

Section 4-1 GENERAL REGULATIONS AND RESTRICTIONS

This is a listing of general regulations and restrictions that apply to all zoning districts within this municipality. Any district having restrictions more stringent than the ones listed below will state those restrictions in the Section for that district. The more stringent restrictions shall take precedent over the regulations listed here.

A) No Nuisances: No production, processing, cleaning, servicing, testing, repair, sale, or storage of goods, materials, or equipment shall unreasonably interfere with the use, occupancy, or enjoyment of neighboring properties or the community as a whole. Unreasonable interference's include, but are not limited to visual distress, odor, dust, smoke, noise, vibration, gases, excessive glare, or other similar disturbances.

B) Refuse Containers:

1) Residential: All refuse shall be stored in tightly-covered containers to prevent access to the refuse by animals. All residents are responsible for the timely and proper disposal of any and all refuse generated by the residence.

2) Non-residential: All refuse shall be stored in tightly-covered containers and kept in a visually screened area. Screening shall be placed on all sides of the dumpsters with only one side accessible for the collection crews. All establishments are responsible for the timely and proper disposal of any and all refuse generated by that particular use.

C) Signs: All uses shall comply with the regulations of the sign ordinance as given in Article 5.

D) Outdoor Commercial Activities: All commercial businesses, services, and storage activities should be conducted within enclosed structures. Unenclosed services and activities may be allowed for a limited time under restricted conditions as established by the Administrator. Commercial establishments having permanent outdoor storage or activities shall enclose all such activities by walls, solid fences, or other means of visual screening approved by the Administrator.

E) Screening between business and residential districts: Any commercial establishment that abuts a residential district shall provide a wall, solid fence, or other type of screening along the side and rear lot lines. The screening shall be of sufficient density to block the neighbors' view of the establishment and must be approved by the Administrator. The screening shall be maintained and kept in good condition to ensure continued screening.

F) Calculation of Floor Areas: To calculate the minimum floor area for multi-family residential uses, the total floor area of all living space shall be used. Utility rooms shall not be counted as part of a dwelling unit's livable area. For non-residential uses, the floor area is calculated by figuring the gross floor area as determined by the exterior dimensions of the building.

G) Determination of Permitted Uses: Any use classified as one of the categories listed under the Permitted Uses section shall be allowed to establish itself within the district. Any use that is not listed under the Permitted Uses section but is compatible or comparable to the uses listed there may request an Initial Certificate of Zoning Compliance from the Administrator. The Administrator shall either issue the requested certificate or a letter explaining why the proposed use is not compatible with the intentions of the Zoning Ordinance. Any person disagreeing with the Administrator's decision may appeal it to the Board of Appeals by following the process given in this ordinance. All non-residential uses, whether permitted or a special use, must receive a Final Certificate of Zoning Compliance from the Administrator prior to opening to the general public. Failure to do so shall constitute a violation of this ordinance, with the person in violation being subject to fines and penalties.

H) In all Business districts, only the manufacturing, processing, and/or treatment of products which are clearly incidental and essential to the business conducted on the premises is permitted. Only businesses that make their goods and services available directly to the general public shall be permitted.

I) Calculation of Lot Coverage & Setbacks: In calculating the amount of lot coverage, the floor area of the principal structure and any accessory structures shall be totaled and divided by the total area of the lot. Overhangs greater than four feet in width shall be included when calculating the amount of lot coverage.

Setbacks will be measured from the property line to the nearest wall of a structure, provided that the roof overhang does not exceed two feet in width. For structures containing an overhang of more than two feet in width, the setback will be measured to the edge of the overhang. For uses involving no structure or building, setbacks will be measured from the property line to the edge of the area of operation. (Ord. 97-14)