

§ 150.03 ESTABLISHMENT OF DISTRICTS.

The territory within the jurisdiction of the city plan commission is classified and divided into 12 districts designated as follows:

- (A) RS Suburban Residence District
- (B) R-1 Residence (Low Density) District
- (C) R-2 Residence (Medium Density) District
- (D) R-H Homestead Residence District
- (E) B-1 Local Business District
- (F) B-2 General Business District
- (G) B-3 Roadside Business District
- (H) I-1 Industrial District
- (I) I-2 Industrial Expansion District
- (J) A Agricultural District
- (K) FH Floodhazard Districts
- (L) FW Floodway District
- (M) FF Floodway Fringe District

(N) PUD Planned Unit Development District
(Ord. 1978-4, passed 3-21-78; Am. Ord. 1981-5, passed 6-16-81)

§ 150.04 ZONING MAP.

The zoning map, which accompanies and is declared to be a part of this chapter, shows the boundaries of and the area covered by the districts. Notations, references, indications, and other matters shown on the zoning map are as much a part of this chapter as if they were otherwise fully described herein. (Ord. 1978-4, passed 3-12-78)

§ 150.05 REMEDIES.

The commission, the board, the building inspector, or any designated enforcement

official, or any person or persons, firm, or corporation, jointly or severally aggrieved, may institute a suit for injunction in the Circuit Court of Adams County to restrain an individual or a governmental unit from violating the provisions of this chapter. The commission or the board may also institute a suit for mandatory injunction directing an individual, a corporation, or a governmental unit to remove a structure erected in violation of the provisions of this chapter. Any building erected, raised, or converted, or land or premises used in violation of any provisions of this chapter of the requirements thereof, is declared to be a common nuisance and as such may be abated in such manner as nuisances are now or may hereafter be abated under existing law. (Ord. 1978-4, passed 3-21-78)

§ 150.06 CONFLICT.

It is not intended by this chapter to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; nor any ordinances, rules, regulations, or permits, previously adopted or issued, or which shall be adopted or issued, and which are not in conflict with any of the provisions of this chapter; except that, where this ordinance imposes a greater restriction upon the use of buildings or land, or requires larger open spaces or greater lot area per family, than are required or imposed by such easements, covenants, or agreements between parties, or by such ordinance, rules, regulations, or permits, the provisions of this ordinance shall control (Ord. 1978-4, passed 3-21-78)

§ 150.07 SATELLITE DISHES.

Satellite dishes, which receive television and radio signals, shall not be located in the front yard of any property zoned RS, R-1, R-2 or R-H. (Ord. 2000-4, passed 3-21-00)

RS SUBURBAN RESIDENCE DISTRICT

§ 150.10 USES PERMITTED.

- (A) Single-family dwellings.
- (B) Accessory buildings, except that they may not be erected prior to the erection of the principal building.
- (C) Accessory uses as defined in §150.228(E).
- (D) Public parks and playgrounds and other municipal recreation uses, libraries, and museums.
- (E) Agricultural operations. (Ord. 1978-4, passed 3-21-78)

§ 150.11 USES PERMITTED BY SPECIAL EXCEPTION.

The following uses may be permitted by special exception in accordance with the procedure defined in §§150.191 and 150.193.

- (A) Airport or heliport.
- (B) Artificial lake of 3 or more acres.
- (C) Cemetery.
- (D) Church or temple.
- (E) Commercial farm enterprise.
- (F) Country club or golf course.
- (G) Greenhouse, commercial.
- (H) Hospital.
- (I) Mobile home park.
- (J) Nursing home.
- (K) Outdoor theater.
- (L) Private recreational development
- (M) Private school, including kindergarten or day nursery.
- (N) Public camp.
- (O) Public park or public recreational facility.
- (P) Radio or television transmission tower.
- (Q) Residential development plan.
- (R) Residential unit, cottage, hunting or fishing lodge.
- (S) Special school.
- (T) Stadium or coliseum. (Ord. 1978-4, passed 3-21-78)

§ 150.12 CONTINGENT USES PERMITTED BY SPECIAL EXCEPTION.

Except as may be otherwise provided herein, the following contingent uses may be permitted by special exception in accordance with the procedure and requirements of §150.191 and §§150.200 through 150.204, respectively:

- (A) College or university.
- (B) Home occupation.
- (C) Municipal or governmental building use.
- (D) Power substation or telephone exchange.
- (E) Professional office.
- (F) Educational institution.
- (G) Sewage treatment or disposal plant.
- (H) Water treatment or distribution plant.
- (I) Temporary sign, pertaining to lease, hire, or sale of a building or premises. (Ord. 1978-4, passed 3-21-78)

§ 150.13 MINIMUM AREA OF LOT.

- (A) Single-family dwellings without connection to public water and sewer - 20,000 square feet.
- (B) Single-family dwellings with connection to either public water or sewer - 15,000 square feet.
- (C) Single-family dwellings with connection to both public water and sewer - 10,000 square feet.
- (D) All other permitted uses - 20,000 square feet.
- (E) Minimum lot area for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.14 MINIMUM WIDTH OF LOT.

- (A) Single-family dwellings without connection to public water and sewer - 100 feet.
- (B) Single-family dwellings with connection to either public water or sewer - 75 feet.
- (C) Single-family dwellings with connection to both public water and sewer - 65 feet.
- (D) All other permitted uses - 100 feet.
- (E) Minimum lot widths for uses by special exception are defined in §150.193. (Ord.

1978-4, passed 3-21-78)

§ 150.15 MINIMUM FRONT YARD.

(A) Principal buildings - 40 feet.

(B) Accessory buildings - 65 feet.

(C) Minimum front yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.16 MINIMUM SIDE YARD.

(A) Principal buildings - 10 feet.

(B) Accessory buildings - 10 feet.

(C) Minimum side yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.17 MINIMUM REAR YARD.

(A) Principal buildings - 30 feet.

(B) Accessory buildings - 10 feet

(C) Minimum side yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.18 MAXIMUM HEIGHT OF BUILDINGS.

(A) Principal buildings - 25 feet.

(B) Accessory buildings - 18 feet.

(C) Maximum heights of buildings for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

R-1 RESIDENCE DISTRICT

§ 150.20 USES PERMITTED.

(A) One-family dwellings.

(B) Two-family dwellings.

(C) Accessory buildings, except that they may not be erected prior to the erection of the principal building.

(D) Accessory uses, as defined in §150.228 (E).

(E) Public parks and playgrounds and other municipal uses, libraries, and museums. (Ord. 1978-4, passed 3-21-78)

§ 150.21 USES PERMITTED BY SPECIAL EXCEPTION.

The following uses may be permitted by special exception in accordance with the procedure and requirements of §§150.191 and §150.193 respectively:

(A) Church or temple.

(B) Country club or golf course.

(C) Greenhouse, commercial.

(D) Hospital.

(E) Private recreational development.

(F) Private school, including kindergarten or day nursery.

(G) Public park or public recreational facility.

(H) Radio or television transmission tower.

(I) Residential development plan.

(J) Special school. (Ord. 1978-4, passed 3-21-78)

§ 150.22 CONTINGENT USES PERMITTED BY SPECIAL EXCEPTION.

Except as may be otherwise provided herein, the following contingent uses may be permitted by special exception in accordance with the procedure and requirements of §150.191 and §§150.200 through 150.204, respectively:

(A) College or university.

(B) Home occupation.

(C) Municipal or governmental building or use.

(D) Power substation or telephone exchange.

- (E) Professional office.
- (F) Educational institution.
- (G) Sewage treatment or disposal plant.
- (H) Water treatment or distribution plant.

(I) Temporary sign, pertaining to lease, hire, or sale of a building or premises. (Ord. 1978-4, passed 3-21-78)

§ 150.23 MINIMUM AREA OF LOT.

- (A) Single-family dwellings - 8,400 square feet.
- (B) Two-family dwellings - 15,000 square feet.
- (C) All other permitted uses - 20,000 square feet.

(D) Minimum lot areas for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.24 MINIMUM WIDTH OF LOT.

- (A) Single-family dwellings - 70 feet.
- (B) Two-family dwellings - 85 feet.
- (C) All other permitted uses - 100 feet.

(D) Minimum lot widths for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.25 MINIMUM FRONT YARD.

(A) Principal buildings. The front yard building line shall be determined by utilizing the following formula or requirement:

(1) The building setback line shall be 25 feet from the front lot line or 55 feet from the center line of the street or road, whichever is greater.

(2) Building lines or building setback lines established in a recorded subdivision shall establish the dimension of front yards in such subdivisions, except when such building setback lines may be less restrictive as provided in §150.224.

(3) On through lots a front yard is required on each street.

(4) Open, unenclosed, or screen porch (not a glass enclosed porch or sun parlor) may project into front yard a maximum of 10 feet.

(B) Accessory buildings. The established building setback line plus an additional 25 feet.

(C) Minimum front yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.26 MINIMUM SIDE YARD.

(A) Principal and accessory buildings shall have a side yard of no less than ten (10) feet.

(B) Minimum side yards for use by special exception are defined in § 150.193. (Ord. 2005-5 passed 04-05-2005)

§ 150.27 MINIMUM REAR YARD.

(A) Principal buildings shall have a rear yard of no less than twenty (20) feet. (Ord. 2005-5, passed 04-05-2005)

(B) Accessory buildings shall have a minimum rear yard of ten (10) feet.

(C) Minimum rear yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.28 MAXIMUM HEIGHT OF BUILDINGS.

- (A) Principal buildings - 35 feet or 2½ stories.
- (B) Accessory buildings - 18 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.29 MINIMUM BUILDING SIZE.

Principal buildings shall have a minimum ground floor area of 800 square feet. (Ord. 1978-4, passed 3-21-78)

§ 150.30 MAXIMUM LOT COVERAGE.

All buildings including accessory buildings shall not cover more than 35% of the area of a lot. (Ord. 1978-4, passed 3-21-78)

R-2 RESIDENCE DISTRICT

§ 150.40 USES PERMITTED BY RIGHT.

- (A) Single-family dwellings.
- (B) Two-family dwellings.
- (C) Multifamily dwellings.
- (D) Public parks and playgrounds and other municipal recreation uses, libraries, and museums.
- (E) Accessory buildings, except that they may not be erected prior to the erection of the principal buildings.
- (F) Accessory uses, as defined in §150.228(E). (Ord. 1978-4, passed 3-21-78)

§ 150.41 USES PERMITTED BY SPECIAL EXCEPTION.

The following uses may be permitted by special exception in accordance with the procedure defined in §§150.191 and 150.193.

- (A) Church or temple.
- (B) Country club or golf course.
- (C) Greenhouse, commercial.
- (D) Hospital.

- (E) Nursing home.
- (F) Private recreational development.
- (G) Private school, including kindergarten or day nursery.
- (H) Professional office.
- (I) Public or employee parking areas.
- (J) Radio or television transmission tower.
- (K) Residential development plan.
- (L) Special school.
- (M) Stadium or coliseum.
- (N) Tourist home. (Ord. 1978-4, passed 3-21-78)

§ 150.42 CONTINGENT USES PERMITTED BY SPECIAL EXCEPTION.

Except as may otherwise be provided herein, the following contingent uses may be permitted by special exception in accordance with the procedure defined in §150.191 and §§150.200 through 150.204:

- (A) Boarding or lodging house.
- (B) College or university.
- (C) Home occupation.
- (D) Lodge or private club (which is of a noncommercial character.)
- (E) Mortuary.
- (F) Municipal or governmental building or use.
- (G) Power substation or telephone exchange.
- (H) Professional office.
- (I) Educational institution.
- (J) Sewage treatment or disposal plant.

(K) Water treatment or distribution plant.

(L) Temporary sign, pertaining to lease, hire, or sale of a building or premises. (Ord. 1978-4, passed 3-21-78)

§ 150.43 MINIMUM AREA LOT.

(A) Single-family dwellings - 6,500 square feet.

(B) Two-family dwellings - 10,000 square feet.

(C) Multifamily dwellings - 13,000 square feet for first 3 units, plus 3,000 square feet for each unit thereafter.

(D) All other permitted uses - 3,000 square feet.

(E) Minimum lot areas for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.44 MINIMUM WIDTH OF LOT.

(A) Single-family dwellings - 60 feet.

(B) Two-family dwellings - 70 feet.

(C) Multifamily dwellings - 100 feet.

(D) All other permitted uses - 100 feet.

(E) Minimum lot widths for uses by special exceptions are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.45 MINIMUM FRONT YARD.

(A) Principal buildings. The front yard building line shall be determined by utilizing the following formula or requirement:

(1) The building setback line shall be 25 feet from the front lot line or 55 feet from the center line of the street or road, whichever is greater.

(2) Building lines or building setback lines established in a recorded subdivision shall establish the dimension of front yards in such subdivisions except when such building setback lines may be less restrictive as provided in §150.224.

(3) On through lots a front yard is required on each street.

(4) Open, unenclosed, or screened porch (not a glass enclosed porch or sun parlor)

may project into front yard a maximum of 10 feet.

(B) Accessory buildings - The established building setback line plus an additional 25 feet.

(C) Minimum front yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.46 MINIMUM SIDE YARD.

(A) Principal and accessory buildings shall have a side yard of no less than 8 feet. (Ord. 2005-5 passed 04-05-2005)

(B) Minimum side yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.47 MINIMUM REAR YARD.

(A) Principal buildings shall have a rear yard of at least 20% of the lot depth, but such yard need not exceed 40 feet.

(B) Accessory buildings shall have a minimum rear yard of 10 feet.

(C) Minimum rear yards for uses by special exception are defined in §150.193. (Ord. 1978-4, passed 3-21-78)

§ 150.48 MAXIMUM HEIGHT OF BUILDINGS.

(A) Principal buildings - 35 feet or 2½ stories.

(B) Accessory buildings - 18 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.49 MINIMUM BUILDING SIZE.

Principal buildings shall have a minimum ground floor area of 800 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.50 MAXIMUM LOT COVERAGE.

All buildings including accessory buildings shall not cover more than 35% of the area of a lot. (Ord. 1978-4, passed 3-21-78)

R-H HOMESTEAD DISTRICT

§ 150.60 USES PERMITTED.

- (A) Single-family dwellings.
- (B) Public park and public recreational facility.
- (C) Accessory buildings, except that they may not be erected prior to the erection of the principal buildings.
- (D) Accessory uses, as defined in §150.228(E) (Ord. 1978-4, passed 3-21-78)

§ 150.61 CONTINGENT USES PERMITTED BY SPECIAL EXCEPTION.

The following contingent uses may be permitted by special exception in accordance with the procedure defined in §150.191 and §§150.200 through 150.204.

- (A) Home occupation.
- (B) Professional office.
- (C) Temporary sign, pertaining to lease, hire, or sale of a building or premises. (Ord. 1978-4, passed 3-21-78)

§ 150.62 MINIMUM AREA OF LOT.

- (A) Single-family dwellings - 40,000 square feet.
- (B) All other permitted uses - 40,000 square feet. (Ord. 1978-4, passed 3-21-78)

§ 150.63 MINIMUM WIDTH OF LOT.

All permitted uses - 100 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.64 MINIMUM FRONT YARD.

All permitted uses - 40 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.65 MINIMUM SIDE YARD.

All permitted uses - 10 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.66 MINIMUM REAR YARD.

All permitted uses - 30 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.67 MAXIMUM HEIGHT OF BUILDINGS.

(A) Principal buildings - 35 feet.

(B) Accessory buildings - 18 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.68 MINIMUM BUILDING SIZE.

Principal buildings shall have a minimum ground floor area of 800 feet. (Ord. 1978-4, passed 3-21-78)

§ 150.69 MAXIMUM LOT COVERAGE.

All buildings including accessory buildings shall not cover more than 35% of the area of a lot. (Ord. 1978-4, passed 3-21-78)