

Zoning Ordinance Changes
Approved August 23, 2004
As recommended by the Planning Commission August 8, 2004

A. Change the following DEFINITIONS:

- a) 151.004 HOME OCCUPATION; The last sentence shall read:

Further, such business occupation or profession shall not, by parking of vehicles, deliveries, or other traffic to or from the residence, change the residential character of the use of the resident as a dwelling.

B. 151.202 ADD the following definitions:

- a) CARPORT: A roofed structure entirely open on two or more sides, used for the storage of private or pleasure-type vehicles formed by extension of the roof from the side of another building or a free-standing accessory building, not attached to another building, and except for structural supports, is entirely open on two or more sides.
- b) MANUFACTURED PORTABLE CARPORT: A detached factory manufactured accessory building customarily used as a carport. The manufactured portable without disassembly, after removal of tie-down provisions intended to compensate for wind displacement. A manufactured portable carport shall be no more than twelve (12) feet in height at any point nor provide more than two hundred, fifty (250) square feet of projected roof area and except for structural supports, entirely open on two or more sides.
- c) PRIVATE GARAGE: An accessory building or a portion of a building in which private or pleasure-type motor vehicles, lawn and garden and small tools used by the tenants of the building or buildings on the premises are stored and kept.
- d) CURB LAWN: That area of land lying between the sidewalk, or proposed sidewalk, and the edge of the paved portion of the street.

C. 151.202 ADD HOME OCCUPATION: Home occupation shall be an occupation or profession carried on within a residential structure by a member of the immediate family residing on the premises. There shall be no employees other than members of the immediate family. In connection with such business occupation or profession, no sign, other than a nameplate of a connection with such business occupation or profession, no sign, other than a nameplate of a maximum size of eight (8) feet square feet, shall be displayed and no display or other indication shall be placed upon the exterior of said building indicating the same is used in whole or part, for any purpose other than as dwelling. Further, no commodity shall be sold upon the premises or shall be displayed for sale on the premises and no mechanical equipment shall be used in such business occupation or profession excepting such mechanical equipment as would be permissible for purely domestic household purposes. Further, such business occupation or profession shall not, by parking vehicles, or deliveries, or other traffic to or from the residence, change the residential character of the use of the residence as a dwelling.

It is the purpose and intent of these requirements to:

- a) Maintain neighborhood integrity and preserve the residential character of neighborhoods by encouraging compatible land uses. (68 or 69)
- b) Provide residents of the City with an option to utilize their residences as places to enhance or fulfill personal economic goals as long as the choice of home occupations does not infringe on the residential rights of neighbors.
- c) Establish criteria for operating home occupations in dwelling units within residential districts.
- d) Assure that public and private services such as streets, sewers, water or utility systems are not burdened by home occupations to the extent that usage significantly exceeds that which is normally associated with a residence.

Home occupations shall comply with all other local, state or federal regulations pertinent to the activity pursued, and the imposition of requirements under this chapter shall not be construed as an exemption from such regulations.

D) ACCESSORY BUILDINGS: (add paragraphs (E) through (I) as follows;

E) RESTRICTIONS; Carports and manufactured portable carports shall be used only to shelter private or pleasure-type motor vehicles and not for habitable room(s) or for storage of hazardous materials, as defined by the currently adopted fire code. Plastic Carports or similar portable enclosures are prohibited.

F) CONSTRUCTION REQUIREMENTS: Attached or unattached carport and private garage construction shall comply all currently adopted building codes. Manufactured portable carports shall be assembled to comply with the manufacturer's instructions and anchored to the earth in compliance with one of the following methods.

- a) One continuous 8" wide by 36" deep concrete stem wall on each longitudinal side of the carport with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing.
- b) A 4" thick concrete slab that extends 12" beyond the perimeter of the carport in each direction with threaded anchor bolts embedded in the slab, deepened to 8" at each anchorage location, to match the carport manufacturer's recommended spacing.

G) Accessory buildings in excess of one hundred and twenty (120) square feet must be designed, constructed, and finished such as the exterior appearance to that of the main building.

H) No accessory building shall be used in any part for dwelling purposes.

I) No detached accessory building in R – 1, R – 2, and R – MF Districts shall exceed one story or fourteen (14) feet in height (pg. 64)

J) Section 1602 – ACCESSORY BUILDINGS – add the following paragraphs:

- a) All accessory buildings in excess of one hundred and twenty (120) square feet shall have a building permit.
- b) Accessory buildings to residential buildings shall not be erected in any required yard except a rear yard.
- c) Accessory buildings in excess of one hundred and twenty (120) square feet must be designed, constructed and finished such as the exterior appearance is similar to that of the main dwelling.

K) 151.216 New section 1623 – BASKETBALL APPARATUS: Basketball apparatuses may be placed within the required front yard and side yard open space of a single family residential lot and only in conformance with the following conditions:

- a) A single pole – mounted backboard may be located only in one – third of the required front or side open space nearest the dwelling and contiguous to the driveway.
- b) No single pole – mounted backboard shall be placed on any City tree lawn, sidewalk, or City street, and must be placed fifteen (15) feet from the road right – of – way or edge – side, whichever is greater.
- c) The parent or guardian or homeowner or tenant shall be responsible for the proper placement of basketball apparatuses, and supervision of those using such apparatuses.

L) SECTION 3.36 (91.15) – DEFINITION OF BLIGHT

Change sub – paragraph (B) as follows

- d) Eliminate the words “the outside” at the beginning of the paragraph.
- e) Add at the end the paragraph: **UNLESS STORED IN A PERMANENT BUILDING CAPABLE OF BEING CLOSED TO THE PUBLIC**