

SECTION 172

Supplemental Site Development Regulations

172.01 Purpose

The Supplemental Site Development Regulations establish basic requirements for all lots, including frontage requirements. These regulations recognize the existence of special conditions that cannot comply literally with the site development regulations set out for each zoning district. Therefore, these regulations qualify or modify the district regulations of this Ordinance and provide for specific areas of exception.

172.02 Required Street Frontage

Except as permitted below, any lot used in whole or part for residential purposes shall provide a minimum frontage of 20 feet along at least one public street, or shall possess an exclusive, uninterrupted private easement of access or right of way of at least 20 feet wide to a public street. There shall not be more than one single-family housing unit for such frontage or easement. A common easement of access at least fifty feet in width may be provided for two or more single-family units or for one or more duplex, two-family, townhouse, or multiple-family housing units.

172.03 Lot Size Exceptions-Replacement Housing

In any district permitting residential use types, a single-family or duplex use type which is replacing a preexisting structure of the same use type may be located on any lot or plot of official record as of the effective date of this Ordinance, regardless of its area or width, but subject to the following requirements:

- a. The sum of the widths of the side yards of such lot shall be the lesser of those required by the district regulations or 25% of the width of the lot. No single side yard shall be less than 10% of the width of the lot.
- b. The depth of the rear yard of such lot need not exceed 20% of the depth of the lot, but shall not be less than 15 feet.
- c. If two or more such adjacent lots are combined under single ownership, the resulting combined lots shall be treated as a single lot for purposes of applying these setback requirements.

172.04 Setback Adjustments

a. Lots Adjoining Alleys

In calculating the depth of a required side or rear yard setback for a lot adjoining a dedicated public alley, one-half of the alley may be credited as a portion of the yard. However, no residential structure may be nearer than four feet to the near side of the alley and setback requirements for accessory buildings shall not be decreased.

b. Encroachments on Required Yards

Every part of a required yard shall be open and unobstructed from finished grade upward, except as specified herein.

1. Architectural projections, including roofs which cover porches, enclosed porches, window sills, belt courses, cornices, eaves, flues and chimneys, stoops and ornamental features may project four feet into a required yard.
2. Terraces, patios, uncovered decks, retaining walls, and ornamental features which have no structural element more than three feet above or below the adjacent ground level may project ten feet into a required yard. However, all such projections must be set back at least three feet from an adjacent side lot line or rear lot line; or twenty feet from any street property line.
3. In Residential Districts, paved and prepared parking areas must be set back at least two (2) feet from an adjacent side lot line.
4. Fire escapes, fireproof outside stairways, and balconies opening to fire towers may project a maximum of 3 feet into required yards, provided that they do not obstruct the light and ventilation of adjacent buildings.
5. For buildings constructed upon a front property line, a cornice may project into public right-of-way. Maximum projection is the smaller of four feet or five percent of the right-of-way width.
6. In commercial districts only, a canopy or awning may extend into a required front yard, provided that the canopy or awning is set back at least five feet from the front property line, covers less than fifteen percent of the total area of the required front yard, and has a vertical clearance of at least 7.5 feet. In the DC zone, canopies and awnings may exceed fifteen percent of the area of the required front yard. Awnings and canopies in the DC zone are subject to the following general regulations:
 - (a) Maximum projection of any Awning or Canopy shall be as follows:
 1. In the DC zone, an awning may extend from the façade of a building to a distance of 6 feet from the inside edge of the curb. Canopies shall not be constructed in the DC zone.
 2. In all other commercial zones, exclusive of the DC zone, awnings and canopies are subject to the same regulations set forth in section 175.04(e).
 - (b) Each awning in the DC zone must maintain a minimum vertical clearance of 7.5 feet.
 - (c) Awnings must minimize visible support structures and may not expose guy wires, cables, turnbuckles, angle iron or any other similar external support structure.
 - (d) Awnings may project into and over a public right of way or sidewalk in the DC zone so long as no posts or other devices are used to support the awning in such manner as to obstruct the sidewalk or hinder or interfere with the free passage of pedestrians.
7. Accessory buildings are subject to all site development regulations of its zoning district, except as provided below:
 - (a) Side Yards: An accessory building may be located a minimum of five (5) feet from the side lot line of the property if it is located between the rear building line of the principal building and the rear property line and is under 15 feet in height. An additional one foot setback is required for every two (2) feet above 15 feet in height, up to the minimum requirements of the zoning district.

- (b) Front Yards: No accessory building may be located between the front building line of the principal building and the front property line.
- (c) Rear Yard: The minimum rear yard setback for accessory buildings shall be 5 feet. This minimum rear yard setback shall be increased to 15 feet if the accessory building is a garage with a vehicular entrance door that is directly oriented toward an alley. Double-frontage lots shall require front-yard setbacks along both street frontages as set forth in Table 168-3. Easements may be incorporated into these required setbacks. No accessory building shall be located within any easement or right-of-way along the rear property line.
- (d) Street Yards: No accessory building shall be located within 20 feet from any street right-of-way line.
- (e) Maximum Size: No accessory building other than a garage shall exceed 150 square feet, or 1.5% of total lot area, whichever is larger, within an R-1, R-2, R-3, R-4, or MH residential district, providing that the necessary building permit is obtained. The maximum size of a detached garage for a single-family detached, single-family attached, or duplex residential uses shall not exceed 720 square feet, or 25% of the building coverage of the main residential structure, whichever is larger. Residential lots with a minimum 12,500 square feet may construct a garage that is 4% of the total lot area or 720 square feet, whichever is larger, up to a maximum of 1000 square feet. Residential lots with a minimum of 25,000 square feet may be allowed to construct a garage larger than 1000 square feet with a conditional use permit. All accessory buildings on a site, taken together, must comply with the building coverage requirements for the zoning district and shall not occupy more than 30% of any required rear yard.
- (f) Height: In residential districts, the maximum height shall be 16 feet for any accessory building. Maximum height for a detached garage and/or other accessory building in an AR District shall be 20 feet.
- (g) Separation from Other Buildings: No accessory building shall be placed within ten feet of any other building on its own property or any adjacent properties.
- (h) Attached Accessory Buildings: Any accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.
- (i) Effect on Adjacent Properties: If an adjacent lot is built upon, the accessory building must be entirely to the rear of the front wall of any principal building on such adjacent lot. No accessory building shall damage adjacent property by obstructing views, inhibiting solar access, or hindering ventilation.
- (j) Hazards: Any accessory use which creates a potential fire hazard shall be located a minimum of 10 feet from any residential structure. Such uses include but are not limited to detached fireplaces, barbecue ovens, or storage of flammable materials.
- (k) No accessory building shall be built upon any lot until construction of the principal building has begun.
8. Permanent swimming pools shall be subject to the same front yard, side yard, rear yard, and street side yard setback as accessory buildings.
9. Lamp posts with a maximum height of ten (10) feet, and flag poles up to maximum height of base district may be located within required yards, provided they are set back at least five (5) feet from property lines.

10. Garage Setbacks: Any garage that fronts on a public street must be set back at least 20 feet from such street, regardless of the setback requirement within the zoning district. This shall not be interpreted to waive a larger required minimum setback required by the zoning district.

c. Architectural Requirements for Detached Garages and Carports

1. Exterior building materials and architectural designs used for detached garages for single-family detached, single-family attached or duplex residential structures shall be comparable to, or similar to, or architecturally harmonious with, the existing main residential structure.

2. Exterior materials shall be non-reflective and shall be of a color, material, and scale comparable to existing residential structures in the immediate area. Permanent siding shall be, or simulate, wood, wood shingles, brick, masonry, or tile. The roof shall be pitched with a minimum vertical rise of 2.5 inches for each 12 inches of horizontal run. Roof construction shall be of non-reflective materials which are or simulate the appearance of asphalt, wood shingles, tile, rock, or standing seam metal with concealed fasteners. Any standing seam metal roof shall be stamped by a licensed engineer, shall be installed by a certified installer of standing seam metal roofs in accord with the regulations provided in the International Residential Code Book, as from time to time may be amended.

3. Unless made an integral part of the primary structure or residence, all carports are subject to the setback requirements as set forth in this chapter for detached garages. It shall be unlawful for a person to erect, utilize, or maintain a carport unless:

- a. It is soundly constructed of lumber, steel, or other suitable materials to be approved by the administrative officer;
- b. It is similar to or architecturally harmonious with the existing primary structure in the discretion of the administrative officer;
- c. It is affixed to the ground by concrete footings; and
- d. It has a permanent and impervious ground cover of gravel, concrete, or asphalt for which vehicles may be allowed to rest.

d. Setback Adjustment

1. Setbacks on Built-Up City Blockfaces

These provisions apply if thirty percent or more of the buildings on that blockface have front yard setbacks different from those required for the specific district.

(a) If a building is to be built on a parcel of land within 100 feet of existing buildings on both sides, the minimum front yard shall be the mean setbacks of the adjacent buildings.

(b) If a building is to be built on a parcel of land within 100 feet of an existing building on one side only, the minimum front yard shall be the setback of the adjacent building.

(c) If a building is to be built on a parcel of land not within 100 feet of an existing building on either side, then the minimum front yard shall be the mean setback of all existing buildings on the blockface.

(d) No setback adjustment pursuant to this section shall create a required front yard setback more than five feet greater than that otherwise required by the applicable zoning district.

2. Corner Lots

Required setbacks shall not reduce the buildable width of any corner lot to less than 24 feet. Appropriate setback adjustments shall be allowed to maintain this minimum width.

e. Rear Yard Exceptions - Residential Uses

When an irregular lot is used for residential purposes, the rear yard may be measured as the average horizontal distance between the building and rear lot line, provided that the minimum setback shall not be less than sixty percent (60%) of the rear yard required by the zoning district.

f. Double Frontage Lots

Residentially zoned double frontage lots on a major street, and with no access to that street may have a 25-foot minimum front yard setback along said street. All other double frontage lots must provide full front yard setbacks from each adjacent street.

g. Satellite Antennas

1. Each lot shall have no more than one satellite antenna.
2. Antennas with a surface area over 6.3 square feet which are accessory to a primary use and are designed to receive and transmit electromagnetic signals, or to receive signals from satellites, shall not be located within any front yard of the primary use.
3. Antennas with a surface area of over 6.3 square feet are subject to the following additional regulations:
 - (a) Such antennas shall be located no less than ten feet from the property line of an adjacent property line.
 - (b) The maximum height shall be 15 feet and the maximum diameter shall be 11 feet.
 - (c) Each antenna shall be screened by a six foot high wood or masonry fence, or by natural plants or trees of equal minimum height.

h. Vision Clearance Zones

Except in the DC District, no structure, including a fence, shall be built to a height of more than three feet above the established curb grade on the part of the lot within a vision clearance zone. The vision clearance zone shall be a triangle measured from the point of intersection of the centerline of the streets to a point 90 feet in each direction from the intersection along such centerlines. At the intersection of major streets, the 90-foot distance shall be increased to 120 feet. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection.

172.05 Height Exceptions

These provisions allow exceptions to the height limit of any zoning district in certain situations.

a. Vertical Projections

Chimneys, cooling towers, building mechanical equipment, elevator bulkheads, fire towers, grain elevators, non-parabolic receiving antennas, tanks, solariums, steeples, penthouses not exceeding 25 percent of total roof area, flag poles, stage towers or scenery lofts, and water towers may be built to any height in accordance with existing and future ordinances.

b. Amateur Radio Towers and Federal Communication Commission Pronouncements

1. Radio towers, antennas and other appurtenances operated by licensed amateur radio operators, where permitted and when, may not exceed 75 feet in height. This height has been determined by the City to reasonably accommodate amateur service communications, and further represents the minimum practicable regulation to accomplish legitimate municipal land use regulation purpose, as recognized under published guidelines of the Federal Communications Commission.

2. Special instances may require that amateur radio tower heights exceed 75 feet to achieve effective and reliable communications. In such cases, the Board of Adjustment may grant a Conditional Use Permit to a licensed amateur radio operator for a specific tower height that exceeds 75 feet. In determining whether to grant such permission, the City Council shall consider the federal guidelines contained in PRB-1 (Amateur Radio Preemption, 101 FCC 2d (1985); codified at C.F.R. Section 97.15(e).

3. Such radio towers shall not be located within any front yard of the primary use.

c. Civic Buildings

Buildings housing civic use types may be built to a maximum height of 60 feet. Such buildings located in residential districts shall be set back one foot in addition to required setbacks from each property line for each foot of height over the maximum height of the zoning district.

d. Communications Towers

Communications towers, when operated by a federally-licensed commercial or non-profit organization, may be built to any height in accordance with existing and future ordinances. This exception does not apply to radio towers, antennas and other appurtenances operated by licensed amateur radio operators. Such towers are subject to the requirements of Section 10.610b.

e. Wind Energy Conservation Systems (WECS)

Wind Energy Conservation Systems are exempt from the height restrictions of the base district but are subject to the regulations of Section 171.

f. Conditional Use Approvals

The Planning Commission may grant an exception from the height limit for a zoning district for a Conditional Use as part of its approval of that use. The limit or extent of this exception shall be a specific part of the Conditional Use Permit.

g. Federal Aviation Administration Rules

No structure may be built in any zoning district which exceeds the maximum height permitted under the rules of the Federal Aviation Administration. These rules describe the glide angles and operational patterns for any airport within the planning jurisdiction of the City of Glenwood.

a. Purpose

In the instance that the Subdivision Chapter of the Land Development Ordinance provides for Conservation Subdivisions, the city may authorize such subdivisions to allow for greater flexibility in the design and development of subdivisions, in order to produce innovative residential environments, to provide for more efficient use of land, to protect topographic and to encourage the preservation of common area and open space. These special regulations and design exceptions apply only to Conservation Subdivisions. For the purposes of these provisions, Conservation Subdivisions shall include subdivisions developed under the standards identified in Section 170.40 or subdivisions designed according to Traditional Neighborhood Development (TND) techniques, set forth in Section 181.05.

b. Site Area Per Unit

1. Unless otherwise provided, the site area per unit for a creative subdivision as a whole shall be that of the zoning district in which such subdivision is located. For the purpose of computing site area per unit, the area of public streets and private ways within the subdivision must be excluded. Residential use types may be combined within the creative subdivision provided that the subdivision as a whole complies with the required maximum density of the zoning district.

c. Perimeter Yards

1. Structures must maintain normal street yard setbacks from any public streets that form the perimeter of the development.
2. Structures must maintain a 20 foot minimum side yard setback from any property line that forms the boundary of the development.

d. Area and Yards for Individual Lots

1. Individual lots within a Conservation Subdivision or TND are exempt from minimum lot area or yard setback requirements set forth elsewhere in this Ordinance, unless provided for by the regulations for a specific zoning district. Such a subdivision must be planned and developed as a common development. A minimum separation of twenty (20) feet shall be established for all residential structures not attached to one another, unless the City Council grants a specific exception for developments proposing unique circumstances, only in as much as said development can be demonstrated to avoid detriment to Glenwood's efforts to protect public health, safety, welfare, community character, property values and aesthetics.
2. Any private garage oriented to or facing a public street or private way internal to the creative subdivision must be set back a minimum of 25 feet from that public street or private way.

e. Coverage and Landscaping Requirements

Individual lots in a creative subdivision are exempt from maximum building and impervious coverage limitations and street yard landscaping requirements established for the zoning district. However, the subdivision as a whole, including streets, walks, and access ways, must comply with the building and impervious coverage regulations for its zoning district.

a. Location Restriction

1. Unless otherwise provided by this Ordinance or other sections of the Glenwood Municipal Code, no fence shall be built on any lot or tract outside the surveyed lot lines.

2. No fence shall be built by a private party on public land without the specific prior approval of the City. Removal of any such fence shall be at the expense of its owner.

b. Applicability

The regulations contained in this section apply to all fences with a height above grade of 30 inches and over.

c. Required Openings

Unless otherwise provided by this Ordinance or other sections of the Glenwood Municipal Code, any fence built on residential property within required front or street side yards shall contain openings constituting no less than 50 percent of the surface area of the fence.

d. Sight Obstruction at Street Intersections

No fence or hedge permitted or required by this article or other sections of the Glenwood Municipal Code shall be built to a height of more than three feet above the established curb grade on the part of the lot within a vision clearance zone. The vision clearance zone shall for fence construction shall include:

1. At street intersections, a triangle measured from the point of intersection of the centerline of the streets to a point 90 feet in each direction from the intersection along such centerlines. At the intersection of major streets, the 90-foot distance shall be increased to 120 feet. No landscaping shall be planted in such area which will materially obstruct the view of drivers approaching the street intersection.

2. At intersections of a sidewalk and alley or non-residential driveway or parking lot access, a triangle whose legs extend 10 feet back from the sidewalk along the alley or driveway, and 20 feet parallel to and along the back of the sidewalk back from the intersecting alley or driveway. See diagram 172-1.

e. Facing

The finished surfaces of any fence shall face toward adjacent properties and street frontage.

f. Effect on Adjacent Properties and Drainage

1. No accessory building shall damage adjacent property by obstructing views, inhibiting solar access, or hindering ventilation.

2. Fences shall be erected and maintained so as to avoid limiting or obstructing the flow of water in natural drainage courses, or drainageways created within easements.

g. Fence Construction on Utility Easements

Any fence erected on a tract of land subject to an easement for the construction, maintenance, operations, or replacement of any water, sanitary or storm sewer, gas line, electric power, telephone, or other utility poles, or other cables or lines shall be designed and constructed to be readily

removable to permit the use of the easement. Such fences shall be subject to removal by request of the owner of the easement whenever necessary to permit access. The cost of removal or replacement shall be the responsibility of the owner of the fence.

h. Protective Fences around Swimming Pools

- See permanent Pools - 11/6/19

A fence with a minimum height of six feet and compliant with the terms of this section shall be required around public or permanent private swimming pools.

i. Residential Fences

Fences constructed within residential districts or on land used for residential purposes are subject to the following provisions.

1. Height: The maximum height of a fence within a required front yard or street side yard setback shall be 42 inches. The maximum height for any fence outside of a required front yard shall be six feet. 3.5 ft.
2. Exception for Street Side Yards: On corner lots, a fence built parallel to the street side yard line but set back in conformance with the required street yard setback may have a maximum height of six feet.
3. Exception to Openness Requirement: Fences built on residential property outside of required front or street side yards may exceed of 50 percent closed construction.
4. Exception for Front Yards of Double Frontage Lots: A fence built within the required front yard of a double frontage lot may be a maximum of six feet in height and may exceed 50 percent closed construction if such lot fronts an arterial street or expressway, as defined in the Comprehensive Development Plan of the City of Glenwood; and if such frontage does not provide primary access to the property.
5. Materials: Fences shall be constructed of wood, chain-link, PVC/ resin, stone or masonry materials, or ornamental metals only. Wood fences shall utilize standard building lumber only. Barbed wire and/or electrified fences are not permitted, and are defined as any fence that includes in its material barbs, blades, razors, electric current or other features specifically designed to injure or abrade an individual or animal who attempts to negotiate the fence. Wire mesh fences may be permitted to enclose tennis courts and game and recreation areas on public land and residential lots.

j. Civic, Office, Commercial, and Industrial Fences

Fences constructed in commercial and industrial districts are subject to the following special provisions:

1. The maximum height of a fence for any permitted use in any non-residential zoning district shall be eight feet.
2. Civic Uses in Residential Districts: The maximum height of fences installed as part of Primary and Secondary Educational Facilities, Day Care, and Park and Recreation Use Types, or any other use that provides secured outdoor space for the use of children within Residential Zoning Districts shall be eight feet.
3. The Board of Adjustment may approve greater fence heights on a case-by-case basis if it concludes that such permission furthers the health, safety, and welfare of the residents of the City of Glenwood.

4. Barbed wire shall not be used in the construction of any fence outside of the AR Agricultural Reserve and GI General Industrial Zoning Districts. Within GI Districts, the bottom strand of barbed wire shall be at least six feet above ground level. Electrified fences are not permitted within the jurisdiction of the City of Glenwood, except for agricultural uses within the AR District.

172.08 Appeals

Denial, revocations, or cancellations of a building permit based on the provisions of this Section may be appealed to the Board of Adjustment, as set forth in Sections 177.08 through 177.10.

DIAGRAM 172-1

