

ARTICLE XVI Supplementary District Regulations

Article 16: Supplementary District Regulations

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16.1. INTENT.

The regulations set forth in this Article qualify, supplement and/or modify the zoning district regulations set forth elsewhere in this ordinance.

16.2. LOT OF RECORD.

Any lot of record at the time of passage of this ordinance having less area or width than herein required may be used for a single family dwelling where such uses are permitted as provided in this ordinance subject to required setbacks and further provisions of Article XXII, Nonconformities.

16.3. YARD REGULATIONS.

- 1) *Projecting Overhang or Structure.* The ordinary horizontal projection from buildings including eaves, sills, fascia, parapets, cornices, belt courses or other similar architectural and ornamental features, except for gutters, may not project or extend more than three feet (3') into a required yard.

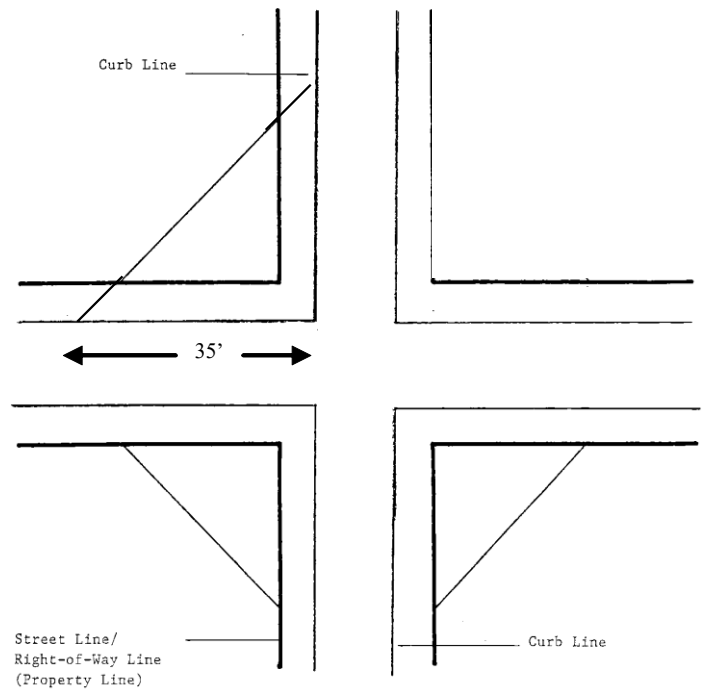
- 2) *Yard Encroachments.* Air conditioning units, propane or other fuel tanks, heat pumps, or other such similar devices may not encroach into the required side yard. Carports, bay windows, cantilevered projections, chimneys and structures may not project into any required yard.

- 3) *Through Lots.* Buildings on through lots, extending from street to street shall provide the required front yard on both streets.

- 4) *Line of Site Visibility (at Intersections).* On a corner lot in any district, except the Business Commercial District, nothing shall be erected, placed, planted or allowed to grow in such a

DIAGRAM

Corner Lots – Yards and Visibility



manner that will obstruct vision between a height of two feet (2') and ten feet (10') above the centerline grade of the intersecting streets within the triangular area formed, by connecting a point at the center of the curb radius with two points that are thirty-five (35) feet from the center of the curb radius as measured along the curb. (*see diagram*)

- 5) *Corner Lots.* For buildings on corner lots with frontage on two (2) or more public streets, each yard abutting a public street shall be the same as the required front yard on such street and no accessory building shall project beyond the required front yard on either street.
- 6) *Utilities.* Nothing in this ordinance shall have the effect of prohibiting utility service lines.
- 7) *Swimming Pools.* Private swimming pools shall be allowed only in rear yards and shall not be closer than five (5) feet to side or rear lot lines.

16.4. STEPS, DECKS AND PATIOS.

- 1) Open fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a rear yard for a distance of not more than three and one-half feet (3½') when so placed as not to obstruct light and ventilation, may be permitted by the zoning administrator.
- 2) Steps providing access to the ground level may encroach no more than three feet (3') into a required side yard. Steps may encroach no more than six feet (6') into a required front or rear yard.
- 3) Deck floors higher than twelve inches (12") above the average grade of the ground shall conform to required yard setbacks. An open unenclosed deck may project into a required front yard or required rear yard for a distance not exceeding ten feet (10').
- 4) Open uncovered porches, patios or other concrete slab structures constructed on the ground or less than 12 inches above the average grade of the ground shall be allowed to be constructed within the front, side or rear yards. Concrete slab structures built on the ground or uncovered patios shall be permitted to be built up to within two feet (2') of the side or rear lot lines. However, within the front yard, uncovered patios or other concrete slab structures shall not extend more than ten feet (10') beyond either side of a driveway, not inclusive of a sidewalk, stoop or entrance steps to the front entryway.

16.5. FENCES AND HEDGES.

- 1) No fence or hedge constructed more than fifty percent (50%) solid or more than three feet (3') in height may be located in any front yard. Fences less than three feet (3') in height may be located on any part of a lot. Please reference Section 16.3.4. when considering fences in front or side yards.
- 2) Except as provided above, fences less than six feet (6') in height may be erected in any required side or rear yards on those parts of a lot that are setback from the street as far as the main building is from the street. Fences in excess of six feet (6') will be allowed in the cases of tennis courts and swimming pools, and by special exception permit only.

- 3) Fences at least four feet (4') in height shall be required around the entire perimeter of swimming pools or the yard area that swimming pools are located in for any swimming pool or water feature in excess of three feet (3') in depth. Fence shall include self-closing and self-latching gates/doors. This section shall not apply to hot tubs with hard covers. Variances may be considered by the Board of Adjustment for hard covers for swimming pools in lieu of fences.
(Ordinance O20-3257, 11/18/2020)
- 4) Fences shall not be closer than one foot (1') to any property line and perennial plantings shall not be planted closer than two and one-half feet (2½') to any property line. Except that perennial plantings and fences may be placed up to the property line by mutual agreement of both adjacent property owners.
- 5) Fences shall not be constructed of non-treated or natural wood products; corrugated tin, metal, or fiberglass; or sheet metal or fiberglass. Fences may be constructed from chain link, non-decomposing wood products, molded plastic or wrought iron. The Planning Commission may approve other materials. Fences should be constructed in an orderly and neat manner as to accent and compliment the natural landscape of the property.

16.6. SIDEWALKS.

No zoning permit shall be issued for construction of a principal building upon any tract or platted lot in the SR, RS, RM, MH, CR, BC, or BP districts unless said tract or platted lot has sidewalks provided for in such application. In addition, if said tract or platted lot has sidewalks at the time of application for said permit, no zoning permit for a principal building shall be issued if the existing sidewalks are in a state of disrepair. Sidewalks shall be constructed according to the sidewalk standards as set forth in the Sheldon City Code of Ordinances, Section 136.08, or have a sidewalk agreement approved by the zoning administrator.

16.7. BUILDINGS TO HAVE ACCESS.

Every building or principal use hereafter erected or structurally altered, shall be on a lot or parcel having frontage on a public street, or with deeded access to a public or private street, and all structured shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

16.8. USE OF PUBLIC RIGHT-OF-WAYS.

No portion of the public road, street or alley right-of-way shall be used, or occupied by an abutting use of land or structure for storage or display purposes, or to provide any parking or loading space.

16.9. BLOCK FRONTAGE CONTINUITY.

In the case where the front yards in a given block improved with buildings amount to more than 30% of the total number of lots, including vacant lots, on one side of the street between two intersecting streets, then the required minimum setbacks will be based on a line joining the two front corners of the buildings on either side thereof, or where there is a building on only one side, beyond a line projected from the corresponding adjacent corners of the two nearest buildings, except that no building shall be required to provide a front yard setback greater than thirty-five feet (35') in any event. Where an official line has been established for future widening or opening of a street upon which a lot abuts, than the depth of a front or side yard shall be measured from such official line.

In the case where the block front improved with buildings amounts to less than 30% of the total number of lots, including vacant lots, on one side of the street between two intersecting streets, the required minimum yards of the district shall be enforced.

16.10. HEIGHT MODIFICATIONS.

The building height limitations of this ordinance shall be modified as follows:

- 1) No building shall exceed a height of thirty-five feet (35') except non-dwelling agricultural buildings, unless otherwise provided.
- 2) Height regulations shall not apply to television and radio towers, church spires or steeples, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, grain elevators, ornamental towers and spires, chimneys, elevator bulkheads, drilling rigs, conveyors, flagpoles and other pertinent mechanical apparatuses which may be erected to any height not in conflict with any other applicable regulations. These additional structures or accessories may be erected, provided however, all towers or structures exceeding height requirements shall not be permitted to extend into approach zones, clear zones or other restricted air space required for the protection of the public.
- 3) Public, semi-public, or public service buildings, hospitals, sanitariums, or schools when permitted in a district may be erected to a greater height than otherwise permitted in the district if the building is set back from each property line at least one foot (1') in addition to the minimum yard requirements, for each two feet of additional building height above the height limit otherwise provided in the district in which the building is constructed.