



Planning Division

ZONING INTERPRETATION ZI21-01

AUTHORITY:

The Planning Director may interpret the zoning ordinance if there is a question of clarity of any development standard or other standard. Building setbacks are development standards and there is no clarity due to various amendments to the standards over time.

SUBJECT OF INTERPRETATION:

Building setbacks for single and multi-family residential uses located in multi-residentially zoned subdivisions platted, unless stated otherwise on the recorded plat prior to 1993.

ZONING CODE ORDINANCE SECTIONS:

5.416 Development Standards, 5.426 Development Standards, 5.436 Development Standards for building setbacks.

CAUSE FOR INTERPRETATION:

Lots platted prior to 1993 in the R-2, R-3 and R-4 districts were platted to comply with the Front, Side and Rear setbacks established at the time. By using the perimeter setbacks, requiring twenty (20) feet on the perimeter of the property created for lots with multiple dwellings, the lots established for single family homes and multi-family dwellings are unbuildable. For example, a lot that is fifty (50) feet in width with twenty (20) -foot perimeter setbacks would restrict the building footprint to ten (10) feet in width. This creates a situation where single family and multi-family residences are then required to obtain variance approval to develop a reasonable structure.

INTERPRETATION:

Subdivisions zoned R-2, R-3, and R-4 which were platted prior to 1993 are subject to the required setbacks as follows:

- Front yard: A depth not less than established by the main building on the nearest lot within one-hundred feet. On a lot that is not within one hundred (100) feet of a lot with an established front yard, the front yard shall not be less than twenty (20) feet.
- Side yard for interior lots: two (2) side yards, One side not less than ten (10) feet and the other side not less than five (5) feet. At no time shall the distance between single-family homes on adjacent lots be less than fifteen (15) feet.
- Side yard for corner lots: a ten (10) foot side yard shall be maintained on the street side of the lot, for the entire depth of the lot and shall be free of encroachments and obstructions. At no time shall the distance between single-family homes on adjacent lots be less than fifteen (15) feet.
- Rear yard: A minimum of twenty (20) feet.

Interpretation by: _____ Date: _____

David Richert
Interim Planning Administrator

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