

SECTION 17-32. HEIGHT AND AREA EXCEPTIONS AND MODIFICATIONS

(a) Height:

- (1) The height regulations prescribed herein shall not apply to church spires, belfries and monuments, or public water and fire towers, ornamental spires, chimneys, flag poles, necessary mechanical appurtenances, or any communication or emergency siren tower owned by a local, state or federal governmental entity.
- (2) No structure may be erected to a height in excess of that permitted by the regulations of such airfield zoning ordinance as may exist at the time and whose regulations apply to the area in which the structure is being erected.
- (3) All monopoles and lattice towers above 25 feet in height shall be placed with a minimum 3:1 distance to height ratio from the nearest single family or two family zoned lot or tract. No towers, antennas or communication dishes of any size may be placed within any front yard or side street setback required under this Ordinance.
- (4) Towers and monopoles placed on the ground whose total height, including antenna, does not exceed 25 feet above ground level shall be allowed in all zoning classifications and shall be exempt from distance to height ratios contained in this Ordinance. Such towers shall be allowed as an accessory use in Agriculture-Open Space and all residential districts, Office District and Medical District, and as a stand-alone use in other districts.
- (5) An antenna with a total height not exceeding 15 feet may be placed on a building or rooftop in all zoning classifications and shall be exempt from distance to height ratios contained in this Ordinance. Antennas placed on buildings shall be allowed as an accessory use in Agriculture-Open Space and all residential districts, Office District and Medical District, and as a stand-alone use in other districts.
- (6) Telecommunications antennas may be placed within church spires, belfries and monuments as an accessory use when integrated into the design in a discreet manner so as to not be perceived as an antenna and may be placed on electric transmission towers as an accessory use.
- (7) Outside storage of materials, where allowed in this Ordinance, shall be limited to a maximum height of twenty-five (25) feet.

(b) Front Yards:

- (1) Where twenty-five percent (25%) or more of the frontage upon the same side of a street between two intersecting streets is occupied or partially occupied by a building or buildings with front yards of less depth than required by this Ordinance, or where the configuration of the ground is such that conformity with the front yard provisions of this Ordinance would work a hardship, the Board of Adjustment may permit modifications of the front yard requirements.
- (2) In any residential or "MF" District where twenty-five percent (25%) or more of the frontage upon the same side of a street between intersecting streets is occupied or partially occupied by a building or buildings having front yards of greater depth than is required by this Ordinance, no other lot upon the same side of such street between such intersecting streets shall be occupied by a building with a front yard of less than the least depth of any such existing front yards, unless by permission of the Board of Adjustment.
- (3) In a residential district no fence, structure, or planting higher than three and one-half (3-1/2) feet above the established street grades, nor any tree with foliage extending below ten (10) feet above the established street grades, shall be maintained within twenty (20) feet of any street intersection.

- (4) Open and unenclosed terraces or porches and eave and roof extensions may project into the required front yard for a distance not to exceed four (4) feet; provided, however, that no supporting structure for such extensions may be located within the required front yard. An unenclosed canopy for a gasoline filling station may extend beyond the building line but shall never be closer to the property line than twelve (12) feet. The building line of a gasoline filling station shall mean the actual wall of the building and shall not be interpreted as being the curb of a walk or driveway or as the front of a canopy of the columns supporting same.
- (5) Where an official line has been established for future widening or opening of a street upon which a lot abuts, then the width of a front or side yard shall be measured from such official line of the right-of-way.

(c) **Side Yards:**

- (1) On a corner lot the width of the yard along the side street shall not be less than any required front yard on the same side of such street between intersecting streets, provided, however, that the buildable width of a lot of record shall not be reduced to less than thirty (30) feet.
- (2) No accessory building shall project beyond a required yard line along any street.
- (3) For the purpose of side yard regulations, an attached dwelling or multi-family dwelling shall be considered as one building occupying one lot.
- (4) Where a lot of record at the time of the effective date of this Ordinance is less than fifty (50) feet in width, the required side yard may be reduced to provide a minimum buildable width of thirty (30) feet, provided, however, that no side yard shall be less than five (5) feet.
- (5) The area required in a yard shall be open to the sky, unobstructed except for the ordinary projections of window sills, belt courses, cornices or other ornamental features.
- (6) A roof overhang, or an open fire escape of an outside stairway may project not more than three (3) feet into a required side yard, but no closer than three (3) feet to a property line.

(d) **Rear Yards:**

- (1) An accessory building not exceeding twenty (20) feet in height may occupy not to exceed twenty-five percent (25%), and unenclosed spaces may occupy not to exceed eighty percent (80%), of the area of a required rear yard but no accessory building shall be closer than twenty (20) feet to the main building nor closer than five (5) feet to any rear or side lot line, and in the case of corner lots, not less than the distance required for buildings from side streets.

(e) **Residential Storage Buildings:** Residential storage buildings of one hundred twenty (120) square feet and less may be constructed without a permit in single-family and two-family zoning districts, provided the building is located behind the front building line and no closer than five (5) feet to the main structure. For such residential storage buildings larger than one hundred twenty (120) square feet, a permit is required and the building may not be closer than ten (10) feet to the main structure. Residential storage buildings may not exceed a height limit of twelve (12) feet and must be placed on the lot so that the roof does not drain onto an adjacent lot, and in the case of corner lots, not less than the distance required for buildings from side streets.