

## ARTICLE 21

### EXCEPTIONS AND MODIFICATIONS

#### SECTIONS:

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| 20.020 | Front Yard                  |
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#### **20.010 Height**

Height limitations stipulated elsewhere in this report shall not apply:

1. To barns, silos, or other farm buildings or structures on farms, provided these are not less than 50 feet from every lot line; to church spires, belfries, cupolas and domes, monuments, water towers, fire and hose towers, masts and aerials; to parapet walls extending not more than four (4) feet above the limiting height of the building. However, if, in the opinion of the Building Inspector, or his equivalent, such structures would adversely affect adjoining or adjacent properties, such greater height shall not be authorized except by the Board of Adjustment.
2. To places of public assembly such as churches, schools, and other permitted public and semi-public buildings not to exceed six (6) stories of 75 feet, provided that for each foot by which the height of such building exceeds the maximum height otherwise permitted in the district its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the district.
3. To bulkheads, conveyors, derricks, elevator penthouses, water tanks, monitors and scenery lofts; to monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other structures, where the manufacturing process requires a greater height. Where a permitted use requires greater heights than specified, such may be authorized by the Board of Adjustment.

### **21.020 Front Yard**

1. Front Yard Requirements Do Not Apply. To bay windows or balconies occupying in the aggregate not more than 1/3 of the front wall; to chimneys, flues, belt courses, leaders, sills, pilasters, uncovered porches, plantings, or similar features not over three (3) feet high above the average finished grade and five (5) distant feet from every lot line. A fence or hedge not exceeding three (3) feet in height shall be permitted with the front yard provided that such does not obstruct vision.
2. Permitted Variations. In any district where the average depth of two or more existing front yards on lots within 100 feet of the lot in question and within the same block front is less or yards may be varied. The depth of the front yard on such lots shall not be less than the average of said existing front yards or the average depth of the two lots immediately adjoining, or in the case of a corner lot, the depth of the front yard on the lot immediately adjoining; provided, however, that the depth of the front yard on a lot in any "R" District shall be at least 15 feet and need not exceed 60 feet.

### **21.030 Side Yard Exceptions and Modifications**

1. Along any district boundary line, any abutting side yard on a lot in the less restricted district shall have at least width equal to that required in the more restrictive district. Where a lot in an "I" or "B" District abuts a lot in an "R" District, the side yard shall be increased by three (3) feet for each story that the building proposed on such lot exceeds the height limit of said "R" District.
2. Side Yards Shall be Increased. In width by two (2) inches for each foot by which the length of the side wall of the building, adjacent to the side yard, exceeds 40 feet in any "R-1" District, or 50 feet in any "R-2" District.
3. Side Yards May be Reduced. By three (3) inches from the otherwise required least width of each side yard for each foot by which a lot of record at the time of enactment of the ordinance is narrower than the lot width specified for the district in which the lot is located, in the case of buildings not higher than 2 ½ stories, and in case the owner of record does not own any adjoining property; provided, however and irrespective of the provisions of Subsection 15.4F that no side yard shall be narrower at any point than three (3) feet.
4. Side Yards may be Measured to the Center Line of Adjoining Alleys. But in no case shall a building or structure for which a side yard is required be erected within five (5) feet of such alley.
5. On a Corner Lot. The least width of a side yard along the side street lot line shall be equal to the required front yard along the side street.

6. Structures on Projections into Side Yards May be Permitted as Follows: Fences, plantings or walls not over six (6) feet above the average natural grade. Fire escapes, three (3) feet from side lot line. Bays and balconies not more than three (3) feet from the building. The sum of the lengths of such projection shall not exceed 1/3 of the length of the wall of the main building.
  - A. Chimneys, flues, belt courses, leaders, sills, pilasters and lintels, ornamental features, cornices, eaves, gutters, and the like, into or over a required side yard not more than 1 ½ feet.
  - B. Terraces, steps, uncovered porches, stoops, or similar features, not higher than the elevation of the ground story of the building and distant three (3) feet from a side lot line.

#### **21.040 Rear Yard Exceptions and Modifications**

1. Rear Yards May be Reduced. By three (3) inches from the required least depth for each foot by which a lot at the time of enactment of the ordinance is less than 100 feet deep, in the case of a building not higher than 2 ½ stories, and in case the owner of record does not own adjoining property to the rear; provided, however, that no required rear yard shall be less than ten (10) feet deep.
2. Rear Yards May be Measured to the Centerline of Adjoining Alleys. But in no case shall a building or structure be erected within ten (10) feet of such an alley.
3. Structures or Projections into Rear Yards May be permitted as Follows. Fences, plantings or walls not over six (6) feet above the average natural grade. Fire escapes, six (6) feet. Bays and balconies, not more than three (3) feet. The sum of the lengths of such projections shall not exceed ½ of the width of the rear wall. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves gutters, and the like, into or over a required rear yard not more than 1 ½ feet.

#### **21.050 Visibility at Intersections**

In each quadrant of every street intersection there shall be designed a vision clearance triangle, bounded by the inner street lines and a line connecting them thirty-five (35) feet from their intersection. Within this triangle no object shall be allowed between the height of two and one-half (2 ½) feet and ten (10) feet above the streets if it obstructs the view of the triangle.