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Section 1140.01: RESIDENTIAL DISTRICTS. No accessory buildings on an internal lot may be located within ten (10) feet of the side or rear lot lines or from the designated setback on a corner lot. No accessory building shall exceed the height of the principal building. If detached, they shall not be located closer than six (6) feet from the principal structure. A concrete slab or other suitable foundation shall be required. Such accessory building, including private garages or structures used or intended for the storage of passenger automobiles, shall not be larger than one thousand two hundred eighty (1280) square feet nor shall any access door or other opening exceed the height of (10) feet.

Accessory buildings shall not occupy more than 25 percent of the rear and side yard.

Section 1140.02: COMMERCIAL AND INDUSTRIAL DISTRICTS. No accessory building shall exceed the height of the principal building except by conditional use permit. Accessory buildings may be located any place to the rear of the principal building, subject to the building code and the fire zone regulations, except where prohibited by other sections of this Code.

Section 1140.03: IN ALL DISTRICTS. An accessory building shall be considered as an integral part of the principal building if it is located less than six (6) feet from the principal building.

Accessory structures located on stream or river frontage lots may be located between the public road and the principal structure only if it is clearly demonstrated that physical conditions require such a location.

Section 1140.04: DWELLING UNITS PROHIBITED. No basement, garage, tent, trailer, or accessory building shall be used as a permanent dwelling. The basement portion of finished home or apartment may be used for normal eating and sleeping purposes provided it is properly damp-proofed, has suitable fire protection and exits, and is otherwise approved by the Building Inspector.

Section 1140.05: RELOCATING STRUCTURES.

Subd. 1. Permit Required. Every licensed house mover shall, before raising, holding up or moving any building, obtain a permit thereafter from the Zoning Administrator. An application for such permit shall designate the origin and destination of such building, the route over which it is to be moved and shall state the time at which the moving of such building shall be accomplished. The permit shall also indicate the location of the lot on which the house is to be located, the dimensions of the lot and the proposed location of the structure on the lot along with setback distances. No permit to move a building shall be issued unless and until the following conditions are fully complied with and approved by the Zoning Administrator.

Subd. 2. Compliance. The building to be moved must comply in all respects with the State Building Code and the Kimball Zoning Ordinance.

Subd. 3. Lot. The lot on which the building is to be located must meet all the minimum dimensional requirements of the zoning district in which it is located.

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Subd. 4. Placement. The building must be placed on the lot so as to meet all the front, side and rear yard requirements as set forth in the zoning ordinance.

Subd. 5. Electrical Correction Requirements. In every case in which a moving permit shall be issued as herein provided, for the removal required or the displacement of any overhead electrical or other wires, it shall be the duty of the person, association, or corporation owning, operating or controlling said wires to remove or displace the same, so far as the same may be necessary to effect the removal thereof, shall be authorized by such permit. The person to whom said permit shall have been issued shall notify the person, association, or corporation owning, operating, or controlling said wire to remove or displace the same to facilitate the removal of said wires sufficiently to allow the passage of said building along the street over which said wires are suspended. Any expenses incurred or to be incurred in the moving, removing or displacing of such wire shall be paid for by the person who makes application for said permit.

Subd. 6. Application Procedure. The Zoning Administrator shall submit the application to the Planning Commission for approval and recommendations to the City Council at the next stated meeting of said commission. The Planning Commission shall determine whether such application shall conform to the immediate surrounding community. The Planning Commission in its discretion shall call a public meeting of resident owners within a radius of 350 feet from subject property for owner's reviewal of the proposed application. The Planning Commission will determine the application on its merits and make its recommendation to the Council. The City Council shall take action to approve or disapprove the permit within 30 days after receiving the recommendations of the Planning Commission.

Section 1140.06: SOIL EROSION AND SEDIMENT CONTROL. The following standards shall apply to all development and activity that necessitates the grading, stripping, cutting, filling or exposure of soils.

Subd. 1. General Standards. The development shall conform to the natural limitations presented by topography and soil so as to create the least potential for soil erosion. Erosion and siltation control measures shall be coordinated with the different stages of development. Appropriate control measures shall be installed prior to development when necessary to control erosion. Land shall be developed in increments of workable size such that adequate erosion and siltation controls can be provided as construction progresses. The smallest practical area of land shall be exposed at any one period of time.

Subd. 2. Drainage System. The drainage system shall be constructed and operational as quickly as possible during construction. Whenever possible, natural vegetation shall be retained and protected. Where the topsoil is removed, sufficient arable soil shall be set aside for re-spreading over the developed area. The soil shall be restored to a depth of four (4) inches and shall be of a quality at least equal to the soil quality prior to development. When soil is exposed, the exposure shall be for the shortest feasible period of time. No exposure shall be planned to exceed 60 days. Said time period may be extended only if the Planning Department is satisfied that adequate measures have been established and will remain in place.

Subd. 3. Stormwater. The natural drainage system shall be used as far as it is feasible for the storage and flow of runoff. Stormwater drainage shall be discharged to marshlands, swamps, retention basins and other treatment facilities. Diversion of stormwater to marshlands or swamps shall be considered for existing or planned surface drainage. Marshlands and swamps used for stormwater shall provide for natural or artificial water level control. Temporary storage areas or

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retention basins scattered throughout developed areas shall be encouraged to reduce peak flows, erosion damage, and construction cost.

Section 1140.07: TREE AND WOODLAND PRESERVATION. The following restrictions shall apply to all development.

Structures and other amenities shall be located in such a manner that the optimum number of trees shall be preserved. Prior to the granting of a building permit, it shall be the duty of the person seeking the permit to demonstrate that there are no feasible or prudent alternatives to the cutting of trees on the site and that if trees are cut, he will restore the density of trees to that which existed before development, but in no case shall be compelled to raise the density above ten (10) trees per acre.

Forestation, reforestation or landscaping shall utilize a variety of tree species and shall not utilize any species presently under disease epidemic. Species planted shall be hardy under local conditions and compatible with the local landscape. Development including grading and contouring shall take place in such a manner that the root zone aeration stability of existing trees shall not be affected and shall provide existing trees with a watering equal to one-half the crown area.

Notwithstanding the above, the removal of trees seriously damaged by storms or other acts of God, or diseases trees shall not be prohibited.