

CHAPTER 1268  
Class A Districts

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CROSS REFERENCES

General provisions and definitions - see P. & Z. Ch. 1260  
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1268.01 PERMITTED USES IN A-1 AND A-2 DISTRICTS.

In Class A-1 and A-2 Residential Districts, no land shall be used, and no building shall be erected which is arranged, intended or designed to be used, for any use other than the following:

- (a) Class A-1, single-family dwellings; and
- (b) Class A-2, two-family dwellings. (Ord. 46-68. Passed 2-3-69.)

1268.02 ACCESSORY USES IN RESIDENTIAL DISTRICTS .

(a) An accessory use customarily incident to a Class A-1 or Class A-2 use shall be permitted in a Class A-1 or Class A-2 District, respectively, provided that such accessory use is located upon the same lot with the building or use to which it is accessory.

(b) The following shall be permitted accessory uses for Class A-1 and/or Class A-2 Districts:

- (1) One garage per parcel, attached or detached, not exceeding 840 square feet in area and sixteen feet in height. However, one attached garage, constructed at the same time as a new dwelling unit with at least 3,000 square feet of gross floor area, may not exceed 1,200 square feet in area. No linear dimension fronting on any public right of way shall exceed thirty-five feet;  
(Ord. 45-87. Passed 5-4-87; Ord. 60-98. Passed 4-6-98.)
- (2) One utility building per parcel, not exceeding 320 square feet in area and a height equivalent to the height of the dwelling to which it is attached, if so attached, and not exceeding 320 square feet in area and sixteen feet in height if detached, and subject to the following additional provisions:

- A. As used in this paragraph, "utility building" means any structure used for the sole purpose of storing garden and yard equipment, toys, portable tools and home maintenance supplies and equipment usual and incidental to the use of the premises.
  - B. A dwelling with a detached garage shall have any utility building erected on the subject parcel abut the detached garage and shall not exceed the height of the detached garage or sixteen feet, which-ever is less. (Ord. 89-20. Passed 3-6-89.)
- (3) Any other accessory use specifically stated in this Zoning Code, provided that all provisions regulating such other accessory use shall be complied with.

(c) No building erected pursuant to subsections (a) and (b) hereof shall be erected unless such building is located within the following described area:

- (1) At least ten feet from either side lot line of the subject parcel;
- (2) At least five feet from the rear lot line of the subject parcel; and
- (3) Except for attached garages, at least twenty-five feet from the main dwelling house located on the parcel.

(d) When the rear property line of a corner parcel of land abuts the side property line of the adjoining parcel fronting on the side street, the accessory building set on the corner parcel shall be set back from the side line of the side street not less than the set-back line for such side street.

(e) An accessory building may only be built in the rear yard, subject to the approval of the Building Commissioner as to style and size consistent with this Zoning Code. Such structure shall not project into a front or side yard.

(f) No person shall erect a building related to an accessory use without first obtaining a building permit therefor pursuant to Chapter 1448 of the Building and Housing Code. The Building Commissioner is hereby authorized to charge separate fees for issuing a building permit hereunder as provided in Section 1448.02 of the Building and Housing Code.  
(Ord. 45-87. Passed 5-4-87.)

(g) Every accessory building shall have a permanent foundation base with a vapor barrier approved by the Building Department. For purposes of this section, the term "permanent foundation base" shall mean a foundation constructed of wood, concrete, gravel, brick or asphalt. (Ord. 128-90. Passed 9-4-90.)

(h) Accessory buildings shall be located only on a lot that contains a habitable dwelling.

(i) Passenger automobiles only shall be kept at any garage or upon any premises in Class A-1 and Class A-2 Districts, except that an occupant is permitted a panel or pick-up truck, rated as three-fourths of a ton or less and used in connection with his or her livelihood.

(j) A billboard, signboard or advertising sign for general advertising shall not be permitted as an accessory use. The placing of a "for sale" or "for rent" sign, not in excess of six square feet in area and not illuminated, shall be permitted, provided that it is placed not closer than five feet in front of the building line of the premises. Where a residence is for sale, an "open" sign, commonly used by real estate brokers, may be placed on the tree lawn between

11:00 a.m. and 6:00 p.m. A store, trade, use or business shall not be permitted as an accessory use, except for an office of a physician, surgeon, dentist, attorney or musician in a dwelling used as his or her private residence. Such uses shall not be permitted in an apartment, except that any person carrying on a customary home occupation may do so in a dwelling or in an apartment used by him or her as his or her private residence, provided that only normal home equipment is used in such home occupation. In a dwelling or apartment occupied as a private residence, one room may be rented for lodging to two persons, or table board furnished, provided that no window display or signboard is used to advertise such use.

(Ord. 45-87. Passed 5-4-87.)

(k) Swimming pools, in accordance with Section 1268.03 of this Planning and Zoning Code, and Chapter 1482 of the Building and Housing Code.

(l) Fences, in accordance with Chapter 1460 of the Building and Housing Code.  
(Ord. 163-99. Passed 9-7-99.)

#### 1268.03 YARD REQUIREMENTS.

(a) For a single-family or two-family dwelling, each lot shall have a front yard not less in depth than 50 feet, measured at right angles from the street (property) lot line to the nearest foundation wall, or as shown on the subdivision plat. A single-family or two-family dwelling on a secondary street shall have a front yard depth that shall not exceed 60 feet unless granted a conditional permit by the Planning Commission. There shall be no fee charged to an applicant for this request. However, the front yard setback building line may be in line with the average of the setback building lines of the dwellings between intersecting streets if at least 75% of the sublots between intersecting streets have had dwellings erected.

No single side yard shall be less than ten feet, measured from the side lot line to the main foundation wall. Each lot shall have a rear yard of not less than 60 feet at all points between the rear building line and the rear lot line.

No detached garage shall be located nearer than ten feet to the side lot line or nearer than five feet to the rear lot line. In the case of a corner lot, where the rear lot line is also the side lot line of the adjoining residential lot, a detached garage shall not be located nearer than ten feet to such rear lot line and shall not be located nearer to the street (property) lot line than the setback building line of the main dwelling.

No detached garage shall be located nearer to the main dwelling than 25 feet, provided that where there has been established a uniform location at the time of the adoption of this Zoning Code, it shall conform to such uniform location.  
(Ord. 220-98. Passed 3-15-99.)

(b) (EDITOR'S NOTE: Division (b) was repealed by Ordinance 220-98, passed March 15, 1999.)

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(e) Driveways and turnarounds shall be a minimum of three feet from the property line. All new driveways and turnarounds shall require a permit.

(f) No swimming pool or swimming pool deck shall be located, constructed or placed at any side yard of a corner lot that abuts the street or closer than ten feet to any side or rear property line of any parcel. In no case shall a pool be located, constructed or placed in any front yard.

(Ord. 163-99. Passed 9-7-99.)

#### 1268.04 PROJECTIONS.

For a single-family or two-family dwelling, no projection of the structure into required yards shall be permitted except as provided in this Zoning Code.

(Ord. 46-68. Passed 2-3-69.)

#### 1268.05 AREA AND HEIGHT REGULATIONS.

(a) The minimum gross floor area of a one-family dwelling shall be not less than 1,500 square feet in the case of a dwelling with a basement and 1,600 square feet in the case of a dwelling without a basement. Such minimum square footage shall be the sum of the gross floor area, as defined, excluding garages and basements in all dwellings and utility and general storage space in basementless dwellings. Portions of a room with a sloping ceiling measuring less than five feet from the finished floor to the ceiling shall not be considered as contributing to the minimum gross floor area.

(b) The maximum height of a one-family dwelling shall not exceed more than two and one-half stories above grade, as defined, nor more than thirty-five feet measured from the first floor line.

(Ord. 60-98. Passed 4-6-98.)

#### 1268.06 NUMBER OF DWELLINGS; LOTS; FRONTAGE.

(a) Number of Dwellings. Each single-family or two-family dwelling shall have a separate lot. Two-family dwellings shall be arranged so that no dwelling unit shall be located to the rear of another dwelling unit upon the same lot.

(b) Lot Area. Each lot upon which a dwelling is to be constructed shall have a minimum of 30,000 square feet of land area.

(c) Street Frontage. Each lot shall have frontage upon a duly dedicated and accepted street. Each lot upon which a dwelling is to be constructed shall have the driveway access street frontage that abuts the lot.

(d) Lot Width. Each lot that is 30,000 square feet or larger, upon which a dwelling is to be constructed, shall have a minimum lot width of 125 feet. Each lot that is less than 30,000 square feet, and meets the requirements of division (b)(2) of this

section, upon which a dwelling is to be constructed, shall have a minimum lot width of 100 feet. The minimum lot width shall be measured at the setback line, which is 50 feet from the (front) street (property) line to the nearest foundation wall. (See Section 1260.04(47) and Section 1268.03(a).)

(e) Previously Platted Lots. A dwelling may be constructed on any lot that existed prior to the adoption date of this section (Ordinance 70-00, passed November 6, 2000), provided that such lot complies with the following: Only one single-family or two-family dwelling shall be located upon the lot and no dwelling shall be located to the rear of another dwelling upon the same lot. The lots shall have a frontage upon a dedicated and accepted street of not less than 100 feet, measured at the front building setback line established for it, or as shown on the subdivision plat, measured from, and at right angles to, the side line of the street or road, and shall contain not less than 20,000 square feet in those areas of the City where public water facilities are available. In addition, said lot shall meet the minimum yard requirements of Section 1268.03. (Ord. 70-00. Passed 11-6-00; Ord. 143-02. Passed 10-7-02.)

#### 1268.07 FLOOR AREA OF SLEEPING ROOMS IN A-2 DISTRICTS.

Every room used for sleeping purposes in a Class A-2 District shall contain not less than seventy square feet of habitable floor area if used by one occupant and not less than 50 square feet of habitable floor area per occupant if used by more than one occupant. (Ord. 89-57. Passed 5-15-89.)