of 3 feet except that no fence shall be erected within 30 feet of the intersection of two street lines. Fences shall be set back from alleys a distance of 5 feet and from sidewalks and/or city street right of ways a distance of 2 feet. Fences may be built to greater heights than those specified as follows:

1. Upon submission of a notarized statement from the neighboring abutting property owner consenting to the construction of a fence to the height of the fence requested to be constructed. Said consent shall be binding upon all successors in interest of the consenting neighboring property owners. Said statements shall be submitted with the building permit for the fence.

Existing Lots

No yard or lot existing on the effective day of the ordinance adopting this code of Ordinances shall be reduced in dimension or area below the minimum requirements established in this chapter.

Prohibited Use

No building or other structure, except residences, school houses, churches and other similar structures, shall be erected, altered, repaired, used or occupied within the restricted residence district as defined herein without first receiving from the Council a special use permit therefore. No such special use permit shall be issued without the affirmative vote of three-fourths of the full Council and unless three-fourths of the property owners within 300 feet sign a petition consenting thereto.

Exceptions

The provisions of the preceding section shall have application to any business, store, shop or factory existing and in operation in a restricted residence district on the effective date of the ordinance adopting this Code of Ordinances except in the matter of reconstruction, repair, alteration or change in use of the structure.