

ARTICLE 1313
Supplementary Regulations

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CROSS REFERENCES

Off-street parking and loading- see P. & Z. Art. 1317

Planned Development Groups - see P. & Z. Art. 1321

Trailers and Mobile Home Parks - see P. & Z. Art. 1325

1313.01 PERMITTED EXCEPTIONS FROM LOT, HEIGHT AND YARD REQUIREMENTS.

The minimum lot, yard, and height requirements herein set forth shall prevail in all cases, except as follows:

(a) Existing Nonconforming Lots. A single-family dwelling may be constructed as a permitted use in any R-District on a nonconforming lot if the following conditions are satisfied:

- (1) At the time of the passage of this Zoning Ordinance, such lot is in existence as a separate entity.
- (2) At the time of the passage of this Zoning Ordinance the owner of the lot does not own an adjoining lot.
- (3) The plan for the lot and for the proposed single-family dwelling shall be in at least seventy percent (70%) in compliance with each of the following requirements for single-family dwellings as specified in the district in which the lot is located: lot area, lot width, rear yard, side yard and maximum building coverage.

(b) Height Limitations. Height limitations need not apply to church spires, cupolas and domes, monuments, water towers, chimneys, smokestacks, silos, flag poles, radio and television towers, masts and aerials, and parapet walls extending not more than four feet above the limiting height of the building.

(c) Projections into Yards. Projections into required yards shall be permitted as follows, except that in no case shall a structure or projection be located closer than five feet to any side and rear lot line and twenty feet to any front lot line, excluding public utility connections.

(Passed 2-14-78)

1313.02 SPECIAL LOTS AND BUILDING LOCATIONS.

- (a) Structures Near Rights of Way. No part of any structure shall set within five feet of a lot line which abuts upon a public right of way, excluding public utility connections.
- (b) Through Lots. Where a single lot under individual ownership extends from one street to another parallel or nearly parallel street or alley, the Board shall decide which street will be considered the front street.
- (c) Side Yard of a Corner Lot. The side yard of a corner lot which abuts a public right of way of twenty feet or more in width shall not be less than one-fourth the required front yard for that street.
- (d) Corner Lots. No obstruction to vision (other than an existing building, post, column or tree) exceeding thirty inches in height shall be erected or maintained on any lot within the triangle formed by the street intersection, created by the right-of-way line of each street extended to a point, and a line drawn between two points each located twenty feet from the street intersections.
(Passed 2-14-78.)

1313.03 ACCESSORY STRUCTURES AND USES.

- (a) Home Occupations. Home occupations are permitted as an accessory use in a residential structure provided that such home occupations shall be conducted only by residents of the dwelling unit who may not employ more than two non-resident persons and that the only external evidence of the home occupation shall be a sign not exceeding one and one-half square feet in area. Such home occupations shall be restricted to professional offices, the training of children in small classes, custom dressmaking, millinery or tailoring, and the like, and the rooming or boarding of not more than two persons.
- (b) Private Parking Areas and Garages. Accessory off-street parking areas or garages serving the residential or non-residential parking demand created by the principal building are permitted. Such parking areas may be located in any required front, side or rear yard. Accessory garages, unless a part of the principal building, shall conform with requirements for accessory structures.
(Passed 8-10-10)

1313.04 SIGNS.

- (a) Business Signs. In any commercial or industrial zone, one or more business signs in the commercial and industrial districts are permitted, provided such signs shall not have a combined gross surface area in square feet exceeding two times the frontage of the lot on which they are located, and, in no case, shall any single sign exceed 100 square feet. In residential districts, existing business or advertising signs shall not be enlarged or altered.

- (b) Residential Signs. Non-advertising signs accessory to non-residence uses located in Residence Districts are permitted provided they do not exceed ten square feet in size. The number of signs shall be restricted to one to each property or dwelling unit, entrance, exit, or building to which it pertains, except that properties located on corner lots may have one sign facing each street, equaling ten square feet.
- (c) Location of Signs. All signs located in any required yard shall conform to the height of such structure therein and shall not project into or over any public right of way.
- (d) Illumination of Signs. No illuminating or flashing sign shall create excessive glare or brightness which will adversely affect abutting properties or create a nuisance or hazardous condition.
- (e) Advertising Billboards. Where permitted, the following requirements shall apply:
- (1) No such sign shall be permitted to be within 100 feet of any property in a Residence District, public or non-public school, library, church, hospital or similar institution.
- (f) Prohibited Signs and General Regulations. The following prohibitions and general regulations shall apply to signs in all districts:
- (1) No spotlight, floodlight, luminous tubes or lighted sign shall be installed in any way which will permit the direct rays of such light to penetrate into any Residence District.
 - (2) No advertising device of which all or any part is set in motion by movement of the atmosphere including fluttering or rotating shall be permitted.
 - (3) Neon lighting and tubing may be used on or as permitted signs, but it is not permitted to outline buildings or structures or ornamental features by use of exposed neon tubing, strings of lights or otherwise.
 - (4) No wall sign shall be attached to, or obstruct any window, door, stairway or other opening intended for ingress or egress or for needed ventilation and light.
 - (5) Any sign which has not been used for more than six months to advertise a business, activity, campaign, product or service, and which is in a state of disrepair, may be subject to removal by the Zoning Inspector upon the following conditions: If such a sign shall not be repaired and made usable by the owner thereof within thirty days after receipt of written notice of the condition of the sign from the Zoning Inspector, then the Zoning Inspector may cause removal of such sign and any expense incident thereto shall be paid by the owner of the sign.
 - (6) Any permitted sign painted directly on the surface of any wall shall be required to be repainted at least every three years.
 - (7) Gooseneck and thin line reflectors and lighting shall be permitted on indirectly illuminated signs provided such reflectors and lights do not extend more than eight feet beyond the sign structure to which attached and such illumination is directed upon the face of the sign to reduce possibility of direct light rays shining into adjoining property or the public way.

- (8) No light, sign or other advertising structure shall be erected in such a manner or location as to be confused because of position, shape or color with any authorized traffic sign, signal or device.
- (9) Temporary signs, banners, posters and placards shall be permitted in any district after a special permit has been obtained from the City. Wall signs shall be removed within three days following the conclusion of the temporary occasion requiring such signs. Nothing herein contained shall prohibit the erection of a sign, not exceeding ten square feet in area, advertising the property upon which the sign is to be erected for sale; and no permission shall be required for such sign.
- (10) Other regulations as set forth in any ordinance regulating signs.
(Passed 2-14-78)
- (g) Political Signs.
- (1) Such signs are permitted if they are unlighted, and temporary.
- (2) Such signs shall be displayed no more than thirty (30) days prior to a voting day and shall be removed within five (5) days after a voting day or a municipal employee will have the right to remove and dispose of signs.
- (3) Political signs shall not exceed sixteen (16) square feet in area.
- (4) A maximum of two (2) political signs are permitted per fifty (50) feet of street or road frontage.
- (5) In residential zoning districts, the maximum sign height is five (5) feet. In all other zoning districts, the maximum sign height is eight (8) feet.
- (6) In residential areas, such signs may be placed only on private property.
- (7) All signs must be in the soil, not fastened on any poles, etc and cannot be placed in the soil on Town property or Town R-O-W's.
(Passed 5-23-00)

1313.05 GENERAL LANDSCAPE REGULATIONS.

- (a) Any enclosed use required by this Zoning Ordinance to be landscaped shall provide a fence six feet high, or a visual screen consisting of evergreen or evergreen-type hedges or shrubs spaced at intervals of not more than six feet located and maintained in good condition within ten feet of the property line.
- (b) Any use which is not conducted within a completely enclosed building, such as storage yards, lumber and building materials yards and parking lots shall be entirely enclosed by a fence, the height and type to be determined by the Zoning Inspector as sufficient to carry out the objectives of this section. This section shall not apply to nurseries and the display for sales purposes of new or used automobiles, trucks, trailers and/or boats except when abutting an R-District.
(Passed 2-14-78)

1313.06 EXCAVATIONS.

Any excavations for the removal of gravel or mineral deposits of any kind must secure a permit from the Zoning Inspector for such excavation, and each permit shall be reviewed by the Board to determine whether the following requirements are adequate to protect the public:

- (a) Enclosed by an eight-foot fence located at least ten feet from the sides or perimeter of the excavation.

- (b) Adequately drained to prevent the formation of pools of water.
- (c) The sidewalls of all such excavations slope at an angle no steeper than one foot of vertical distance for each two feet of horizontal distance.
(Passed 2-14-78)