

Double Frontage Lots



ORDINANCE NO. 21-1152

Amend Chapter 40 Zoning Article III Sec. 40-75 Dimensional standards for accessory structures, Article VII, Sec. 40-204 Height restrictions, and Article XVIII Definitions

Sec. 40-204. - Height restrictions.

- (b) *Residential and commercial districts.*
 - (1) No fence shall exceed six feet in height.
 - (2) No fence shall exceed four feet in height when located in the front yard setback.
 - (3) On through lots, no fence may exceed 6 feet in height in the designated rear yard as long as there is no driveway access and no sight distance interference.
- (c) *Fences exceeding the height restrictions.*
 - (1) For nonresidential uses only, a conditional use permit shall be required for fences exceeding the height restrictions.
 - (2) Exemptions. Town facilities, utilities, and all uses specifically identified in article IX of this chapter as having an allowance for fencing exceeding six feet.

Sec. 40-75. - Dimensional standards for accessory structures.

- (a) *Accessory structures associated with residential uses shall:*
 - (1) Be included when calculating the total allowable lot coverage, and shall not constitute a proportionate size greater than 25 percent of the principal building's lot coverage, regardless of the lot size;
 - (2) Be limited to 15 feet in height;
 - (3) Not be permitted within any required front or side yard, or within five feet of the rear lot line;
 - (i) On double frontage lots, accessory structures must be setback a minimum of 10 feet from the property line in the designated rear yard.
 - (4) Not be occupied, leased, rented or otherwise used for profit, income or for gain;
 - (5) Not be used as a dwelling unit;
 - (6) Contain no more than three internal plumbing fixtures (water heater is exempt);
 - (7) Maintain a residential appearance and shall not produce impacts detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking, or other activities;

- (8) Meet state building code requirements if any dimension is greater than 12 feet;
- (c) *Swimming pools setbacks.*
 - (1) Setbacks for swimming pools less than 30 inches above the ground level of the graded lot:
 - a. Front yard: As required for the zoning district.
 - b. Side yard: Five feet.
 - c. Corner yard: Five feet.
 - d. Rear yard: Five feet.
 - e. [Designated rear yard \(Through Lots\): Five feet](#)
 - (2) Setbacks for swimming pools more than 30 inches above the ground level of the graded lot:
 - a. Front yard: As required for the zoning district.
 - b. Side yard: Five feet.
 - c. Corner yard: 7.5 feet.
 - d. Rear yard: Five feet.
 - e. [Designated rear yard \(Through Lots\): Ten feet](#)

Sec. 40-548. - Definitions.

Rear yard means the area between the side lot lines across the rear of the lot. Through lots have no rear yard, only front and side yards.

- 1. [Designated rear yard means a yard on a through lot where there is no driveway access, and the principal structure is not addressed from the adjacent right-of-way.](#)

Adopted this 11th day of May, 2021.

LeAnn Pierce, Mayor

Attest: _____

Kimberlee Ward, Town Clerk