

Staff Report

Subject: Ordinance Revision

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Department: Development Services

Date: April 16, 2024

Item Description: Consideration of an **amendment** to the Code of Ordinances **Part II, Article VI, 6.2 Yards**

Summary Recommendation

The county has a section of **Article VI 6.2** in the zoning ordinance that deals with fences, patios and accessory structures. We are requesting a few amendments to the Article to conform with the practices that are currently taking place in the field. The county has always allowed fences to be built one foot from the property line. So, our recommended amendment is to conform to our Practice.

We have always allowed two accessory structures in R residential districts; we are just clarifying that a detached a garage is one of the two structures. This does NOT pertain to AR-1 or AR-2.

Executive Summary/Background

Development Services is recommending the following changes:

~~Strike though is a deletion:~~

Red shading is an addition.

- **ARTICLE VI. - EXCEPTIONS AND MODIFICATIONS**

- **6.1 - Existing lots of record.**

- Any lot of record existing at the effective date of this ordinance in any AR-1, AR-2, or R district may be used for the erection of a single-family dwelling, even though its area and width is less than the minimum requirements set forth herein, except as set forth hereafter.

- *6.1.1 Conformity.* Front, side, and rear yards shall conform with the requirements of this ordinance as closely as possible.

- *6.1.2 Recombination.* Where two adjacent lots of record with less than the required area and width are held by one owner, the request for a permit shall be referred to the zoning administrator which may require that the two lots be combined and used for one main building.

- **6.2 - Yards.**

- *6.2.1 Front yards of through lots.* In any R district where a lot runs through a block from street to street, a front yard **setback**, as required by this ordinance, shall be provided along each street lot line.

- *6.2.2 Projections into yards and courts.* A wall or fence six feet in height or under, or higher if a retaining wall, may be erected within the limits of any yard ~~not extending beyond the front setback line.~~ **a minimum of one foot from the property line.** Any wall or fence in the front yard, not including a retaining wall, shall be limited to 48 inches in height.

- Patios must meet all setback requirements except for rear yards ~~which~~ **where the patio** must be a minimum of five feet from a property line.

- Architectural projects. Chimneys, leaders, cornices, eaves, shutters, and bay windows, and the like may extend not more than 24 inches into any required yard.

- *6.2.3 Accessory structures.* An accessory structure less than ten feet from a principal structure must be connected thereto by a breezeway or similar structure and will be considered as a component of the principal structure and comply with all yard setbacks for a principal structure.

- No more than two accessory structures are allowed on one lot in any R or PD-R district, ~~including a private garage.~~ **With a detached garage counting as one structure.**

- (Ord. of 8-6-13; Ord. of [9-15-20](#).)

Alternatives

Approve an amendment to the Code of Ordinances **Part II Article VI, 6.2 Yards.**

Deny an amendment to the Code of Ordinances **Part II Article VI, 6.2 Yards.**

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: N/A