

6/1/2025

Sec. 107-75. - Yards generally.

- (a) Each lot shall have a front yard, two side yards and a rear yard.
- (b) On each lot, the rear yard shall be to the rear of the front yard.
- ~~(c) The building official shall determine the street address, and thus the front yard, of each corner lot.~~

(Code 1987, ch. 11, subch. G, art. V, § 9; Code 1995, § 14.02.209)

(C) ON LOTS WITH LIMITED STREET FRONTAGE,
THE SETBACK ORIENTATION SHALL BE APPROVED
~~DETERMINED~~ BY THE BOARD OF ADJUDICATION.

Sec. 107-491. - Special exceptions.

- (a) The board of adjustment may, in a specific case, where the board of adjustment makes the findings required under subsection (c) herein, grant the following special exceptions from the requirements of this division:
- (1) Permit the reconstruction of a nonconforming building or structure that has been damaged by fire or other cause;
 - (2) Permit the enlargement or extension of a nonconforming use or nonconforming building upon the lot occupied by such use or building at the time of the passage of this division;
 - (3) In undeveloped sections of the city, grant temporary and conditional permits for not more than two years, provided that the grant of a temporary or conditional permit shall not be reason or cause for extension of such permit;
 - (4) Permit such modifications of yard, open space, lot area, or lot width regulations as may be necessary to improve a parcel of land, if the parcel is of such restricted size that it cannot be appropriately improved without such modification; or
 - (5) Permit a public utility or public service building of a ground area or height at variance with those provided for the district in which such public utility or public service building is permitted to be located, when found reasonably necessary for the public health, convenience, safety or general welfare.
 - (6) Permit a reduction or modification in the 75-foot setback requirements of section 107-108(a) and/or the 75-foot greenbelt requirements of section 107-109(a), provided that:
 - a. In addition to the notice and hearing required under subsection 107-494(a), the board of adjustment shall conduct a public hearing on the application to consider public comment and any alternative to the proposed application. The public hearing required by this subsection shall be held no less than 30 days prior to the date of any hearing at which the board of adjustment will consider action on the application. Upon the decision of the board of adjustment or upon request of the applicant, the board of adjustment may recess such public hearing, from time to time, to consider any alternative proposal. In the event the applicant requests the board of adjustment to consider an alternative proposal, notice of the alternative proposal shall be given in the manner required by subsection 107-491(a), and the hearing on the alternative proposal shall be set no less than 30-days prior to the date notice is given; and
 - b. The board of adjustment finds all of the following:
 1. The lot to be developed has no existing 75-foot greenbelt or the existing greenbelt is less than the required 75-feet;
 2. The proposed alternative, as compared to the existing development, mitigates the impact of the existing development upon adjacent residential properties and/or improves to the greatest extent practicable the buffering of the adjacent residential properties, and preserves or enhances existing landscaping to the greatest reasonable extent;
 3. The proposed alternative, as compared to the existing development, is consistent with and promotes the recommendations and policies within the city's comprehensive plan;
 4. The proposed alternative enhances the site, as compared to the existing development, without detriment to the adjacent residential properties, and therefore, the overall environment of the city; and
 5. The proposed alternative if granted will not have a detrimental impact on any adjacent properties.

REQUIRED YARD
ORIENTATION

CONFIGURATION
OR
TOPOGRAPHY