



Planning Division

ZONING INTERPRETATION ZI21-02

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 that require clarity due to various amendments to the standards over time.

SUBJECT OF INTERPRETATION:

Single family building setbacks on A-1 (Agricultural) zoned property platted prior to 1993.

ZONING CODE ORDINANCE SECTIONS:

5.106 Development Standards for building setbacks.

CAUSE FOR INTERPRETATION:

The 1993 A-1 development standard is designed to regulate lots of forty (40) acres or more. Prior zoning ordinances allowed the zoning district to establish smaller lot sizes of one (1) acre or less. Imposing current development standards on A-1 zoned properties, established prior to the 1993 zoning ordinance, creates a conflict by enforcing larger building setbacks on currently substandard lots. This creates a situation where single-family residences are required to obtain variance approval to develop a reasonable building envelope.

INTERPRETATION:

Setbacks Subdivisions zoned A-1:

- Subdivisions zoned A-1 approved after December 16, 1960 and prior to September 13, 1983 are allowed:
 - 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 seven (7) feet except on a lot with no access to alley, then it shall be five (5) on one side and ten (10) feet on the other.
 - Side yard for corner lots: a ten (10) foot side yard shall be maintained on the street side of the lot, and five (5) feet for the other side.
 - Rear yard: A minimum of fifteen (15) feet.
- Subdivisions zoned A-1 approved after September 13 and prior to July 23, 1993 are allowed:
 - 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-five (25) feet.
 - Side yard for interior lots: two (2) side yards, One side not less than fifteen (15) feet in width.
 - Rear yard: A minimum of twenty-five (25) feet.

- Subdivisions zoned A-1 approved after July 23, 1993 are allowed:
 - Front yard: Minimum of seventy-five (75) feet.
 - Side yards: Minimum of fifty (50) feet.
 - Corner lot side yards: Minimum of fifty (50) feet.
 - Rear yard: Minimum of fifty (50) feet.

Interpretation by: _____ Date: _____

David Richert, Interim Planning Administrator