

TITLE V- PROPERTY AND LAND USE

CHAPTER 42

ZONING SUPPLEMENTARY AND QUALIFYING REGULATIONS

42.01	Construction of Accessory Building Before Principal Building	42.05	Other Exceptions to Yard Requirements
42.02	Use of Existing Lots of Record	42.06	Mixed Use Yard Requirements
42.03	Water and Sewerage Requirements	42.07	Filling Stations
42.04	Structure Permitted Above Height Limits	42.08	Outdoor Advertising Signs and Billboards

42.01 CONSTRUCTION OF ACCESSORY BUILDING BEFORE PRINCIPAL BUILDING.

In A-1 zoned property, a permit for an accessory building may be issued prior to a permit for a principal building. In other zoned properties, a permit for an accessory building may not be issued prior to the completed construction of the principal building.

42.02 USE OF EXISTING LOTS OF RECORD.

In any district where dwellings are permitted, a single-family dwelling may be located on any lot or plot of official record as of the effective date of the Zoning Ordinance irrespective of its area or width; provided, however:

1. The sum of the side yard widths of the lot or plot shall not be less than thirty percent (30%) of the width of the lot, but in no case less than ten percent (10%) of the width of the lot for any one side yard.
2. The depth of the rear yard of any such lot need not exceed twenty percent (20%) of the depth of the lot, but in no case less than twenty (20) feet.

42.03 WATER AND SEWERAGE REQUIRMENTS.

In any district in which residences are permitted and where neither public water supply nor public sanitary sewer is available, the lot area and frontage requirements shall be as follows, or the minimum required for the particular district, whichever is the greater:

1. Lot area – twenty thousand (20,000) square feet; lot width at building line – one hundred (100) feet; provided, however, that where a public water supply system is available these requirements shall be fifteen thousand (15,000) square feet, and one hundred (100) feet, respectively.
2. The above requirements shall not apply in subdivision developments, providing private water supply and sewage collection and disposal systems, which have been approved by the Iowa Department of Natural Resources.

3. In all districts where a proposal building, structure or use will involve the use of sewage facilities, and public sewer and/or water is not available, the sewage disposal system and domestic water supply shall comply with all of the requirements and standards of the Warren County Board of Health.

42.04 STRUCTURE PERMITTED ABOVE HEIGHT LIMITS.

The building height limitations of the Zoning Ordinance shall be modified as follows:

1. Chimneys, cooling towers, elevators bulk-heads, fire towers, monuments, stage towers or scenery lofts, water towers, churches, ornamental towers and spires, radio or television towers or necessary mechanical appurtenances may be erected to a height in accordance with existing or hereafter adopted regulations of Warren County; provided, however, that no such structure shall be permitted to extend into the approach zones, clear zones or other restricted air space required for the protection of any public airport.
2. Public, semi-public or public service buildings, hospitals, sanitariums, or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches and temples, when permitted in a district, may be erect to a height not exceeding seventy-five (75) feet, if the building is set back from each property line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is built.

42.05 OTHER EXCEPTIONS TO YARD REQUIREMENTS.

Every part of a required yard shall be open to the sky unobstructed with any building of structure, except for a permitted accessory building in a rear yard, and except for ordinary projections not to exceed twenty-four (24) inches, including roof overhang.

42.06 MIXED USE YARD REQUIREMENTS.

In instances where buildings are erected containing two or more uses housed vertically, the required side yards for the first floor use shall control.

42.07 FILLING STATIONS.

1. No gasoline filling station or a commercial customer or employee parking lot for twenty-five (25) or more motor vehicles, or a parking garage or automobile repair shop shall have an entrance or exit for vehicles within two hundred (200) feet along the same side of a street of any school, public playground, church, hospital, public library or institution for dependents or for children, except where such property is in another block or on another street which the lot in question does not abut.

2. Pump islands, light standards and related minor accessory equipment not involving repair work or servicing of vehicles other than for fuel, air, and water shall be permitted in the yard areas provided no gasoline pump or fuel dispensing equipment shall be located within twelve (12) feet of any street right-of-way.
3. No oil draining pit or appliance for such purpose shall be located within twenty-five (25) feet of any "R" district boundary or street right-of-way line.
4. On all corner lots, all vehicular entrances to, or exits from, and curb openings shall be set back a minimum of fifty (50) feet from the projecting intersection of curb lines and such openings shall not exceed thirty-five (35) feet in width at the curb line. There shall be a minimum of twenty (20) feet measured along the curb line between any series of driveways.
5. One permanent, free-standing, double-faced post or pedestal sign shall be permitted for each street or road upon which a service station property abuts; provided that such sign shall not project over the right-of-way line of the abutting street. Said sign shall not exceed fifty (50) square feet in area per face. Nonpermanent movable advertising signs shall be permitted. One permanent, free-standing, double-faced post or pedestal sign shall be permitted for each street or road upon which a service station property abuts; provided that such sign shall not project over the right-of-way line of the abutting street. Said sign shall not exceed fifty (50) square feet in area per face. Non-permanent movable advertising signs shall be permitted provided the area does not exceed nine (9) square feet per face.

42.08 OUTDOOR ADVERTISING SIGNS AND BILLBOARDS.

1. In all districts where permitted, billboards shall be set back from the proposed right of-way line of any State or Federal Highway, any major County thoroughfare so designated by the Official Major Thoroughfare Plan, and from the right-of-way line of any other street or road, at least as far as the required front yard depth for a principal building in such district, except that at the intersection on any State or Federal Highway, the setback of any outdoor advertising sign or billboard (not including, however, business identification and directional and other incidental signs otherwise permitted under the provisions of the Zoning Ordinance) shall be not less than one hundred (100) feet from the established right-of-way line of each such highway or street. No such sign or billboard shall be permitted which faces the front or side lot line of any lot in any "R" district used for residential purposes within one hundred (100) feet of such lot lines, or which faces any public parkway, public square, or entrance to any

public park, public or parochial school, church, cemetery, or similar institution, within three hundred (300) feet thereof.

2. Advertising signs are prohibited adjacent to Interstate Highways, Expressways, Freeways, and Parkways, except in areas zoned for Commercial “C” or Industrial “M” use. However, if any such sign, because of its location, size, nature, or type constitutes or tends to constitute a traffic hazard to safe and efficient operation of vehicles upon County Highways or creates a condition which endangers the safety of persons or property, the Board of Supervisors may order its removal based upon a complete report as to traffic or safety problems created by any such sign. The Board shall notify the sign company of any existing problem and within thirty (30) days set a hearing to discuss the removal of said sign.
3. If said sign is not removed within thirty (30) days after due notice to the property owner by the Board, the County Road Department shall remove said sign and bill the property owner where the sign is located for the full cost.