

## TITLE

This document shall be known as "The Zoning Regulation of the City of Corydon, Henderson County, Kentucky", and all explanatory matter therein is hereby adopted and made part of this regulation.

## ENACTING CLAUSE

The City Council of Corydon, Kentucky does adopt as follows:

In pursuance of the authority granted by Kentucky Revised Statutes, Chapter 100, Section 100.201 through 100.271, to a legislative body to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of the lot that may be occupied, the size of yards, courts and open spaces, structures and land for trade, industry, residence, or other purposes, that the City of Corydon be divided into districts as herein after described, and that the regulations, restrictions, and boundaries of districts shall be established, enforced and amended as provided in this Regulation.

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ARTICLE I

PURPOSE

## ARTICLE I

### PURPOSE

Zoning Regulations and districts as herein set forth have been made in order to promote public health, safety, morals and general welfare of the community, to facilitate orderly and harmonious development and the visual character of the community, and to regulate the density of population and intensity of land use in order to provide for adequate light and air. Further, these regulations provide for vehicular fire and police protection and preventing the overcrowding of land, blight, danger and congestion in the circulation of people and commodities and the loss of life, health or prosperity from fire, flood and other dangers. It is further employed to protect highways and other transportation facilities, public facilities, including schools and public grounds, commercial, industrial, residential, and other specific uses which warrant special protection by the Community.

ARTICLE II

DEFINITIONS

## ARTICLE II

### DEFINITIONS

SECTION 2.01. DEFINITIONS. For the purpose of these regulations, certain terms and words shall be used and interpreted as defined hereinafter. Words used in the present tense include the future. The singular number includes the plural, and the plural the singular. The word "shall" is mandatory, not merely directive; the word "may" is permissive.

ACCESSORY STRUCTURE OR USE - Any structure or use, other than the principal structure or use, and detached therefrom by a reasonable distance, directly incidental to or required for the enjoyment of the permitted use of any premises; also, as specifically designated under the zoning district regulations of this chapter.

ADMINISTRATIVE OFFICIAL - Any department, employee, or advisory, elected or appointed body which is authorized to administer any provision of the zoning regulation, subdivision regulations, and if delegated, any provision of any housing or building regulation or any other land use control regulation.

ALLEY - Any public or private way which affords only a secondary means of access to abutting property.

ALTERATION - Any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, "altered or reconstructed".

APARTMENT - A room or suite of rooms used as a dwelling for one family which does its cooking therein.

BASEMENT - That portion of a building the average height of which is at least half below grade, which is ordinarily used for purposes such as storage, laundry facilities, household tool shops, and installation and operation of heating, cooling, ventilating facilities, but which is not ordinarily used for the purpose of general household habitation.

BLOCK - The property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream, or between any of the foregoing and any other barriers, to the continuity of development.

BOARD - The word "board" shall mean the Board of Zoning Adjustment as established in Article V of this Ordinance.

BOARDING HOUSE - A building arranged or used for lodging with or without meals for compensation, by more than five (5) and not more than twenty (20) individuals.

BUFFER - An area meeting specified widths and depths on the side(s) abutting, facing, or confronting between differing land uses. A buffer area serves as a physical and/or visual means of separating differing land uses. Where required under the provisions of these regulations, a buffer area shall be provided as specified herein.

BUILDABLE AREA - The portion of a building site remaining after required yards have been provided.

BUILDING HEIGHT - The vertical distance measured from the average finished grade at the front building line to the highest point of the structure.

BUILDING, PRINCIPAL - A building, including covered porches, carports, and attached garages in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated.

BUILDING, SEPARATE - Any portion of any structure completely separated from every other portion by masonry or a fire wall without any window, which wall extends from the ground to the roof.

BUILDING INSPECTOR - The Building Inspector of the City of Corydon, or his authorized representative.

BUILDING SITE - The land occupied or to be occupied by a principal building and its accessory buildings and including such open spaces, yards, minimum area, off-street parking facilities, and off-street truck loading facilities as are required by this ordinance; every building site shall abut upon a dedicated street. Any building site established after the effective date of this ordinance which occupies only a portion of a lot of record may be established only in accordance with the requirements of the Subdivision Regulations or this ordinance, whichever is more restrictive.

BUILDING LINE - A line established in general, parallel to the front street line between which line and the front street line, no part of a building shall project, except as otherwise provided by these regulations.

CARPORT - A shelter for one or more vehicles which is not fully enclosed by walls and one or more doors.

CERTIFICATE OF USE AND OCCUPANCY - The certificate issued by the building official which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the building in its several parts together with any special stipulation or conditions of the building permit.

CITY - The word "City" shall mean the City Council of Corydon, Henderson County, Kentucky.

CLERK - The Clerk of the Governing Body.

CLUB - An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics or the like, but not for profit.

COMMISSION - The word "Commission" shall mean the Henderson City-County Planning Commission.

CONDITIONAL USE - A use which is essential to or would promote the public health, safety, or welfare in one or more zones, but would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those imposed in the zoning regulation.

CONDITIONAL USE PERMIT - Legal authorization to undertake a conditional use issued by the administrative official pursuant to authorization by the Board of Zoning Adjustment, consisting of two parts:

- (1) A statement of the factual determination by the Board of Zoning Adjustment which justifies the issuance of the permit, and,
- (2) A statement of the specific conditions which must be met in order for the use to be permitted.

CONVALESCENT HOME - A convalescent home is a home for the care of the aged or infirm, or a place of rest for those suffering bodily disorders wherein two or more persons are cared for. Said home shall conform and qualify for license under State Law.

COURT - An open, unoccupied, unobstructed space, other than a yard on the same lot as a building.

DAY CARE FACILITY - A day care facility is designed to offer care and/or training to children or adults unrelated to the owner or director for any part of a day on some kind of regular basis. Such facility may or may not be operated for profit. For the purposes of the Zoning Regulations, a sitting service that is used at the convenience of parents or other relatives at irregular intervals will not be considered a day care facility.

Type of day care facilities: The services offered and ages of persons enrolled in a day care facility determine the classification of the facility. The name of the facility should be descriptive of its purpose.

- (1) A GROUP CARE CENTER (day nursery, day care center) is defined as a facility for six or more children, regardless of age, whose primary purpose is the care of the child for part of a day.
- (2) A NURSERY SCHOOL is defined as a school for two, three and four year old children which operates for periods generally not to exceed four (4) hours per day and whose primary purpose is education and guidance.
- (3) KINDERGARTEN is defined as a school for four and five year olds which operates for periods not to exceed four (4) hours per day and whose primary purpose is education and guidance for health, emotional and social development of the children.
- (4) FOSTER FAMILY DAY CARE is defined as a service in a private home offering care in a family setting to a maximum of five (5) children, including the foster family's own children during part of the day. Because of the special needs of the very young child, there should be no more than two (2) children under the age of two (2) years in a foster family day care home.
- (5) ADULT DAY CARE is defined as a personal care and supervision in a protective setting for adults outside their own home for less than twenty-four (24) hours per day. The program may include the provisions of daily medical supervision, nursing and other health care support, psycho-social assistance, or appropriate socialization stimuli or a combination of these. Adult day care is available for those persons who do not require twenty-four (24) hour per day institutional care, but who, because of physical and/or mental disability, are not capable of full-time independent living.

DENSITY - The number of families residing on, or dwelling units developed on, an acre of land. As used in these regulations, all densities are stated in families per acre.

DEVELOPMENT PLAN - Written and graphic material for the provision of a development, including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing manmade and natural conditions and all other conditions agreed to by the applicant.

DISTRICT - A portion of the jurisdiction of the Governing Body within which on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot acres and other requirements are established, i.e., residential district, commercial district, etc.

DRIVE-IN ESTABLISHMENT - A business establishment, other than a drive-in restaurant, so developed that its retail or service character is dependent on providing a drive-way approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle, and may include drive-in banks, drive-in cleaners and drive-in laundries.

DRIVE-IN RESTAURANT - Any place or premise used for the sale, dispensing or serving of food, refreshments, or beverages in automobiles, including establishments where customers may serve themselves and eat or drink the food, refreshments, or beverages in automobiles on the premises.

DWELLING UNIT - A single unit providing complete, independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

DWELLING UNIT, SINGLE FAMILY - 1) A building or structure designed and intended for occupancy by a single family constructed on site on a permanent foundation in compliance with all standards contained in the Kentucky Building Code; or 2) a building or structure designed and intended for occupancy by a single family and fabricated in whole or part in an off-site manufacturing facility and transported for installation or assembly to the building site as a permanent structure with installation required to be moored to a permanent foundation in compliance with all standards in the Kentucky Building code and once installed can only be moved as a conventional home.

DWELLING, TWO-FAMILY - A building designed exclusively for occupancy by two families independent of each other, such as a duplex dwelling unit.

DWELLING, GROUP - A group of two or more single-family semi-detached or multiple dwellings occupying a parcel of land in common ownership and having yards or courts in common.

DWELLING, ROW OR TOWNHOUSES - A row of three or more attached single-family dwellings, not more than two and one-half stories in height, in which each dwelling has its own front and rear entrances.

EFFICIENCY UNIT - An efficiency unit is a dwelling unit consisting of one room, exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room, providing not less than three-hundred fifty square feet of floor area.

ERECTED - The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operation on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erected.

FAMILY - One person or more than one person living together and inter-related by bonds of consanguinity, marriage, or legal adoption, and occupying a dwelling unit as a single non-profit housekeeping unit as distinguished from a group occupying a hotel, club, boarding house, fraternity or sorority house. A family shall be deemed to include domestic servants, gratuitous guests, and not more than three foster or boarded children whose room and board is paid by a recognized child care agency or organization.

FAST FOOD RESTAURANT - A fast food restaurant is defined to be a restaurant that has all of the following characteristics:

- (1) Its principal business is the sale of food items and beverages of the kind which can readily be taken out of the restaurant for consumption off the premises.

- (2) Utensils, if used at all, are made of plastic or other disposal materials. Food is packaged in paper or styrofoam or other disposable containers.
- (3) Service is not customarily provided to customers at their tables by employees of the restaurant.

FENCE - A divider to establish boundaries, provide protection and privacy, made of chain link or wood.

FILLING - Shall mean the depositing or dumping of any matter on or into the ground, except deposits resulting from common household gardening and general farm care.

FLOOR AREA RATIO - The ratio between the maximum allowable amount of floor space on all floors in a building and the total area of the lot on which the building is located. Example: A FAR of 2.0 would allow floor space of twice the area, or a four-story building covering one-half of the lot. A FAR of 0.5 would allow floor space of one-half the lot area, or a two story building covering one-quarter of the lot.

FLOOR AREA, TOTAL - The area of all floors of a building including finished basements and covered porches.

FLOOR AREA, USABLE - Any floor area within outside walls of a building, exclusive of areas in cellars, unfinished basements, utility area, unfinished attics, garages, open porches and accessory buildings.

FOSTER CHILD - A child unrelated to a family by blood or adoption with whom he or she lives for the purposes of care and/or education.

GARAGE, PRIVATE - An accessory building designed or used for the storage of motor driven vehicles owned and used by the occupants of the building to which it is accessory, for personal use only.

GARAGE, PUBLIC - Any premises used for the storage or care of motor driven vehicles, or place where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

HANDICAPPED PERSON - A person with a physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, and orthopedic impairments, but not including convicted felons or misdemeanants on probation or parole or receiving rehabilitation services as a result of their prior conviction, or mentally ill persons who have pled guilty but mentally ill to a crime or not guilty by reason of insanity to a crime. "Handicapped person" does not include persons with current, illegal use of or addiction to alcohol or any controlled substance as regulated under KRS 218 A.

HOME OCCUPATION - Professional offices and personal services maintained or conducted within a dwelling. Neither the selling of any merchandise nor processing of any product shall qualify as a home occupation. Home occupations include only those which meet the following performance standards:

- (1) Home occupations shall be incidental to the principal residential use conducted within the principal building only by a person resident in the principal building provided no more than one person not a resident of the premises is employed regularly and that not more than twenty-five percent of the total floor area in any dwelling unit is devoted to such use.

- (2) There shall be no visible evidence of the conduct of a home occupation from the exterior of the building other than one sign not exceeding four square feet in area, unlighted, and mounted flat against the wall of the principal building.
- (3) No substantial traffic increase shall be generated in the residential area.
- (4) Home occupations shall not generate any atmospheric pollution, light flashes, glare, odors, noise, vibration or truck or other heavy traffic.

HOSPITAL - An institution providing health services, primarily for in-patients and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient department, training facilities, central service facilities and staff offices.

HOTEL-MOTEL - A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals with or without meals, and in which there are more than five sleeping rooms.

INSPECTOR - The Building Inspector of the City Council or his authorized agent.

JUNK - The term "junk" means any motor vehicle, machine, appliance, scrap material that is in a condition which prevents its use for the purpose for which it was originally manufactured.

JUNKYARDS, USED AUTO PARTS YARDS, SALVAGE YARDS - The use of an area of any lot for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition, abandonment of automobiles, or other vehicles or machines or parts thereof.

KENNEL - Any lot or premises on which three or more dogs, four months or more old, are kept either permanently or temporarily for commercial or breeding purposes.

LABORATORY - A place devoted to experimental study, such as testing and analyzing. Manufacturing of product or products is not permitted within this definition.

LOADING SPACE - An off-street space on the same parcel of property with a building or group of buildings, for temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

LOT - A parcel of land occupied or intended for occupancy by a use permitted in these regulations, including one principal building together with the accessory buildings, yard areas, and parking spaces required by these regulations, and having its principal frontage upon a publicly maintained street.

LOT AREA - The total horizontal area within the lot lines of a lot.

LOT, CORNER - A corner lot is a lot of which at least two adjacent sides abut for their full length upon a street, provided that such two sides intersect at an interior angle of not more than one-hundred thirty-five (135) degrees. Where a lot is on a curve, if tangents through the extreme point of the street line of such lot make an interior of not more than one-hundred thirty-five (135) degrees, is a corner lot. In the case of a corner lot with curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above.

LOT, COVERAGE - That part or percent of the lot occupied by buildings, including accessory buildings.

LOT, DEPTH - The mean horizontal distance from the front street line to the rear lot line.

LOT, DOUBLE FRONTAGE - An interior lot having frontages on two more or less parallel streets as distinguished from a corner lot. In case of a row of double frontage lots, one street will be designated as the front street on the plat and the request for a building permit will indicate which street is the designated front street.

LOT, INTERIOR - A lot other than a corner lot.

LOT LINES - The property lines around the lot.

LOT LINES, FRONT - In the case of an interior lot, that line separating said lot from the street. In case of a corner lot, or double frontage lot, "front lot line" shall mean that line separating said lot from that street which is designated as the front street on the plat in the application for a building permit.

LOT LINE, REAR - That lot line opposite the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line not less than ten feet long fartherest from the front lot line and wholly within the lot.

LOT LINE, SIDE - Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from a street is a side street lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.

LOT LINE, STREET OR ALLEY - A lot line separating the lot from the right-of-way of a street or alley.

LOT OF RECORD - A lot which is part of a subdivision recorded in the office of the County Court Clerk, or a lot or parcel surveyed or described by metes and bounds, the description of which has been so recorded.

LOT WIDTH - The mean horizontal distance between the side lines at the building line measured along the building line.

MAJOR THOROUGHFARE - The major streets which carry a relatively large amount of vehicular traffic and may connect to secondary or regional thoroughfares. The major thoroughfares are delineated on the Comprehensive Land Use Plan as adopted by the Governing Body.

MANUFACTURED HOUSING COMMUNITY PARK - A unified development of (2) or more manufactured house sites, plots or stands arranged on a large tract usually under single ownership, meeting the area and yard requirements of this ordinance, and designed to accommodate manufactured housing, for more or less permanent duration, whether or not a charge is made for such accommodations, and includes any service building, structure, enclosure or other facility used as part of the manufactured housing community park.

MANUFACTURED HOUSING - A manufactured building designed for long term residential use. Manufactured housing includes that housing built on chassis. However, manufactured housing does not include recreational vehicle as defined herein at "Article II. Definitions, Section 2.01. Definitions." For the purpose of these regulations manufactured housing is divided into three (3) classifications.

- (1) Class A Manufactured Housing - Manufactured housing which is 10 years old or less from date of application and certified by the Department of Housing and Urban Development (HUD) as meeting all Federal manufactured home construction and safety standards and approved by the Zoning Administrator as meeting all the "Acceptable Installation Standards" and all "Acceptable Appearance Standards". These units may not have been previously installed or owned by another party.

- (2) Class B Manufactured Home - A Class B Manufactured home is a home which is 10 years old or less from date of application and certified by the Department of Housing and Urban Development (HUD) as meeting all Federal manufactured home construction and safety standards and approved by the Zoning Administrator as meeting all the "Acceptable Installation Standards" and all "Acceptable Appearance Standards".
- (3) Class C Mobile Home - A manufactured home/mobile home built before the HUD Code (1976) which is not certified by the Department of Housing and Urban Development as meeting all Federal Manufactured Housing & Safety Standards and Acceptable Appearance Standards described herein. No Class C manufactured home/mobile home will be permitted in any zone.

MODULAR HOME - Modular home shall mean any dwelling unit transported to the building site in one or more preconstructed sections to be assembled onto a building site and designed to be moored to a permanent foundation and which, on being tied to the foundation could only be moved as a conventionally built home and having the appearance of a conventionally built dwelling.

MOTOR VEHICLE REPAIR - General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service such as body, frame or fender straightening and repair; overall painting in a completely enclosed spray booth.

MOTOR VEHICLE WAS ESTABLISHMENTS - A building, or portion thereof, the primary purpose of which is that of washing motor vehicles.

NONCONFORMING STRUCTURES OR USES - A structure or use of any premises which does not conform with applicable provisions of this ordinance, but which existed at the time of its designation as nonconforming by the adoption or amendment of this ordinance.

NURSERY, TREES AND SHRUBS - An area or establishment devoted to the raising and care of trees, shrubs, or similar plant materials.

OFF-STREET PARKING LOT - A facility providing vehicular parking spaces, along with adequate drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking or more than two automobiles.

OPEN AIR BUSINESS USES - Open air business uses shall include the following:

- (1) Retail sale of trees, shrubs, plants, flowers, seed, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment;
- (2) Retail sale of fruit and vegetables;
- (3) Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving ranges, children's amusement parks or similar recreational uses;
- (4) Bicycle, trailer, motor vehicle, boats or home equipment sales, service, rental services, farm and construction equipment;
- (5) Outdoor display and sale of garages, swimming pools, monuments, and similar uses;
- (6) Flea markets and similar open air displays.

PARKING SPACES - an area of not less than ten (10) feet wide by twenty (20) feet long for each automobile or motor vehicle, such space being exclusive of necessary drives, aisles, entrances or exits and being fully accessible for the storage or parking of permitted vehicles.

PUBLIC STREET - A publicly maintained thoroughfare providing the principal means of access to abutting property and listed on the City, County, State or Federal road system.

RECREATIONAL VEHICLE:

- (1) "Travel trailer" means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation or vacation.
- (2) "Pick-up coach" means a structure designed to be mounted on a truck for use as a temporary dwelling for travel, recreation or vacation.
- (3) "Motor home" means a portable temporary dwelling to be used for travel, recreation or vacation, constructed as an integral part of a self-propelled vehicle.
- (4) "Camping trailer" means a canvas or other collapsible folding structure, mounted on wheels and designed for travel, recreation or vacation use.
- (5) "Dependent recreational vehicle" means a recreational vehicle which does not have toilet, lavatory, or bathing facilities.
- (6) "Self-contained recreational vehicle" means a recreational vehicle which can operate independent of connections to sewer, water, and electric systems. It contains a water-flushed toilet, lavatory, shower or bath, kitchen sink, all of which are connected to water storage and sewage holding tanks located within the recreation vehicle.

RESIDENTIAL CARE FACILITY - A residence operated and maintained by a sponsoring private or governmental agency to provide services in a homelike setting for handicapped persons.

RESIDENTIAL CARE SERVICES - Services include but are not limited to supervision, shelter, protection, rehabilitation, personal development and attendant care.

RUBBISH - Means the miscellaneous waste materials resulting from housekeeping, mercantile enterprises, trades, manufacturing and office, including other waste mater such as slag, stone, broken concrete, fly ash, ashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals or any similar or related combinations thereof.

SALVAGE - Refers to any motor vehicle, machine or appliance having sufficient value to justify its sale for repair or recovery of parts.

SETBACK - The required distance between every structure and any lot line on the lot on which it is located.

SERVICE STATION - A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in vehicles and including space for facilities for the temporary storage of vehicles, minor repair or servicing.

SHOPPING CENTER - A group of two or more adjoining or adjacent retail stores or service establishments to be planned, constructed and developed as a single unit, and including any additional such stores or establishments subsequently adjoining or adjacent thereto.

SIGN - Any fabricated sign or outdoor display structure including its structure, consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial picture stroke, stripe, line, trademark, reading matter or illuminating device, constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever, and displayed in any manner out of doors for recognized advertising purposes.

SOIL REMOVAL - Shall mean the removal of any kind of soil or earth matter which includes topsoil, sand, gravel, clay or other materials or any combination thereof, except common household gardening and general farm care.

STORY - That part of a building comprised between a floor and the floor or roof next above which is not a basement or an attic.

FIRST STORY - The lowermost story entirely above the grade plan.

MEZZANINE - An intermediate level between the floor and the ceiling of any story, and covering not more than thirty-three (33) percent of the floor area of the room in which it is located.

STREET - Any public or private vehicular way which affords the principal means of access to abutting property. The term shall include "road", "highway", or "thoroughfare". A public street is a street accepted according to the Subdivision Regulations and maintained by the governing body. A private street is a street not so accepted and maintained.

STRUCTURE - Anything constructed or erected, the use of which requires fixed location on the ground or attachment to something having a fixed location on the ground, including buildings, radio towers, swimming pools, and walls or fences exceeding three and one-half (3 ½) feet in height, billboard and poster panels; reference to buildings includes structures and vice versa.

SUBDIVISION REGULATIONS - Regulations as adopted by the City Council for the subdivision of land.

SWIMMING POOL - The term "swimming pool" shall mean any structure or container intended for swimming or bathing located either above or below grade designed to hold water to a depth greater than twenty-four (24) inches.

TRAVEL TRAILER - A vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, with a body width not exceeding eight feet and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons. For the purposes of these regulations, the term includes recreational vehicle, pickup campers, camping trailers, and motorized homes (living facilities constructed as integral parts of self-propelled vehicles). It does not include manufactured homes/mobile homes.

TRUCK GARDENING - Truck gardening is the use of land for growing edible vegetables, fruits, and other crops for resale and commercial purposes. Household gardening by a property owner for a hobby or purely local consumption by himself and his family residing on the same premises shall not be construed to be truck gardening.

USE - The purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

UTILITY ROOM - A room or space, located other than in the basement, specifically designed and constructed to house any home appliances (furnace, water, heater, pump).

VARIANCE - A departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 and 100.247.

YARD - An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. The measurement of a yard is the minimum horizontal distance between the lot line and the building or structure.

- (1) SIDE YARD - A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or in the absence of either such yard, to the front and rear lot lines, as the case may be; except that on a corner lot, the side yard adjacent to a street shall extend the full depth of the lot.
- (2) FRONT YARD - A yard extending the full width of the lot; the depth of which is the horizontal distance between the front lot line and the nearest line of the principal building on the lot.
- (3) REAR YARD - A yard extending the full width of the lot, the depth of which is the horizontal distance between the rear lot line and the rear line or lines of the principal building on the lot.

ARTICLE III

ESTABLISHMENT OF ZONING DISTRICTS

SECTION 3.01 Establishment of Districts

SECTION 3.02 The Zoning Map

SECTION 3.03 Interpretation of Zoning District Boundaries

ARTICLE III

ESTABLISHMENT OF ZONING DISTRICTS

SECTION 3.01 - Establishment of Districts - For the purpose of this chapter, the City of Corydon is hereby divided into zoning districts, designated as follows:

R-S	Residential, Single-Family
R-M	Residential, Multi-Family and Duplex
R-MH	Residential, Manufactured Home Community Park
GB	General Business
IND	Industrial

SECTION 3.02 - The Zoning Map - Said districts (as referred to above) are bounded and defined as shown on a map entitled "Zoning Map of the City of Corydon, Kentucky", adopted on \_\_\_\_\_, and certified by the City of Corydon Clerk, which accompanies this regulation and which, with all explanatory matter thereon, is hereby made a part of this regulation.

SECTION 3.03 - Interpretation of Zoning District Boundaries - The following rule shall be used to interpret the exact location of the zoning district boundaries shown on the official zoning map area:

- (a) Where zoning district boundaries indicated as approximately following the center lines of streets, highways or railroads, street right-of-way lines shall be construed to be such boundaries.
- (b) Where a zoning district boundary approximately follows a property line or a series of property lines, such line is the boundary of the district.
- (c) Where a zoning district boundary approximately follows a stream or the shore line of a body of water, that stream or shore line as defined on the date this chapter is enacted, is the boundary of this district.
- (d) Where a zoning district boundary does not clearly follow any of the features mentioned above, its exact location on the ground shall be determined by measurement according to the official map scale.
- (e) Where a zoning district boundary approximately follows a contour or solid boundary as defined by the U.S. Army Corps of Engineers, U.S. Geological Survey or Soil Conservation District, such contour or soil boundary is the boundary of the district.
- (f) In any case where the exact location of a boundary is not clear, the Corydon Board of Zoning Adjustment shall use these rules to determine the exact location upon application by the enforcement officer for an original interpretation.

## ARTICLE IV

### GENERAL PROVISIONS

- SECTION 4.01 Application of Regulations
- SECTION 4.02 Coordination With Subdivision Regulations
- SECTION 4.03 Conditional Use Regulations
- SECTION 4.04 Approved Water Supply and Sewage Disposal for Buildings
- SECTION 4.05 Townhouses
- SECTION 4.06 Duplexes
- SECTION 4.07 Manufactured Homes
- SECTION 4.08 Junk Yards
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- SECTION 4.12 Application of Yards to One Building Only
- SECTION 4.13 Use of Yards for Accessory Buildings
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- SECTION 4.16 Lot of Record
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- SECTION 4.18 Streets, Alleys, and Railroad Rights-of-way
- SECTION 4.19 Permitted Uses
- SECTION 4.20 Permitted Area
- SECTION 4.21 Zoning Lot
- SECTION 4.22 Visibility
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- SECTION 4.24 Number of Buildings on Lot
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- SECTION 4.26 Prohibited Uses in All Residential Districts
- SECTION 4.27 Excavation, Soil Removal and Filling of Land
- SECTION 4.28 Construction Begun Prior to Adoption of Regulation
- SECTION 4.29 Voting Place
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- SECTION 4.31 Essential Services
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- SECTION 4.36 Junk and/or Used Auto Parts Yard
- SECTION 4.37 Use Exceptions
- SECTION 4.38 Exclusive Use District

## ARTICLE IV

### GENERAL PROVISIONS

Except as hereinafter specifically provided, the following general regulations shall apply:

SECTION 4.01 - Application of Regulations - All existing and future structures and uses of premises within the City of Corydon shall conform with all applicable provisions of this chapter. Each zoning district is established to permit only those uses specifically listed as permitted, except as provided under the conditional use provisions and is intended for the protection of those uses. No other uses are permitted.

SECTION 4.02 - Coordination with Subdivision Regulations And Access Standards Manual - In all cases where the ownership of land is divided for the purpose of eventual development of lots of any kind - residential, commercial or industrial - the provisions of the Subdivision Regulations shall apply in addition to the provisions of the Zoning Ordinance. In all cases where applicable, the provisions of the Access Standards Manual, Ordinance No. 46 Series 1990 dated 8-28-90 shall apply in addition to the provisions of the Subdivision Regulations and the Zoning Ordinance.

SECTION 4.03 - Conditional Use Regulations - Conditional uses may be permitted in districts as designated under the zoning district regulations, but only when specifically approved by the Board of Zoning Adjustment. All conditional uses shall be subject to the following regulations:

- (A) All districts - The following conditional uses only may be approved in all zoning districts:
  - 1. Utility structures and public service buildings.
  - 2. Expansion of transportation facilities and appurtenances
  - 3. Government buildings and uses
- (B) Specified districts - Other conditional uses may be approved in only those zoning districts where they are designated as conditional uses under the zoning district regulations.
- (C) Procedure - In applying for a conditional use permit, the applicant shall submit an application to the Administrative Official and follow all procedure set forth in this section. The administrative official shall refer the application to the Board of Zoning Adjustment. The Board of Zoning Adjustment shall hold a public hearing in accordance with the provisions of Kentucky Revised Statutes, Chapter 424 and Chapter 100.237.
- (D) Action - The Board may approve, modify or deny any application for a conditional use permit. If it approves such permit, it may attach necessary conditions such as time limitations, requirements that one or more things must be done before such request can be initiated, or conditions of a continuing nature. Any such conditions shall be recorded in the Board's minutes and on the conditional use permit, along with a reference to the specific section of this chapter listing the conditional use under consideration. The Board shall have the power to revoke a conditional use permit for noncompliance with the conditions thereof. Further, the Board shall have the right of action to compel offending structures of uses removed at the cost of the violator and may have judgment in personam for such costs.

- (E) Filing - All conditional use permits approved by the Board of Adjustments shall be kept on file in the office of the City of Corydon, and a Certificate of Land Use Restriction shall be recorded by the administrative official of the board of adjustments in the office of the county court clerk at the expense of the applicant.
- (F) Time Limit - In any case where a conditional use permit has not been exercised within the time limit set by the Board, or within one year, if no specific time limit has been set, such conditional use permit shall not revert to its original designation unless there has been a public hearing held by the Board of Zoning Adjustment in accordance with KRS Chapter 424 and Chapter 100.237 "Exercised" as set out in this section shall mean that binding contracts for the construction of the main building or other improvements has been met, or in the absence of contracts that the main building or other improvement is under construction to a substantial investment, is under contract, in development or completed. When construction is not a part of the use, exercised shall mean that the use is in operation in compliance with the conditions as designated in the permit.
- (G) Exemptions - Granting of a conditional use permit does not exempt the applicant from complying with all the requirements of building, housing, and other codes and regulations.
- (H) Review - The administrative official shall review all conditional use permits, except those for which all conditions have been permanently satisfied, at least one annually and shall have the power to inspect the land or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions which are listed on the conditional use permit, the administrative official shall report the fact in writing to the Chairman of the Board of Adjustments. The report shall state specifically the manner in which the landowner is not complying with the conditions on the conditional use permit and a copy of the report shall be furnished to the Chairman of the Board of Adjustments. The Board shall hold a hearing on the report within a reasonable time and notice of the time and place of the hearing shall be furnished to the landowner at least one week prior to the hearing. If the Board of Adjustments finds that the facts alleged in the report of the administrative official are true and that the landowner has taken no steps to comply with them between the date of the report and the date of the hearing, the Board may authorize the administrative official to revoke the conditional use permit and take the necessary legal action to cause termination of activity on the land which the conditional use permit authorizes.
- (I) Permanent Approval - Once the Board of Zoning Adjustment has completed a conditional use permit and all the conditions required are of such type that they can be completely and permanently satisfied, the administrative official, upon request by the applicant, may if the facts warrant, make a determination that the conditions have been satisfied and the conclusion is in the margin of the conditional use permit, which is on file in the office of the City of Corydon. Thereafter, the said use, if it continues to meet the other requirements of the regulations, will be treated as a permitted use.

SECTION 4.04 - Approved Water Supply and Sewage Disposal for Buildings - No person shall construct any building without water supply and sewage disposal facilities approved by the State Plumbing Inspector. Wherever sewer mains are accessible, building shall be connected to such mains. In every other case, individual water supply and sewage disposal facilities must meet the requirements set by the State Plumbing Inspector. Such certificate of approval must accompany applications for building permits and certificates of occupancy.

SECTION 4.05 - Townhouses - Townhouses shall be permitted in the R-M, Multi-Family residential district, provided that the following requirements are met:

- (A) For townhouse development a minimum of two (2) acres, exclusive of streets in single ownership or control shall be developed.
- (B) Development involving new or additional streets or any public dedication of land shall be subject to Planning Commission review and approval, as provided in the Subdivision Regulations.
- (C) Townhouse minimum yard requirements:
  - Front Yard - 25 feet
  - Side Yard, attached dwellings - 0 feet
  - end dwellings of attached or semi-attached - 10 feet
  - Rear Yard - 20 feet
  - Street Side Yard - Same as the district in which it is located.
- (D) Townhouse heights: Maximum building height - 30 feet.
- (E) Townhouse minimum area requirement - No lot shall contain less than 2,000 square feet of land; however, there shall be a minimum open area or play area of one-half acre per two acres or fraction thereof developed exclusive of streets, public ways, parking areas, and any other non-residential uses. It shall be the responsibility of the developer to make the necessary provisions for the perpetual maintenance of such open area and parking area subject to the approval of the Planning Commission.
- (F) Townhouse lot size:
  - Minimum frontage for attached dwellings - 20 feet
  - Minimum depth - 100 feet
- (G) Other Requirements for Townhouses
  1. The total dwelling units in any group of attached dwellings shall not exceed 10 units.
  2. Off-street parking shall be permitted on each lot.
  3. Maximum area of a lot that can be covered by building floor area shall be 40%.

SECTION 4.06 - Duplexes - Duplexes shall be permitted in the R-M (Multi-family Residential District) provided that the area, height, bulk and placement regulations are met (see attached Schedule of Regulations Article XVI).

- (A) Zero Lot Line - Each unit of a two family dwelling (duplex) may be located on a separate lot. In such case the minimum lot size and the minimum lot width for each lot shall be one-half the respective dimensions required by the district for a two-family dwelling and the minimum side yard for each unit's non-common wall side shall be equal to the minimum dimension required by the district for a two-family dwelling. (The common wall side yard being zero by definition).

Application of Zero Lot Line provisions will require special covenants within the deeds of affected lots. Such covenants must respond to issues unique to zero lot line dwelling units. These issues, among others will include:

1. Exterior zero lot line building elements will involve maintenance performed from an adjacent property, thereby necessitating maintenance easements.
2. Common-wall dwelling units should generally correspond in architectural style, color, scheme, etc., which may necessitate a perpetual design control mechanism to define the individual rights and collective responsibilities of affected property owners.

#### SECTION 4.07 - Manufactured Homes

##### (A) Manufactured Homes on Private Lots

1. Permitted - Class A manufactured homes are a permitted use in R-S and R-M Districts. Such manufactured homes may be rented, leased or owner occupied.
2. Lot Requirements - The lot requirements for a manufactured home on a private lot shall be identical to the requirements established for a dwelling in the zoning district in which the manufactured home is located. The manufactured home shall be required to conform with all requirements established by this chapter for a residential dwelling unit, in the district in which the manufactured home is located.
3. Building Permit Required - A building permit shall be required prior to the location of a manufactured home.
4. All manufactured homes shall meet the following Standards:
  - A. Acceptable Installation Standards
    1. The home shall be installed on a permanent foundation system and installed in accordance with the state standards set forth in KRS 227.570.
    2. The home shall be anchored to the ground in accordance with manufacturer's specs approved by the U.S. Department of Housing and Urban Development.
    3. All wheel, tongue and hitch assemblies shall be removed upon installation.
    4. The home shall meet all requirements for lot, yard, building and other requirements for the district in which it is located.
    5. All external, site-built additions, including stairs, porches, entrances, platforms and other means of entrance and exit to the home shall be installed and constructed in conformance to the Kentucky Building Code.
    6. All utilities shall be permanently connected to a public utility system in accordance with all City Codes and all public health requirements governing plumbing installations.
    7. A building permit shall be obtained prior to the placement of a manufactured home on any lot.



B. Acceptable Appearance Standards

1. A poured concrete or masonry skirting wall shall be constructed beneath and along the entire perimeter of the manufactured home, including the perimeter of the front steps and front porch, even if the wall is not structurally required by the manufactured installation specifications. Venting and access requirements shall be in accordance with the Kentucky Building Code.
2. The home shall be a minimum width of 16 feet as measured across the narrowest portion.
3. The pitch of the main roof shall be not less than two and one-half (2 ½) feet of rise for each twelve (12) feet of horizontal run. Minimum distance from eaves to ridge shall be ten (10) feet. In general, any roofing material may be used that is generally acceptable for housing built on the site, if applied in such a manner as to be similar in appearance.
4. Any materials that are generally acceptable for housing built on the site may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflections for such exterior shall not be greater than from siding coated with clean, white, gloss, exterior enamel.
5. An adequate guttering and roof drainage system shall be installed.

- (B) Non-Conforming Manufactured Homes and Manufactured Home Community Parks - The lawful use of a manufactured home or manufactured home community park existing at the time of passage of this chapter may be continued, although such uses may not conform to the provisions of this chapter. The continuance of a non-conforming manufactured home or manufactured home community park shall be subject to the non-conforming provisions of this chapter.

SECTION 4.08 - Junk Yards - Junk Yards are allowed as a conditional use in an industrial zone.

SECTION 4.09 - Obstruction to Vision At Street Intersections on Corner Lots - Within the area defined by the intersection on any two right-of-way lines of streets or railroads and a straight line intersecting those two right-of-way lines at points thirty (30) feet from the intersection, no obstruction to vision between a height of two and one-half feet (2 ½) and twelve (12) feet above the imaginary plane defined by those three points of intersection are permitted.

SECTION 4.10 - Side Yard Regulations for Corner Lots - The side yard requirement for all principal buildings on corner lots shall be such that no corner building extends toward the side street more than ten (10) feet beyond the setback line set for buildings along the street to the corner lot.

SECTION 4.11 - Regulations for Double-Frontage Lots - Double frontage lots shall, on both adjacent streets, meet the front yard requirements of the district in which they are located.

SECTION 4.12 - Application of Yards to One Building Only - No part of a yard required for any building may be included as fulfilling the yard requirements for an adjacent building.

SECTION 4.13 - Use of Yards for Accessory Buildings - No accessory building is permitted in front yards. They are permitted only in rear or side yards according to the dimension and area regulations.

SECTION 4.14 - Use Exceptions - Several types of structures and uses are permitted in all districts even though they are not listed as permitted uses under the zoning district regulations. These structures and uses are listed as follows:

No building permit or certificate of occupancy required:

- (A) Local public utility distributing and collecting structures such as pipes and transmission lines, transformers and meters. Large utility structures such as electrical substations or gas pumping stations are permitted only as conditional uses.
- (B) Public streets and all official appurtenances necessary for traffic direction and safety. All street and traffic control signs shall conform to the code established and adopted by the Kentucky Department of Transportation or the Henderson County Road Department, whichever is applicable.
- (C) Private drives, private parking areas and the parking of vehicles incidental to the principal use on the same premises.
- (D) Real estate signs located on the premises or subdivision signs advertising property for sale or rent.
- (E) Signs not over four (4) square feet in area identifying permitted home occupations or the renting of sleeping rooms on the same premises.
- (F) Horticulture and landscaping of any premises.

SECTION 4.15 - Height Exceptions - Height regulations, as specified in the Schedule of Regulations (Article XVI), apply to buildings occupied regularly by persons or their activities. They do not apply to structures or portions of buildings such as radio towers, ornamental spires, water towers, and flag poles which are not occupied regularly by persons except for maintenance, unless otherwise stipulated in the zoning ordinance. The Board of Zoning Adjustment shall interpret whether or not the height regulations apply upon application by the enforcement officer in doubtful cases.

SECTION 4.16 - Lot of Record - Where the owner of a lot of official record, which lot at the time of the adopting of this chapter does not include sufficient land to conform to the yard or other requirements of this chapter, an application may be submitted to the Board of Zoning Adjustment for a variance from the terms of this chapter. Such lot may be used as a building site, provided however, that the yard and other requirements of the district are complied with as closely as is possible in the opinion of the Board of Zoning Adjustment.

SECTION 4.17 - Group Housing - In the case of group housing, two or more buildings to be constructed on a plot of ground, not subdivided into the customary streets and lots, and which will not be so subdivided to where the existing or contemplated street and lot layout make it impractical to apply the requirements of this chapter to the individual building units in such group housing, the application of the terms of this chapter may be varied by the Board of Zoning Adjustment in a manner which will be in harmony with the character of the neighborhood. However, in no case shall the Board of Zoning Adjustment authorize a use prohibited in the district in which the housing is to be located, or a small lot area per family that the minimum

required in such district or a greater height, or a smaller yard area than the requirements of this chapter permit in such area.

SECTION 4.18 - Streets, Alleys and Railroad Rights-of-Way - All streets, alleys and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such street, alley, or railroad right-of-way. Where the center line of a street or alley serves as a district boundary, the zoning of such street or alley, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

SECTION 4.19 - Permitted Uses - No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used designed or arranged for any purpose than is permitted in the district in which the building or land is located.

SECTION 4.20 - Permitted Area - No building shall be erected, converted, enlarged, reconstructed or structurally altered, except in conformity with the area regulations of the district in which the building is located.

SECTION 4.21 - Zoning Lot - Every building hereafter erected or structurally altered to provide dwelling units shall be located on a lot as herein defined, and in no case shall there be more than one such building on one lot unless otherwise provided for in these regulations.

SECTION 4.22 - Visibility - No structure, wall, fence, shrubbery or trees shall be erected, maintained or planted on any lot which will obstruct the view of the driver of a vehicle approaching an intersection, excepting that shade trees will be permitted where all branches are not less than eight feet above the street level. In the case of corner lots, this shall also mean that there shall be provided an unobstructed triangular area formed by the street from the intersection of the street lines, or in the case of a rounded corner, from the intersection of the street property lines extended.

SECTION 4.23 - Dwellings in Non-Residential Districts - No dwelling shall be erected in the Industrial District except as provided for in this ordinance. However, the sleeping quarters of a watchman or caretaker may be permitted in said district in conformance with the specific requirements of the particular district.

SECTION 4.24 - Number of Buildings on Lot - Restriction - Each dwelling hereafter erected or structurally altered shall be located on a lot and except in the case of a multiple housing project there shall be not more than one main building and an accessory building on any single lot.

SECTION 4.25 - Accessory Buildings - Except as otherwise permitted in these regulations, accessory buildings shall be subject to the following regulations:

- (A) Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to main or principal buildings.
- (B) Accessory buildings shall not be erected in any required yard except a rear yard, providing that in no instance shall such a building be nearer than five (5) feet to any adjoining side lot line or rear lot line.

- (C) An accessory building, not exceeding one story or fourteen (14) feet in height, may occupy not more than twenty-five (25) percent of any non-required yard; provided that in no instance shall the accessory building exceed the ground floor of the principal building.
- (D) No detached accessory building other than a garage and/or carport shall be located closer than fifteen (15) feet to any principal building. (Revised April, 1993)
- (E) In the case of double frontage lots, accessory buildings shall observe front yard requirements on both street frontages wherever these are any principal buildings fronting on said streets in the same block or adjacent blocks.
- (F) When an accessory building is to be located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard line required on the lot in rear of such corner lot.
- (G) Garages - In any residential zone no garage shall be erected closer to the side lot line than the permitted distance for the dwelling unless the garage shall be completely to the rear of the dwelling in which event the garage may be erected five (5) feet from the side and rear lot line. No garage or portion thereof shall extend beyond the front building line of the dwelling. Attached garages of fireproof construction may be erected to extend beyond the front line of the house in those areas which are being developed according to a common plan that includes the construction of attached garages extending beyond the front line of the house, except that such garages shall not encroach in or upon the minimum front yard area as required by these regulations and provided the cornice, eaves, or overhand shall not extend more than six inches into the required side yard area.
- (H) Carports constructed in residential zoning districts shall comply with the following requirements:
  1. A carport that is placed at the side of an existing residence and which consists of a roof and supporting posts made of non-combustible materials, may extend to within five feet of an interior side lot line. The carport may also extend to within ten (10) feet of the side lot line along a public street. The requirements stated in this paragraph refer to the distance between a side property line and the roof line of the carport.
  2. A carport which is structurally part of a residence (i.e., one that is composed of the same building materials as the house of which it is a part, and one that has the same roof line as the house of which it is a part) shall not extend into a required side yard. Such a carport is usually constructed at the same time as the residence of which it is a part.
  3. No carport shall extend into the required front yard of a lot.
  4. A carport that encroaches into the required side yard of a lot as permitted by this section may not later be converted into living area, a storage room, garage or other walled structure without approval of the Board of Zoning Adjustment.

SECTION 4.26 - Prohibited Uses in All Residential Districts

- (A) No appliances such as washing machines and refrigerators shall be stored for more than twenty-four (24) hours in any residential district except in a carport or enclosed building or behind the portion of a building nearest to a street. Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored in any residential district other than in completely enclosed buildings. Boat and boat trailers are exempt from the provisions of this Section.
- (B) Commercial highway vehicles and tractors, trailers and tractor-trailer vehicles shall not be parked or stored in residentially zoned districts at any time, unless there exists adequate off-street parking to accommodate said vehicles.
- (C) It shall be a prohibited use in an open area in all residentially zoned districts to park or store wrecked or junked vehicles, power driven construction equipment, used lumber or metal, or any other miscellaneous scrap or salvageable material.

SECTION 4.27 - Excavation, Soil Removal and Filling of Land - The principal use of land for the excavation, soil removal, filling or depositing of any type of earth material, topsoil, gravel, rock garbage, rubbish or other wastes or by-products is not permitted in any zoning district except under a permit from and under the supervision of the Administrative Official in accordance with a topographic plan, approved by the local government engineer, submitted by the fee-holder owner of the property concerned. The topographic plan shall be drawn at a scale of not less than two hundred (200) feet equals one (1) inch and shall show existing and proposed grades and topographic features and such other data as may from time to time be required by the local government engineer. Such permit may be issued in appropriate cases upon the filing with the application of a Surety Bond executed by a surety company authorized to do business in the State of Kentucky, in favor of the City Council in an amount to be established by the City Council which will be sufficient in amount to be established by the City Council which will be sufficient in amount to rehabilitate the property upon default of the operator of such excavating or filling operation, and to cover court costs and other reasonable expenses. This regulation does not apply to normal soil removal for basements or foundation work when a building permit has previously been duly issued by the enforcement officer. Neither do these regulations apply to general agricultural uses.

SECTION 4.28 - Construction Begun Prior to Adoption of Regulations - Nothing in these regulations shall be deemed to require any change in the plans, construction or designed use of any building upon which actual construction was lawfully begun prior to the adoption of these regulations, and upon which building actual construction has been diligently carried on, and provided further that such building shall be completed within one (1) year from the date of passage of these regulations.

SECTION 4.29 - Voting Place - The provisions of these regulations shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a public election or referendum.

SECTION 4.30 - Approval of Plats. No proposed plat of a new subdivision shall hereafter be approved by the Planning Commission unless the lots within such plat equal or exceed the minimum size and width requirements set forth in the various districts of these regulations and unless such plat fully conforms with the statutes of the State of Kentucky and regulations of the City Council.

SECTION 4.31 - Essential Services - The erection, construction, alteration or maintenance by public utilities or governmental departments or commission, of underground or overhead gas, electrical, steam or water distribution or transmission systems, collection, communication supply or disposal systems including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles and other similar equipment and

accessories in connection therewith, but not including buildings, reasonable necessary furnishing of adequate service by such public utilities or governmental departments or commissions, or for the public health or safety or general welfare shall be permitted as authorized and regulated by law and other regulations of the governing body in any use district, it being the intention hereof to exempt such erection, construction, alteration and maintenance from the application of these regulations.

SECTION 4.32 - Building Grades - Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building. A sloping grade, beginning at the sidewalk level, shall be maintained and established from the center of the front lot line to the finished grade line at the front of the building. The rear and side yards shall be sloped to allow for the flow of surface water away from the building without creating a nuisance. However, this shall not prevent the grading of a yard space to provide sunken or terraced areas provided proper means are constructed and maintained to prevent the runoff of surface water from creating a nuisance on the adjacent properties. Final grades shall be subject to the approval of the enforcement officer.

SECTION 4.33 - Building to be Moved - Any building or structure which has been wholly or partially erected on any premises located within the jurisdiction of the City Council shall not be moved to and be placed upon any other premises in the same jurisdiction until a building permit for such removal shall have been secured. Any such building or structure shall fully conform to all the provisions of these regulations in the same manner as a new building or structure. No building or structure shall be moved into the jurisdiction of the Governing Body until such building permit has been secured.

Before a permit may be issued for moving a building or structure, the enforcement officer shall inspect same and shall determine if it is in a safe condition to be moved, whether it may be reconditioned to comply with the Building Code and other requirements of the City Council for the use and occupancy for which it is to be used.

SECTION 4.34 - Excavation or Holes - Removal and filling of land, the construction, maintenance or existence within the jurisdiction of the governing body of any unprotected, unbarricaded, upon and dangerous excavations, holes, pits which constitute or are reasonable likely to constitute a danger or menace to the public health, safety or welfare, are hereby prohibited; provided however, this section shall not prevent any excavation under a permit issued pursuant to these regulations of the Building Code of the governing body where such excavations are properly protected and warning signs posted in such a manner as may be approved by the enforcement officer and, provided further, that this section shall not apply to streams, natural bodies of water or to ditches, streams, reservoirs, or other major bodies of water created or existing by authority of the State of Kentucky, or other governmental agencies.

SECTION 4.35 - Signs - The erection, construction or alteration of all outdoor advertising structures, billboards, signs and other notices which advertise a business, commercial venture or name of a person or persons, shall comply with the Building Code and all requirements of this regulation.

SECTION 4.36 - Junk and/or Uses Auto Parts Yard - Junk and/or used auto parts yards shall comply with the following:

- (A) Fences around the entire area of junk yards and/or used auto parts yards or salvage yards, shall be required. Fences shall not be less than six (6) feet nor greater than ten (10) feet in height. Fences shall be designed and constructed in compliance with existing building codes. Fences and/or green belts shall be used to shield the contents of such businesses from view of public streets or residential areas. Fences shall be properly maintained at all times.

- (B) Stacking of motor vehicles or parts of motor vehicles in a salvage or used auto parts yard shall be limited to a height of ten (10) feet.
- (C) Stacking in a junk yard shall be limited to forty (40) feet in height. There must be enough space provided so that if any material falls or is blown over, it will fall on the property. The Board of Zoning Adjustment shall have the authority to permit stacking in excess of forty (40) feet in height.
- (D) No items for sale shall be stored or displayed on the fence or outside of the fenced area except complete units which have not been damaged which shall be limited to five such units.
- (E) Any new business or old business moving to a new location shall be in full compliance with the regulations of this Ordinance.

SECTION 4.37 - Use Exceptions - Several types of structures and uses are permitted in all districts even though they are not listed as permitted uses under the zoning district regulations. These structures and uses are listed as follows:

- (A) Local public utility distributing and collection structures such as pipes and transmission lines, transformers and meters. Large utility structures such as electrical substations or gas pumping station are permitted only as conditional uses.
- (B) Public streets and all official appurtenances necessary for traffic direction and safety. All street and traffic control signs shall conform to the code established and adopted by the Kentucky Department of Transportation or the Henderson County Road Department, whichever is applicable.

SECTION 4.38 - Exclusive Use District - The purpose of this district is to allow rezoning applicants to request that a certain area be designated "Exclusive Use" (EU) and which area, after having been recommended by the Henderson City-County Planning Commission and approved by the City of Corydon, must be used for only those uses prescribed by the application. These uses must be among the uses permitted in the zoning district from which the Exclusive Use is taken. Any applicant applying for an Exclusive Use may ask for and receive consideration by the Planning Commission under the same terms and conditions prescribed for in any other rezoning request. The applicant may be required to submit a site plan, architectural rendering, or other such material as might be of assistance to both the Planning Commission and the City of Corydon in their consideration.

NOTE: All rezonings must follow public notice requirements for public hearings as set forth in KRS, Chapter 100.

ARTICLE V

BOARD OF ZONING ADJUSTMENT

Powers and Duties

## ARTICLE V

### BOARD OF ZONING ADJUSTMENT

SECTION 5.01 - Powers and Duties - A Board of Zoning Adjustment is hereby created for the City of Corydon, Kentucky. The Board shall be known as the Corydon City Board of Zoning Adjustment. The Board shall have the powers, duties, and responsibilities as set forth in KRS, Chapter 100.

- (A) Jurisdiction of the Board of Adjustments for the City of Corydon shall be within the legal corporate limits of the City of Corydon, as exists or may be amended in the future.
- (B) The membership, appointment, and term of office of the Board of Adjustments is as follows:

The Board shall consists of three (3) citizen members who are residents of the City of Corydon. The Mayor of Corydon shall appoint the members of the Board with the approval of the City of Corydon Legislative body. The term of office of members first appointed shall be staggered so that a proportionate number serve one, two, three, and four years respectively, with later appointments continuing the staggered pattern.
- (C) Reimbursement for expenses lawfully incurred by a member of the Board of Adjustments in the performance of his/her duties may be authorized by formal action of the respective Board. No member of the Board shall receive any other compensation.
- (D) The Board of Adjustments shall have the power to receive, hold, administer and disburse funds which it may lawfully receive from any and every source. Prior to the beginning of each fiscal year the Board may adopt a budget which will be presented to the Corydon City Council for the purpose of receiving funds for the cost of its operation.
- (E) Expenditures of such appropriations and funds shall be in accordance with the formal action of the Board or pursuant to the regulations lawfully established by the Board. All other details of the Board's operation which are necessary for the establishment and administration of the Board shall be as described in KRS, Chapter 100 and as may be amended in the future.
- (F) Vacancies on the Board of Adjustments shall be filled within sixty (60) days by the Corydon City Council. If Corydon City Council fails to act within that time, the Planning Commission shall fill the vacancy. When a vacancy occurs other than through expiration of the term of office, it shall be filled for the remainder of the term.
- (G) All members of the Board of Adjustments shall, before entering upon their duties, qualify by taking the oath of office prescribed by Section 228 of the Constitution of the Commonwealth of Kentucky before any judge, notary public, clerk of a court or justice of the peace within the district or county in which he/she resides.
- (H) Any member of the Board of Adjustments may be removed by the appropriate appointing authority for inefficiency, neglect of duty, malfeasance or conflict of interest. Any appointing authority who exercises the power to remove a member

of the Board of Adjustments shall submit a written statement to the Commission setting forth the reasons for removal, and the statement shall be read at the next meeting of the Board of Adjustments which shall be open to the general public. The member so removed shall have the right of appeal from the removal to the Circuit Court of the County in which he/she resides.

- (I) The Board of Zoning Adjustments shall annually elect a Chairman, Vice-Chairman and Secretary and any other such officer it deems necessary and any officer shall be eligible for re-election at the expiration of his term.
- (J) The Board of Adjustments shall conduct meetings at the call of the Chairman who shall give written notice or oral notice to all members of the Board at least seven days prior to the meeting, which notice shall contain date, time and place for the meeting and the subjects which will be discussed.
- (K) A simple majority of the total membership of a Board of Adjustments as established by regulation or agreement shall constitute a quorum. Any member of the Board of Adjustments who has any direct or indirect financial interest in the outcome of any questions before the body shall disclose the nature of the interest and shall disqualify himself/herself from voting on the question.
- (L) The Board of Adjustments shall adopt by-laws for the transaction of business and shall keep minutes and records of all proceedings including regulations, transactions, findings, and determinations and the number of votes for and against each question, and if any member is absent or abstains from voting, indicating the fact, all of which shall immediately after adoption, be filed in the office of the Board. A transcript of the minutes of a Board of Adjustments meeting shall be provided if requested by a party, at the expense of the requesting party, and the transcript shall constitute the record.
- (M) The Board of Adjustments may employ or contract the planners or other persons as it deems necessary to accomplish its assigned duties.
- (N) The Board of Adjustments shall have the power to issue subpoena to compel witnesses to attend its meetings and give evidence bearing upon the questions before it. The sheriff shall serve such subpoenas. The Circuit Court, may upon application by the Board, compel obedience to such court or such subpoena by proceedings of contempt.
- (O) The Chairman of the Board of Adjustments shall have the power to administer an oath to witnesses prior to their testifying before the Board on any issue.
- (P) The Board shall have the power to hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named in the zoning regulations which may be suitable only in specific locations in the zone only if certain conditions are met.
  1. The Board may approve, modify, or deny any application for a conditional use permit. If it approves such permit it may attach necessary conditions such as time limitations, requirements that one or more things be done before the request can be initiated or conditions of a continuing nature. Any such conditions shall be recorded in the Board's minutes and on the conditional use permit along with a reference to the specific section of the zoning regulation listing the conditional use under consideration. The Board shall have the power to revoke conditional use permits or variances for noncompliance with the

condition thereof. Furthermore, the Board shall have a right of action to compel offending structures or uses removed at the cost of the violator and may have judgment in personam for such cost.

2. Granting a conditional use permit does not exempt the applicant from complying with all of the requirements of building, housing and other regulations.
  3. In any case where a conditional use permit has not been exercised within the time limit set by the Board, or within one year, if no specific time limit has been set, such conditional use permit shall not revert back to its original designation unless there has been a public hearing. Exercised as set forth in this section shall mean that binding contracts for the construction of the main building or other improvements have been met; or in the absence of contractors that the main building or other improvements is under construction to a substantial degree, or that prerequisite conditions involving substantial investment under contract, in development are completed. When construction is not a part of the use, exercised shall mean that the use is in operation in compliance with the conditions as set forth in the permit.
  4. The administrative official shall review all conditional use permits except those for which all conditions have been permanently satisfied, at least once annually and shall have the power to inspect the land or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions listed on the conditional use permit. If the landowner is not complying with all of the conditions listed on the conditional use permit, the administrative official shall report the fact in writing to the Chairman of the Board of Adjustments. The report shall state specifically the manner in which the landowner is not complying with the conditions on the conditional use permit, and a copy of the report shall be furnished to the landowner at the same time it is furnished to the Chairman of the Board of Adjustments. The board shall hold a hearing on the report within a reasonable time and notice of the time and place of the hearing shall be furnished to the landowner at least one week prior to the hearing. If the Board of Adjustments finds that the facts alleged in the report of the administrative official are true and that the landowner has taken no steps to comply with them between the date of the report and the date of the hearing, the Board of Adjustments may authorize the administrative official to revoke the conditional use permit and take the necessary legal action to cause the termination of the activity of the land which the conditional use permit authorizes.
  5. Once the Board of Adjustments has completed a conditional use permit and all the conditions required are such type that they can be completed and permanently satisfied, the administrative official, upon request of the applicant, may if the facts warrant, make a determination that the conditions have been satisfied and note the conclusion in the margin of the copy of the conditional use permit which is on file in the office of the City of Corydon. Thereafter said use, if it continues to meet the other requirements of the regulations, will be treated as a permitted use.
- (Q) The Board shall have the power to hear and decide on applications for variances. The Board may impose any reasonable conditions or restrictions on any variance it decides to grant.

- (R) Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings the board shall consider whether:
1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
  2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
  3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning of the zoning regulation from which relief is sought.
- (S) The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.
- (T) The Board shall not possess the power to grant a variance to permit a use of any land, building, or structure which is not permitted by the zoning regulation in the zone in question, or to alter density requirements in the zone in question.
- (U) A variance applies to the property for which it is granted, and not to the individual who applied for it. A variance runs with the land and is transferrable to any future owner of the land, but it cannot be transferred by the applicant to a different site.
- (V) The lawful use of a building or premises existing at the time of adoption of any zoning regulations affecting it may be continued, although such use does not conform to the provisions of such regulations except as otherwise provided herein.

The Board of Adjustments shall not allow the enlargement or extension of a nonconforming use beyond the scope of its operation at the time the regulation which makes its use nonconforming was adopted, nor shall the Board permit a change from one nonconforming use to another unless the new nonconforming use is in the same or more restrictive classification provided. However the Board of Adjustments may grant approval, effective to maintain nonconforming use status, for enlargement or extensions, made or to be made of the facilities of a nonconforming use where the use consists of the presenting of a major public attraction or attractions such as a sports event or events, which has been presented at the same site over such period of years and has such attributes and public acceptance as to have attained local prestige and to have achieved the status of a public tradition, contributing substantially to the economy of the community and state, of which prestige and statue the site is an essential element, and where the enlargement or extension was or is designed to maintain the prestige and status by meeting the increasing demands of participants and patrons. Any use which has existed illegally and does not conform to the provisions of the zoning regulations, and has been in continuous existence for a period of ten (10) years, and which has not been the subject of any adverse action by the administrative official during said period, shall be deemed a nonconforming use.

- (W) The Board of Adjustments shall have the power to hear and decide cases where it is alleged by an applicant that there is an error in any order, requirement, decision, grant or refusal made by an administrative official in the enforcement of the zoning regulation. Such appeal shall be taken within sixty (60) days.
- (X) Appeals to the Board may be taken by any person or entity claiming to be injuriously affected or aggrieved by an official action or decision of the zoning enforcement officer. Such appeal shall be taken within thirty (30) days after the appellant or his agent receives notice of the action appealed from, by filing with said officer and with the Board a notice of appeal specifying the grounds thereof, and giving notice of such appeal to any and all parties of record. Said officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken and shall be treated as and be the respondent in such further proceedings. At any hearing by the Board any interested person may appeal and enter his appearance and all shall be given an opportunity to be heard.
- (Y) The Board shall fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the appellant and the administrative official at least one (1) week prior to the hearing and shall decide within sixty (60) days. The affected party may appear at the hearing in person or by attorney.
- (Z) If no building permit has been issued and a builder begins or continues to build, a restraining order may be obtained upon application to the proper court of record and evidence of the lack of a building permit shall establish a prima facie case for the issuance of the restraining order.

## ARTICLE VI

### ADMINISTRATION, ENFORCEMENT AND VIOLATIONS

SECTION 6.01 Enforcement Officer

SECTION 6.02 Building Permits

SECTION 6.03 Certificates of Occupancy

SECTION 6.04 Violations; Penalties

SECTION 6.05 Clarification of Administrative Jurisdiction

## ARTICLE VI

### ADMINISTRATION, ENFORCEMENT AND VIOLATIONS

SECTION 6.01 - Enforcement Officer - The provisions of this chapter shall be administered and enforced by a zoning administrator appointed by the City of Corydon who shall have the power to make inspection of buildings and premises necessary to carry out his duties in the enforcement of this chapter. The enforcement officer, in the performance of his duties and functions, may enter upon any land and make examination and surveys that do no damage or injury to private property.

SECTION 6.02 - Building Permits

- (A) Required prior to construction or exterior alteration. No person shall commence excavation for or the construction of any building, including accessory buildings, or commence the moving or exterior alteration of any buildings, including accessory buildings, until the enforcement officer has issued a building permit for such work.
  
- (B) Exceptions. No building permit or certificate of occupancy shall be required in the following cases:
  - 1. Recurring maintenance work
  - 2. Alterations to the interior of a building
  - 3. Alterations to the exterior of a building which do not appreciably increase the exterior dimensions of the building (e.g., siding, windows, doors, roofing, etc.)
  - 4. Installation of required improvements according to an approved subdivision plat.
  - 5. Exceptions set forth in Section 4.14.
  
- (C) Procedure.
  - 1. Application - In applying to the enforcement officer for a building permit the applicant shall submit a plan along with the application, drawn to scale, showing the dimensions of the lot to be built upon, the outside dimensions of all structures, yard depths, and any other information necessary for determining conformance with this order. The State Plumbing Inspector's certificate approving proposed water and sewage facilities must accompany applications according to Section 4.04 of Article IV.
  - 2. Permanent File - The enforcement officer shall keep accurate records in a permanent file for the issuance of building permits, certificates of occupancy, inspection violations, stop orders, and condemnations.
  - 3. Issuance - If the proposed construction or alteration conforms with all applicable provisions of this chapter and all other applicable ordinances, regulations and codes, the enforcement officer shall issue a building permit authorizing such construction or alteration. If the proposed construction or alteration fails to conform, the enforcement officer shall refuse to issue a building permit and shall deliver written notice to the

applicant stating the reasons for the refusal. The enforcement officer shall act upon applications for building permits within two (2) weeks from the date of their submission or shall inform the City of Corydon as to why no action has been taken.

4. Validity - The issuance of a building permit by the enforcement officer shall not waive any provision of this chapter.
5. Duration - A building permit shall become void six (6) months from the date of issuance unless substantial progress has been made by that date on the construction or alteration authorization therein. A building permit may be renewed without fee upon review by the enforcement officer before it becomes void.

SECTION 6.03 - Certificates of Occupancy - No land or buildings or part thereof hereafter erected or altered in its use or structure shall be used until the enforcement officer shall have issued a certificate of occupancy, stating that such land, building, or part thereof, and the proposed use thereof, are found to be in conformity with the provisions of this chapter. Within three days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the enforcement officer to make a final inspection thereof and to issue a certificate of occupancy, if the land, building, or part thereof and the proposed use thereof, are found to conform with the provisions of this chapter; or if such certification is refused, to state refusal in writing, with the cause and immediately thereupon to mail notice of such refusal to the applicant at the address indicated in the application. Residential one and two family dwellings and those facilities under state jurisdiction are excluded from the provisions of this section.

SECTION 6.04 - Violations; Penalties.

- (A) Remedies - In case any building or structure is, or is proposed to be erected, constructed or reconstructed, or any building, structure or land is, or is proposed to be used in violation of this ordinance, the enforcement officer or any other appropriate property owner who would be damaged by such violation, in addition to other remedies may institute an injunction, mandamus or appropriate action or proceeding to prevent the work or occupancy of such building, structure or land in any court of competent jurisdiction.
- (B) Penalties - Any person violating any provision of this chapter shall, upon conviction, be fined not less than \$10 nor more than \$500 for each conviction. Each day of violation shall constitute a separate offence.

SECTION 6.05 - Clarification of Administrative Jurisdiction - The following is a recapitulation of the administrative agencies with jurisdiction and the extent of their jurisdiction concerning the administration of this chapter.

- (A) The enforcement officer has initial authority for the literal enforcement of this chapter. He has no discretionary authority to allow any departure from the literal conformance with this chapter.
- (B) The Board of Zoning Adjustment has authority to hear appeals from decisions by the enforcement officer and to make literal interpretations of the pertinent provisions to correct any possible misinterpretations by the enforcement officer. The Board also has the authority to make only those initial discretionary interpretations and decisions and to allow only those departures from a literal conformance which is specifically delegated to it.

- (C) The Circuit Court has jurisdiction to determine all questions and issues properly brought before it on appeal from decisions of the Board of Zoning Adjustment or Corydon City Council.

ARTICLE VII

AMENDMENTS

SECTION 7.01 Application for Amendment

SECTION 7.02 Commission Procedure

SECTION 7.03 Notice of Public Hearing

SECTION 7.05 Recommendation of the Planning Commission on Zoning Amendments

SECTION 7.06 Action by the Legislative Body on Zoning Ordinance Amendments

SECTION 7.07 Schedule of Fees, Charges and Expenses

## ARTICLE VII

### AMENDMENTS

SECTION 7.01 - Application for Amendment - A proposal for amendment to the Zoning Ordinance may originate with the Planning Commission, Legislative Body, any other governmental body, the owner of the subject property, or by a person having written authorization from the owner of the subject property. Regardless of the origin of the proposed amendment, an application must be filed with the Planning Commission at least twenty-one (21) days prior to the first Tuesday of the following month requesting the proposed amendment, accompanied by such information as required by this Zoning Ordinance and in such form as established by the Planning Commission. The Planning Commission may require the submission of further information subsequent to the filing of an application as provided by the Zoning Ordinance. At the time of the filing of the application, a non-returnable filing fee shall be paid according to the schedule of fees as established herein. Upon the filing of an application for a zoning map amendment by a governmental body, the Planning Commission shall promptly notify the owner of the subject property by registered mail. Regardless of the origin of a proposed zoning map amendment, the owners of all property shall be notified by registered mail. Property owners across public right-of-way shall be notified as they are considered adjoining.

SECTION 7.02 - Commission Procedure - Upon filing of an application for an amendment to this Zoning Ordinance, the Planning Commission shall study and review the application as provided in this Zoning Ordinance and the By-Laws of the Henderson City-County Planning Commission.

SECTION 7.03 - Notice of Public Hearing - Before voting upon any proposed amendment, notice of the time, place and reason for holding a public hearing shall be given as required by KRS Chapter 424 and KRS 100.212 and 100.211.

SECTION 7.04 - Public Hearing on Application - After notice of the public hearing as provided hereinabove, the Planning Commission shall hold at least one public hearing on the proposed amendment.

SECTION 7.05 - Recommendation of the Planning Commission on Zoning Amendment - The Planning Commission shall make its recommendation to the City of Corydon within sixty (60) days of the advertised public hearing. In its finding the Planning Commission may after careful review, as a condition to the granting of any zoning change, require the submission of a development plan, which, where agreed upon, shall be followed. Development plan means written and graphic material for the provision of a development including any or all of the following: location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, signs, drainage of surface water, access points, a plan for screening or buffering, utilities, existing manmade and natural conditions, and all other conditions agreed to by the applicant. The development plan shall become part of the ordinance for amendment upon motion and approval by the planning commission and is then considered as part of the findings recommended to the City of Corydon. The development plan shall not take the place of submission of a subdivision plat through the planning commission. Before recommending to the Corydon City Council that an application for the amendment to the zoning ordinance be granted, the Planning Commission shall find that the map amendment is in agreement with the Comprehensive Plan or in the absence of such a finding that:

1. The existing zoning classification given to the property was inappropriate and the proposed zoning classification is appropriate, or;

2. That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the Comprehensive Plan, and which has substantially altered the basic character of the area.

The findings of fact made by the Planning Commission shall be recorded in the minutes and records of the Planning Commission. After voting to recommend that an application for amendment to the Zoning Ordinance be granted or denied, the Planning Commission shall forward its findings of fact and recommendation in writing to Corydon City Council. Once the Planning Commission has made a determination of fact and recommendation to the City of Corydon concerning the disposition of zoning on an individual tract of land, said tract of land, or any portion thereof, shall not be reconsidered for reclassification to the same zone by the Planning Commission for a period of at least six (6) months.

SECTION 7.06 - Action by the Legislative Body on Zoning Ordinance Amendments - The Corydon City Council shall not act upon a proposed amendment to the Zoning Ordinance until it shall have received written findings of fact and recommendation thereon from the Planning Commission. Before an amendment to the Zoning Ordinance is granted the Corydon City Council must find that the map amendment is in agreement with the Comprehensive Plan or, in the absence of such a finding that:

1. The existing zoning classification given to the property was inappropriate and the proposed zoning classification is appropriate.
2. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the Comprehensive Plan which have substantially altered the basic character of such area.

It shall take a majority of the Corydon City Council to override the recommendation of the Planning Commission. Unless a majority of the entire Corydon City Council votes to override the planning commission's recommendation, such recommendation shall become final and effective, and if a recommendation of approval was made by the planning commission, the ordinance of the Corydon City Council adopting the zoning map amendment shall be deemed to have passed by operation of law. Upon approval the ordinance with development plans, including written agreements, if any, will be published and recorded in the same manner as all other City of Corydon ordinances.

SECTION 7.07 - Schedule of Fees, Charges and Expenses - A schedule of fees, charges and expenses and a collection procedure for requests for amendments to the Zoning Ordinance and appeals from the Board of Zoning Adjustments action, variance and conditional use permits is hereby established. No conditional use permit or variance or other change shall be granted nor shall any action be taken on proceedings before the Board of Zoning Adjustment unless and until preliminary charges and fees have been paid in full.

Request for Amendment to Zoning Ordinance (Rezoning)	\$200.
* Conditional Use Permit	50.
* Request for Variance	30.
Request for Appeal or Interpretation	30.

\* In addition to the fees listed in the schedule of fees the applicant shall submit a ten dollar and fifty cent (\$10.50) fee for recording the Certificate of Land Use Restriction as required by KRS Chapter 100.3681 through 100.3683. This fee is refundable to the applicant if the request or submittal is not approved. Other fees listed are not refundable.

These fees and charges shall be in addition to the fee schedule established for obtaining a building permit.

ARTICLE VIII

NONCONFORMING USES AND STRUCTURES

SECTION 8.01 Nonconforming Structures

SECTION 8.02 Nonconforming Uses

## ARTICLE VIII

### NONCONFORMING USES AND STRUCTURES

SECTION 8.01 - Nonconforming Structures - Nonconforming structures may remain subject to the following regulations:

- (A) Alterations - A nonconforming structure shall not be enlarged, replaced or structurally altered, except that a nonconforming residential structure on a residentially zoned lot of less than fifty (50) feet in width at the time of the adoption of this chapter, may be enlarged provided that the structure conforms with side yard requirements of the applicable residential district. No such structure shall be enlarged by more than twenty-five (25) percent of its original size at the time of the enactment of this chapter.

Nothing in this section shall prohibit the restoration of structures declared unsafe by the building inspector or other delegated authority to a safe condition.

- (B) Restoration - Any structure containing a nonconforming use which has been damaged or deteriorated to the extent of seventy-five (75) percent or more of its fair sales value immediately prior to damage shall not be repaired or reconstructed except in conformity with this chapter.
- (C) Prior Approval - Proposed structures for which building permits have been issued prior to their designation as nonconforming by the adoption or amendment of this chapter may be completed and used as originally intended provided they are completed and in use twelve (12) months after the date on which the building permit was issued.

SECTION 8.02 - Nonconforming Uses - The lawful use of a building or premises, existing at the time of the adoption of any zoning regulations affecting it may be continued, although such use does not conform to the provisions of such regulations, except as otherwise provided herein.

If a nonconforming use has been discontinued for a period of one year, it shall become a discontinued use.

- (A) Extension - A nonconforming use shall not be extended, enlarged, or moved to occupy any portion of the premises, either land or structure, which as not originally occupied by the nonconforming use.
- (B) Discontinuance - Whenever a nonconforming use of any premises has been discontinued for a period of twelve (12) months no nonconforming use may be re-established on those premises. Vacating of premises or building or non-operative status shall be evidence of a discontinued use.
- (C) Changes - The Board of Zoning Adjustment shall not permit a change from one nonconforming use to another unless the new nonconforming use is in the same classification.

ARTICLE IX

OFF-STREET PARKING AND LOADING REQUIREMENTS

SECTION 9.01 Off-Street Parking Requirements

SECTION 9.02 Off-Street Loading Requirements

SECTION 9.03 Off-Street Waiting Area for Drive-Through Facilities

## ARTICLE IX

### OFF-STREET PARKING AND LOADING REQUIREMENTS

SECTION 9.01 - Off-Street Parking Requirements - In all zoning districts, off-street parking spaces for the storage and parking of motor vehicles for the use of occupants, employees and patrons of the buildings hereafter erected, or enlarged after the effective date of these regulations, shall be provided as herein prescribed. The remodeling or alteration of present buildings would be exempt from these provisions if:

- (A) The exterior dimensions are not changed; and
- (B) Any increase in floor space is confined within the basic structure.

Required parking spaces shall be maintained and shall not be encroached upon so long as said main buildings or structures remain, unless an equivalent number of such spaces are provided elsewhere in conformance with these regulations. The owner or owners of a building, structure or other land use requiring off-street parking space must show, to the satisfaction of the Building Inspector, that he is the record title holder of the property devoted to said principal land use and of the property proposed for off-street parking use, or that he is the lessee of such property.

- (A) **Parking Space** - For the purpose of this section, 300 square feet of lot area shall be deemed a parking space for one (1) vehicle, including access aisle, except that 180 square feet of lot area which has a direct means of ingress and egress from an alley or street may also be deemed a parking space.
- (B) **Fractional Requirements** - When units or measurements determining the number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half ( $\frac{1}{2}$ ) shall be disregarded and fractions over one-half ( $\frac{1}{2}$ ) shall require one (1) parking space.
- (C) **Loading Space Limitations** - Loading space as required in this article shall not be construed as supplying off-street parking space.
- (D) **Location of Parking Space for One and Two Family Dwellings** - The off-street parking facilities required for one and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve, and shall consist of a parking strip, parking apron, and/or garage.
- (E) **Location of Parking Space for Other Land Uses** - The off-street parking facilities required for all other uses shall be located on the lot or within 500 feet of the permitted use requiring such off-street parking, such distance to be measured along lines of public access to the property between the nearest point of the parking facility to the building to be served.
- (F) **Usable Floor Area** - For the purpose of this Section, usable floor area in the case of offices, merchandising, or service types of uses, shall mean the gross floor area used or intended to be used by customers, patrons, clients, patients, owners and tenants, less twenty (20) percent thereof.
- (G) **Seating Capacity or Seats** - As used in this article for parking requirements, shall mean that each twenty-one (21) inches of seating facilities shall be counted as one (1) seat, except that where specifications and plans filed with the Building Inspector specify a certain

seating capacity for a particular building, such specified seating capacity shall be used as the basis for required parking space.

- (H) Bed - Whenever the term "bed" is herein referred to, it shall mean such beds as are occupied by the patients or guests of the hospital or building in question, provided however, that bassinets and incubators shall not be counted as beds.
- (I) Similar Uses and Requirements - In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is so mentioned, and which said use is similar, shall apply.
- (J) Existing Off-Street Parking at Effective Date of Regulation - Off-street parking existing at the effective date of these regulations which serves an existing building or use, shall not be reduced in size less than that required under the terms of these regulations.
- (K) Collective Provisions - Nothing in this section shall be construed to prevent collective provisions of off-street parking facilities for two (2) or more buildings or uses, provided such facilities collectively shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with the table under this article.
- (L) General Use Condition - Except when land is used as storage space in connection with the business of a repair or service garage, the time limits for parking in off-street parking areas shall prevail as specified under this article, it being the purpose and intention of the foregoing that the requirements of maintenance vehicle storage or parking space is to provide for the public safety in keeping parked cars off the streets, but such requirement is not designed to provide and it shall be unlawful to permit the storage or parking on such open land of wrecked or junked cars, or for creating a junk yard or a nuisance in such area.
- (M) Joint Use - Parking spaces already provided to meet off-street parking requirements for theaters, stadiums, auditoriums, and other places of public assembly, stores, office buildings, and industrial establishments lying within 1,500 feet of a church as measured along lines of public access, and that are not normally used between the hours of 6:00 A.M. and 6:00 P.M. on Sundays, and are made available for other parking, may be used to meet not more than seventy-five (75) percent of the off-street requirements of a church.
- (N) Required Barriers - When off-street parking spaces or access aisles are located adjacent to the right-of-way line of a public street or alley, a concrete or asphalt curb measuring six (6) inches in height shall be placed along the edge of the parking space or access aisle for the purpose of preventing vehicle encroachment onto the street or alley right-of-way.
- (O) Table of Off-Street Parking Requirements - The amount of off-street parking spaces required as specified above shall be determined in accordance with the following table, and the space so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use and/or shall comply with the initial part of this section.

	Use	Required Number Parking Spaces	Per Each Unit of Measure as Follows:
1.	Banks (except drive-in only), Business or Professional Offices of Lawyers, Architects, Engineers, or similar or allied professions.	1	Three-hundred (300) square feet of usable floor area.
2.	Banks (drive-in only)	1	Per service window, plus one.
3.	Beauty Parlor/Barber Shop	2	Each barber and/or beauty shop operator or chair, whichever is greater.
4.	Bowling Alleys	8	Each bowling lane plus required parking for any bar, restaurant, or assembly space attached to a bowling alley.
5.	Churches	1	Six (6) seats, based on maximum seating capacity in the main place of assembly therein.
6.	Dance halls, exhibition halls, pool and billiard halls, skating rinks, lodge halls, and assembly halls without fixed seats.	1	Forty (40) square feet of usable floor space with a minimum of ten (10) parking spaces.
7.	Elementary schools	1	Two teachers, employees or administrators in addition to the requirements of the auditorium or assembly hall.
8.	Establishments other than drive-in, for sale and consumption on the premises of beverages, food or refreshments.	1	One hundred (100) square feet of usable floor area.
9.	Furniture and appliance, household equipment repair shops, showrooms of a plumber, decorator, electrician or similar trade; clothing and shoe repair, laundry, motor vehicle salesroom, hardware stores, wholesale stores and machinery sales.	1	Eight hundred (800) square feet of usable floor area exclusive of the usable floor area occupied in processing or manufacturing for which requirements see industrial establishments below.

10.	Hospitals	1	Two (2) beds
11.	Hotels	1	Guest Bedroom
12.	Industrial establishments, including manufacturing, research and testing labs, creameries, bottling works, printing, plumbing or electrical workshops, warehouses and storage bldgs.	1	Two (2) employees computed on the basis of of the greatest number of persons employed at any one period during the night or day.
13.	Laundromat and/or dry cleaning center.	1	Each combination of washer-dryer machine plus one space.
14.	Libraries and museums	1	Two hundred (200) square feet of floor space.
15.	Manufactured Homes/Mobile Homes	2	Per dwelling unit.
16.	Mortuary establishments funeral homes	1	Sixty (60) square feet of of floor space.
17.	Motor vehicle car wash		
	a. Self-service operation	4	Each motor vehicle wash establishment, in addition, off-street automobile waiting spaces shall be in accordance with Section 9.03
	b. Other than self-service operation	4	Car wash establishment for for employee parking, in addition, off-street automobile waiting spaces shall be in accordance with Section 9.03.
18.	Fraternity houses, dorms	1	Two (2) beds
19.	Professional offices of doctors and dentists	1	Two-hundred (200) sq. ft. of usable floor space.
20.	Residential, Single or Two-family	2	Per dwelling unit
21.	Multi-family		
	a. Efficiency & one bedroom apartment	1.5	Per dwelling unit
	b. Two plus bedroom apartment	2	Per dwelling unit
	c. Townhouse	2	Per dwelling unit

22.	Rooming or boarding houses	5	Plus one (1) every five (5) beds (minimum 6 spaces).
23.	Retail stores, except as otherwise specified herein	1	Square feet of usable floor floor space.
24.	Sanitariums, convents, homes for the aged, convalescent homes, children's homes.	1	Two beds
25.	Senior High School, Colleges	1	Each teacher, employee and University and administrator, in Addition to the requirements of The auditorium or assembly area therein.
26.	Stadiums and sports arenas, auditoriums and places of public assembly	1	Four (4) seats or seven (7) feet of benches.
27.	Tourist homes, motel	1	Guest bedroom
28.	Automobile service stations	4	Each station plus one (1) additional space for each gasoline pump above three (3).
29.	Service garages, auto salesrooms, auto repair collision or body shops	1	Eight hundred (800) square feet of usable floor area plus one (1) space for each two (2) employees computed on the bases of the maximum number of employees on duty at any one time, plus two (2) spaces for each stall in a collision, body or painting shop, plus one (1) space for each stall or service area or wash rack in a servicing or repair shop.

(P) Off-street parking facilities shall be properly graded for drainage and maintained in proper condition, free of weeds, dust, trash and debris.

(Q) Side yards shall be maintained for a space of not less than ten (10) feet between the side lot lines of adjoining residential lots and the parking area. The depth of the front yard or setback line from the street as established for houses in any block in any given residential area shall be continued and made applicable to parking space in such residential area and it shall be unlawful to use the space between such setback line and the sidewalk for the parking of motor vehicles; provided however, that the barrier shall be located on the setback line as herein required.

(R) Whenever such parking area adjoins residential property and/or a residential street or alley, a protective wall or dense shrubbery shall be placed and

maintained between the required yard space and the area to be used for parking. Location of said wall facing a residential street shall be determined with due regard to side yard and building setback requirements adjoining the residential district as may be required in the particular commercial, office or industrial zoning district. The said wall shall be constructed in such a manner that the first twelve (12) feet back from the street shall be four (4) feet high and the balance shall be six (6) feet high as indicated above. Bumper guards shall be provided to prevent vehicles striking said wall.

- (S) In all cases where such parking lots abut public sidewalks, concrete curbing, at least six (6) inches in height, set end to end, shall be placed so that a motor vehicle cannot be driven or parked with any part thereof extending within two (2) feet of a public sidewalk. In all cases where necessary for the protection of the public and adjoining properties, streets and sidewalks, curbs as described above, shall be installed.
- (T) Means of ingress and egress shall be provided and shown on plan submitted. Minimum shall be fifteen (15) feet wide for one-way and twenty-four (24) feet wide for two-way traffic.
- (U) Where street setback lines are provided by ordinance or established through the adoption of a comprehensive plan, such setback lines shall be maintained and required parking spaces shall not encroach thereon.
- (V) No repairs or service to vehicles and no display of vehicles for purposes of sale shall be carried on or permitted on such premises.

**SECTION 9.02 - Off-Street Loading Requirements** - On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, truck freight terminal, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution of vehicles, materials or merchandising, there shall be provided and maintained on the lot adequate space for standing, loading, and unloading services in order to avoid undue interference with public use of the streets and alleys.

Such loading and unloading space, unless otherwise adequately provided for, shall be an area ten (10) feet by fifty (50) feet, with fifteen (15) foot height clearance, and shall be provided according to the following schedule:

Gross Floor Area in Square Feet	Loading and Unloading Spaces Required in Terms of Square Feet of Usable Floor Area.
0 - 2,000	None
2,000 - 5,000	One (1) space
5,000 - 20,000	One (1) space plus one (1) space for each 5,000 square feet.
20,000 - 100,000	Four (4) spaces plus one (1) space for each 20,000 square feet in excess of 100,000 square feet.

100,000 - 500,000

Five (5) spaces plus one (1) space for each 40,000 square feet in excess of 100,000 square feet.

Over 500,000

Fifteen (15) spaces plus one (1) space for each 80,000 square feet in excess of 500,000 square feet.

SECTION 9.03 - Off-Street Waiting Area for Drive-Through Facilities - On the same premises with every building, structure or part thereof erected and occupied for the purpose of serving customers in their automobiles by means of a service window or similar arrangement where the automobile engine is not turned off, there shall be provided three (3) off-street waiting spaces for each service window.

Any off-street waiting space is defined as an area ten (10) feet wide by twenty (20) feet long.

Self-service motor vehicle car wash establishments shall provide four (4) off-street waiting spaces for each washing stall. Motor vehicle car wash establishments other than self-service, shall provide twenty (20) waiting spaces for each washing stall. A drying lane fifty (50) feet long shall also be provided at the exit of each washing stall in order to prevent undue amounts of water from collecting on the public street and thereby creating a traffic hazard.

ARTICLE X

SIGNS AND OUTDOOR ADVERTISING DISPLAY

SECTION 10.01	Signs and Outdoor Advertising Displays Permitted
SECTION 10.02	Definitions
SECTION 10.03	Permit Required
SECTION 10.04	Location
SECTION 10.05	Lighting
SECTION 10.06	Maintenance
SECTION 10.07	Non-Conforming Signs and Outdoor Advertising Displays
SECTION 10.08	Illegal Signs and Outdoor Advertising Displays

## ARTICLE X

### SIGNS AND OUTDOOR ADVERTISING DISPLAYS

SECTION 10.01 - Signs and Outdoor Advertising Displays Permitted. Signs and outdoor advertising displays shall be permitted in all districts subject to the provisions and regulations contained herein.

SECTION 10.02 - Definitions - Signs and Outdoor Advertising Displays.

- (A) Signs - Any advertising display affixed to land or improvements thereof which it is located and which may be either illuminated or non-illuminated, except where illumination is otherwise specifically prohibited in this chapter.
- (B) Outdoor Advertising Display - Any advertising display, whether affixed to land or improvements thereof and which is not an accessory use to the premises upon which it is located and which may be either illuminated or non-illuminated, except where illumination is otherwise specifically prohibited in this chapter.
- (C) Directional Sign - A sign conveying directions to a premises other than the premises on which the sign is located. Directional signs shall not exceed sixteen (16) square feet in area and may be either illuminated or non-illuminated, except where illumination is specifically prohibited in this chapter.
- (D) Pennants and Special Events Signs - A sign or advertising display or pennant which relates specifically to a scheduled special event. All such signs or pennants shall be removed with seven calendar days from the final day of the event.

SECTION 10.03 - Permit Required - A building permit shall be required for all signs and outdoor advertising displays, except pennants and special events signs.

SECTION 10.04 - Location

- (A) Signs - No sign shall be erected or placed nearer to any street right-of-way upon which said display faces than the building lines provided in zones where the use is permitted, except one sign advertising the primary nature of the business or industry conducted on the premises may be placed not closer than five feet to the street right-of-way line, but in no case to be permitted to obstruct the view of traffic. If the use is on a corner lot, two signs are allowed, one on each street.
- (B) Outdoor Advertising Displays - Outdoor advertising displays shall be permitted only in commercial and business districts. All outdoor advertising display shall be placed not closer than twenty (20) feet from any street right-of-way line upon which said display faces. The total number of outdoor advertising displays on any one lot shall not exceed two. Back-to-back displays commonly supported shall be considered as one display.
- (C) Directional Sign - Directional signs shall be permitted in all commercial and industrial districts only. Such signs shall not be placed closer than five (5) feet to any street right-of-way line nor shall it be permitted to obstruct the flow or view of traffic.

- (D) Pennants and Special Events Signs - Pennants and special events signs are allowed in commercial districts and shall not be permitted to obstruct the view or flow of traffic.

SECTION 10.05 - Lighting - Signs and outdoor advertising displays which involve lighting or motion resembling traffic or directional signals, warnings, such as "stop" or "danger" or any other signal signs which are normally associated with highway safety or regulations are prohibited. Additionally, no sign or outdoor advertising display device constituting a nuisance because of light, glare, focus, animation, flashing, or any illuminated signs of such intensity of illumination as to unduly disturb the use of residential property shall be erected or continue in operation.

SECTION 10.06 - Maintenance - Signs and outdoor advertising displays shall be maintained. Such maintenance shall include proper alignment of structure, continued readability of the structure and preservation of the structure with paint or other preservatives. If a sign or outdoor advertising display is not maintained, written notice or any disrepair shall be issued by the enforcement officer to the owner of said structure. If the disrepair is not corrected within sixty days of issuance of said notice, said structures shall be removed at the owners expense.

SECTION 10.07 - Non-conforming signs and outdoor advertising displays. Any sign or outdoor advertising display which does not conform with the provisions hereof shall not be structurally altered.

SECTION 10.08 - Illegal signs and outdoor advertising displays. The City shall remove, at the owners expense, any sign or outdoor advertising display erected or maintained illegally if the owner or lessee thereof fails to do so within sixty (60) days after receiving notice from the enforcement officer to remove the sign or display.

ARTICLE XI

R-S, SINGLE FAMILY RESIDENTIAL DISTRICT

SECTION 11.01	Statement of Purpose
SECTION 11.02	Permitted Uses
SECTION 11.03	Conditional Uses
SECTION 11.04	Area, Height, Bulk and Placement Regulations

## ARTICLE XI

### R-S, SINGLE FAMILY RESIDENTIAL DISTRICT

SECTION 11.01 - Statement of Purpose - The Single-Family Residential District is established as a district in which the principal use of land is established as a district for single-family dwellings. For the Single-Family Residential District, in promoting the general purpose of this Ordinance, the specific intent of this Section is:

- (A) To encourage the construction of, and the continued use of the land for single-family dwellings.
- (B) To prohibit business, commercial or industrial use of the land and to prohibit any other use which would substantially interfere with the development or maintenance of single-family dwellings in the district.
- (C) To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this ordinance.
- (D) To discourage any land use which would generate traffic on minor or local streets, other than normal traffic to serve the residences on those streets.
- (E) To encourage any use which, because of its character or size would create requirements and costs for public services such as fire and police protection, water supply and sewage, substantially in excess of such requirements and costs if the district were developed solely for single-family dwellings.

SECTION 11.02 - Permitted Uses.

- (A) Single-family detached dwellings, including modular and Class A manufactured homes which meet the Acceptable Installation Standards and Acceptable Appearance Standards listed below.
  - A. Acceptable Installation Standards
    1. The home shall be installed on a permanent foundation system and installed in accordance with the state standards set forth in KRS 227.570.
    2. The home shall be anchored to the ground in accordance with manufacturer's specs approved by the U.S. Department of Housing and Urban Development.
    3. All wheel, tongue and hitch assemblies shall be removed upon installation.
    4. The home shall meet all requirements for lot, yard, building and other requirements for the district in which it is located.
    5. All external, site-build additions, including stairs, porches, entrances, platforms and other means of entrance and exit to the home shall be installed and constructed in conformance to the Kentucky Building Code.
    6. All utilities shall be permanently connected to a public utility system in accordance with all City Codes and all public health requirements.
    7. A building permit shall be obtained prior to the placement of a manufactured home on any lot.

A. Acceptable Appearance Standards

1. A poured concrete or masonry skirting wall shall be constructed beneath and along the entire perimeter of the manufactured home, including the perimeter of the front steps and front porch, even if the wall is not structurally required by the manufactured installation specifications. Venting and access requirements shall be in accordance with the Kentucky Building Code.
2. The home shall be a minimum width of 16 feet as measured across the narrowest portion.
3. The pitch of the main roof shall be not less than two and one-half (2 ½) feet of rise for each twelve (12) feet of horizontal run. Minimum distance from eaves to ridge shall be ten (10) feet. In general, any roofing material may be used that is generally acceptable for housing built on the site, if applied in such a manner as to be similar in appearance.
4. Any materials that are generally acceptable for housing built on the site may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflections from such exterior shall not be greater than from siding coated with clean, white, gloss, exterior enamel.
5. An adequate guttering and roof drainage system shall be installed.

- (B) Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot and not involving any business, profession, trade or occupation.
- (C) Cemeteries.
- (D) Churches and other facilities normally provided that there is adequate access to all required off-street parking areas.
- (E) Public, parochial and private kindergarten, elementary, intermediate, and/or high schools offering courses in general education.
- (F) Residential Care Facilities

SECTION 11.03 - Conditional Uses.

- (A) Funeral Homes
- (B) Private non-commercial recreational areas such as the YMCA, Boys Club and golf courses.
- (C) Publicly owned and operated buildings, libraries, parks, parkways, and recreational facilities.
- (D) Public or private hospitals, but not including institutions for the care of the feeble-minded or insane, provided that the hospital is adjacent to a major or secondary thoroughfare as defined in the Comprehensive Plan adopted by the governing body.
- (E) Nursery schools, day nurseries and child care centers, provided that for each child so cared for, there is provided and maintained a minimum of fifty (50) square feet of outdoor play area.

- (F) Governmental buildings and uses.
- (G) Public utility buildings, telephone exchange buildings, electric transformer stations and sub-stations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating within the district in order to serve the immediate vicinity.
- (H) Temporary buildings for use incidental to construction work for a period not to exceed one year, subject to renewal.
- (I) Home occupations as limited and defined in Article II.
- (J) Off-street parking and loading in accordance with the requirements of Article IX of this Ordinance.

SECTION 11.04 - Area, Height, Bulk and Placement Regulations. (See attached Schedule of Regulations, Article XVI).

ARTICLE XII

R-M, MULTI FAMILY RESIDENTIAL DISTRICT

SECTION 12.01	Statement of Purpose
SECTION 12.02	Permitted Uses
SECTION 12.03	Conditional Uses
SECTION 12.04	Area, Height, Bulk and Placement Regulations

## ARTICLE XII

### R-M, MULTI FAMILY RESIDENTIAL DISTRICT

SECTION 12.01 - Statement of Purpose - The multi-family district is established as a district in which the principal use of land is for multi-family dwellings based upon a plan to make the most appropriate use of scattered parcels of land within neighborhoods on major thoroughfares. The intent of this district is to protect the residential character of the district by prohibiting commercial activities, to encourage a suitable neighborhood environment for family life and to insure that only such residential uses as can be properly defined and built will be allowed in this district so as not to overcrowd the land, cause parking or traffic congestion, or to have injurious effects on adjacent properties.

SECTION 12.02 - Permitted Uses - In all R-M Districts no building or land except as otherwise provided in this ordinance, shall be erected or used except for the following specified uses:

- (A) Any use permitted in the R-S, Single Family Residential District.
- (B) Two-family dwellings (duplexes).
- (C) Multi-family dwellings.
- (D) Apartments (as permitted or conditional use).
- (E) Townhouses.

SECTION 12.03 - Conditional Uses.

- (A) Any use classified as a conditional use in the R-S, Single Family District.
- (B) Apartment houses.
- (C) Class B Manufactured Homes which meet the following appearance and installation standards.

#### Acceptable Appearance Standards

1. Venting and access requirements shall be in accordance with the Kentucky Building Code.
2. The manufactured home shall be a minimum width of 16 feet as measured across the narrowest portion.
3. The pitch of the main roof shall be not less than two and one-half (2 ½) feet of rise for each twelve (12) feet of horizontal run. Minimum distance from eaves to ridge shall be ten (10) feet. In general, any roofing material may be used that is generally acceptable for housing built on the site, if applied in such a manner as to be similar in appearance.
4. Any materials that are generally acceptable for housing built on the site may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflections from such exterior shall not be greater than from siding coated with clean, white, gloss exterior enamel.
5. An adequate guttering and roof drainage system shall be installed.

#### Acceptable Installation Standards

1. The manufactured home shall be installed on a permanent foundation system and installed in accordance with the state standards set forth in KRS 227.570.
  2. The manufactured home shall be anchored to the ground in accordance with manufacturer's specs approved by the U.S. Department of Housing and Urban Development.
  3. All wheel, tongue and hitch assemblies shall be removed upon installation.
  4. The manufactured home shall meet all requirements for lot, yard, building and other requirements of the district in which it is located.
  5. All external, site-built additions, including stairs, porches, entrances, platforms and other means of entrance and exit to the home shall be installed and constructed in conformance to the Kentucky Building Code.
  6. All utilities shall be permanently connected to a public utility system in accordance with all City Codes and all public health requirements governing plumbing installations.
  7. A building permit shall be obtained prior to the placement of a manufactured home on any lot.
- 
1. The manufactured home shall be located on its own lot with building site area identical to requirements established in the district it is located.

SECTION 12.04 - Area, Height, Bulk and Placement Regulations. (See attached Regulations, Article XVI).

ARTICLE XIII

R-MH, MANUFACTURED HOME COMMUNITY PARK DISTRICT

SECTION 13.01	Statement of Purpose
SECTION 13.02	Permitted Uses
SECTION 13.03	Conditional Uses
SECTION 13.04	Building Site Area
SECTION 13.05	Setback Requirements
SECTION 13.06	General Requirements
SECTION 13.07	Manufactured Home Community Park Requirements
SECTION 13.08	Special Conditions
SECTION 13.09	Enforcement
SECTION 13.10	Non-Conforming Manufactured Home Parks

## ARTICLE XIII

### R-MH, MANUFACTURED HOME COMMUNITY PARK DISTRICT

SECTION 13.01 - Statement of Purpose - These districts are composed of areas containing manufactured home dwelling sites arranged on a large tract and designed to accommodate manufactured homes for more or less permanent duration, as well as other compatible uses which provide related services. Such areas shall be well suited for residential purposes; commercial and office uses are prohibited. These districts encourage a suitable living environment for family life by including among the permitted uses such facilities as schools and churches and preserve the openness of the areas by requiring that certain minimum yard and area standards be met.

#### SECTION 13.02. Permitted Uses.

- (A) Class A and Class B manufactured homes shall meet the installation standards as described in Section 13.06 - General Requirements. No Class C manufactured homes are permitted). Class A and B Manufactured homes must meet the following Appearance Standards.
  - 1. Venting and access requirements shall be in accordance with Kentucky Building Code.
  - 2. The manufactured home shall be a minimum width of 16 feet as measured across the narrowest portion.
  - 3. The pitch of the main roof shall be not less than two and one-half (2 ½) feet of rise for each twelve (12) feet of horizontal run. Minimum distance from eaves to ridge shall be ten (10) feet. In general, any roofing material may be used that is generally acceptable for housing built on the site, if applied in such manner as to be similar in appearance.
  - 4. Any materials that are generally acceptable for housing built on the site may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflections from such exterior shall not be greater than from siding coated with clean, white gloss exterior enamel.
  - 5. An adequate guttering and roof drainage system shall be installed.
- (B) Manufactured Home Community Parks.
- (C) Accessory uses.
- (D) Private swimming pools.
- (E) Government buildings and uses.
- (F) A single-family dwelling is permitted when used by a community park manager or maintenance personnel; it must meet minimum yard requirements of the R-S District.

#### SECTION 13.03 - Conditional Uses.

- (A) Nonprofit public or private facilities such as schools, churches, parks and recreational facilities.
- (B) Home Occupations as defined in Article II.

SECTION 13.04 - Building Site Area.

- (A) Building Site Area: The minimum building site area shall be:  
 For a manufactured home community park - 5 acres  
 For any other permitted use - identical to the requirements established for a residential district in which it is located.
- (B) Building Site Width. The minimum lot width at the building setback line shall be:  
 For a manufactured home dwelling - 40 feet  
 For any other permitted use - identical to the requirements established for a residential dwelling in the district in which it is located.
- (C) Building Site Coverage. The maximum building site coverage by all buildings shall be forty-five (45) percent.
- (D) Building Height Limit: No structure shall exceed forty (40) feet in height.

SECTION 13.05 - Setback Requirements.

- (A) For a manufactured home community park:  
 No manufactured home unit or other structure shall be located within twenty-five (25) feet of a manufactured home community park boundary line or public right-of-way line.
- (B) Manufactured home unit or accessory structure within a manufactured home community park:  
 Front Yard.....20 feet  
 Side Yard.....8 feet  
 Rear Yard.....20 feet

SECTION 13.06 - General Requirements.

- (A) Sanitation, fire protection and utility services shall be provided to every dwelling, manufactured home lot and dwelling, and manufactured home stand in accordance with state and local health and safety regulations.
- (B) Every dwelling, manufactured home shall be equipped with foundations and tie-downs intended to secure such units against movement, settling and overturning for the protection of life and property; foundations and tie-downs shall meet the requirements of state and local codes. No certificates of occupancy shall be issued until tie-down requirements have been met.

SECTION 13.07 - Manufactured Home Community Park Requirements

- (A) Procedure: In applying for a rezoning for a manufactured home community park the applicant shall submit his plans to the Henderson City-County Planning Commission in a manner conforming with the procedures for major subdivision plats as outlined in the Subdivision Regulations for Henderson County. Manufactured home community parks shall be in conformance with the same procedural requirements and general provisions as provided for in the Subdivision Regulations for Henderson County, Kentucky including those requirements as set forth in this section. The applicant shall also submit plans to the Cabinet for Health Services, Commonwealth of Kentucky and comply with the requirements under state law and the administrative regulations administered by the Cabinet. The plan submitted to the Planning Commission shall contain the following:
1. The area and dimensions of the tract of land being developed.
  2. The number, location and size of all manufactured home community park lots.
  3. The area within each manufactured home community park lot intended for the location of a manufactured home community park dwelling.
  4. A detailed drawing of the foundation for the placement of the manufactured home stand on each manufactured home lot.
  5. The location and width of roadways, driveways and walkways.
  6. The number, location and size of all off-street automobile parking spaces.
  7. The location of community park street lighting and electrical systems.
  8. A detailed drawing of the sewage disposal facilities, including specifications of the sewage plant.
  9. A detailed drawing of the refuse storage facilities.
  10. The location and size of water and sewer lines, vents, and riser pipes.
  11. The size and location of playground areas within the manufactured home community park.
- (B) Area Requirements: No manufactured home community park shall be permitted on an area of less than 5 acres in size although the developer may be permitted to develop the park in stages or sections if he complies with an overall approved plan for the entire tract. Any variation to the overall development plan must be resubmitted to the Planning Commission for approval.
- (C) Lot Requirements: Individual lots within a manufactured home community park shall not be less than 4,000 square feet in area and in no instance shall there be more than one (1) manufactured home permitted on a single lot. The minimum lot width shall be forty (40) feet at the building line. The minimum lot depth shall be one hundred (100) feet from the front lot line.
- (D) Buffer: A screening of evergreen trees and/or shrubs not less than six (6) feet in height after one full growing season and which at maturity is not less than twelve

(12) feet high, shall be located and effectively maintained at all times along all community park boundary lines except at established entrances and exits serving the community park. Each manufactured home shall be located at least ten (10) feet from the buffer.

- (E) Spacing: No manufactured home shall be located closer than twenty (20) feet to any building within the community park, other than an accessory building.
- (F) Off-Street Parking: Each manufactured home shall be provided with two (2) off-street parking spaces.
- (G) Streets: Streets within a manufactured home community park may be defined as either public or private right-of-way subject to the following conditions:
  - 1. That if said streets are defined as private rights-of-way on the plat, the developer shall agree to effectively maintain such streets and rights-of-way. Said agreement shall be recorded along with the recorded plat of the manufactured home community home park.
  - 2. Construction standards for all streets shall meet the specifications and approval of the Subdivision Regulations. Minimum paving widths for streets shall be:
    - (a) Two-way street with guest parking permitted on both sides - 36 feet.
    - (b) Two-way street with guest parking permitted on one side only - 27 feet.
    - (c) Two-way street with no parking permitted - 18 feet.
    - (d) One-way street with guest parking permitted on both sides - 32 feet.
    - (e) One-way street with guest parking permitted on one side only - 23 feet.
    - (f) One-way street with no parking permitted - 14 feet.
    - (g) The manufactured home community park entrance shall be thirty-six (36) feet wide with no parking permitted.
    - (h) All manufactured homes shall be underpinned in a safe, attractive manner; each manufactured home shall provide an accessory structure of a minimum of 100 square feet of storage which shall be placed a minimum of ten (10) feet from the manufactured home.
    - (i) Not less than eight (8) percent of the gross site area of the manufactured home community park shall be devoted to recreational facilities generally provided in a central location. Recreation areas may include space for community buildings and community use facilities, such as indoor recreation areas, swimming pools, community park office and service buildings, and self-service laundry facilities to serve the community park residents.

- (j) Utilities: All manufactured home lots within the manufactured home community park shall be provided with water, sewer or approved septic disposal system, fire protection devices and electrical facilities meeting the standard specified by the County Health Department, the ordinances of the County of Henderson, and the laws of the Commonwealth of Kentucky, and each manufactured home shall be properly connected with said utilities. All utilities shall be installed underground.
- (k) Manufactured Home Support: Each manufactured home site shall be provided with a stand consisting of either a solid concrete slab or two concrete ribbons of a thickness of size adequate to support the maximum anticipated loads during all seasons.
- (l) Lighting of the Community Park: All exterior park lights shall be so located and shielded as to prevent direct illumination of any areas outside the park.
- (m) Convenience Facilities: Coin-operated laundries may be permitted in the park provided they are located, designed and intended to serve only the needs of the persons living in the community park.

SECTION 13.08 - Special Conditions - The Planning Commission may attach reasonable special conditions to its approval of a manufactured home community park and may direct the Administrative Official to issue a building permit only when such conditions have been complied with.

SECTION 13.09 - Enforcement - The Administrative Official shall insure that all manufactured home community parks maintain valid permits to operate and maintain in conformance with all applicable regulations of the zoning regulations and all special conditions.

SECTION 13.10 - Non-Conforming Manufactured Home Community Parks - The lawful use of a manufactured home community park existing at the time of passage of this regulation may be continued, although such use may not conform to the provisions of this chapter. The continuance of a non-conforming manufactured home community park shall be subject to the non-conforming provision of this chapter with the exception that a non-conforming manufactured home community park may not be enlarged or expanded unless such enlargement or expansion shall meet the regulations set forth in this section.

ARTICLE XIV

GB, GENERAL BUSINESS DISTRICT

SECTION 14.01	Statement of Purpose
SECTION 14.02	Permitted Uses
SECTION 14.03	Conditional Uses
SECTION 14.04	General Regulations for All Commercial Districts
SECTION 14.05	Area, Height, Bulk and Placement Requirements

## ARTICLE XIV

### GB, GENERAL BUSINESS DISTRICT

SECTION 14.01 - Statement of Purpose - The General Business District established in this Article is intended to provide for commercial uses such as retail business, service uses, professional offices, community-oriented public and private facilities as well as commercial uses which are mainly oriented to vehicular traffic. The intent of this district is to encourage the development of commercial uses in areas proposed by the comprehensive plan in an orderly fashion to the mutual benefit of both consumers and merchants.

SECTION 14.02 - Permitted Uses.

- (A) Places of amusement and assembly such as theaters, dance halls or similar places of assembly.
- (B) Automobile service stations.
- (C) Automobile and equipment repair.
- (D) New and used automobile and truck sales.
- (E) Public auction houses
- (F) Animal hospital, veterinary clinic or kennel, provided that any such purpose including pens or exercise runways shall be at least two hundred (200) feet distance from any residential district.
- (G) Antique shops
- (H) Barber or beauty shops
- (I) Bicycle rental or repair
- (J) Bake shops
- (K) Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies with or without drive-in facilities.
- (L) Boat, motorcycle showrooms, outdoor sales space for the sale of new and used boats and motorcycles, provided that there may be sales space for the sale of new and used boats, motorcycles only if carried in conjunction with a regularly authorized new sales and service agency which is housed in a permanent structure on the same parcel or contiguous parcels of land.
- (M) Blueprinting
- (N) Bus passenger stations
- (O) Building supplies

- (P) Branch laundry or dry cleaning establishment providing no laundering or cleaning is done on premises.
- (Q) Carpet, rug, linoleum or other floor covering stores.
- (R) Car wash establishments, including self-service facilities
- (S) Catering establishments
- (T) Clothing or costume rental establishments
- (U) Computer and data processing centers
- (V) Community centers and private clubs, Sunday Schools and Churches.
- (W) Commercial greenhouses and plant nurseries, including offices and sales yard, provided that no building for any heating plant, ventilation flue or other opening except stationary windows be located within 50 feet of any residential district.
- (X) Drug stores and pharmacies.
- (Y) Department stores.
- (Z) Drive-in theaters.
  - (aa) Eating or drinking facilities with or without entertainment, including drive-in eating and drinking establishments.
  - (bb) Electrical, glazing, heating, painting, paperhanging, plumbing, roofing or ventilation contractor establishments, excluding outside storage yards.
  - (cc) Exterminators
  - (dd) Electrical welding
  - (ee) Furniture stores
  - (ff) Funeral home, mortuary or undertaking establishment
  - (gg) Farm implement or contractor's equipment display, hire or sales equipment, service and repair shops.
  - (hh) Grocery stores, fruit and meat markets
  - (ii) Hospitals, nursing, convalescent and rest homes
  - (jj) Hotels and motels
  - (kk) Ice storage of three ton or less in capacity
  - (ll) Interior decorating establishments
  - (mm) Libraries, museums, art galleries and reading rooms.

- (nn) Self-service laundry
- (oo) Medical and dental offices, clinics and laboratories
- (pp) Manufactured homes, modular homes and trailer sales lots.
- (qq) Medical or dental laboratories for research or testing, not involving any danger of fire or explosion, nor offensive noise, vibration, smoke, odorous matter, heat, humidity, glare or other objectionable effects.
- (rr) Monument sales establishments with incidental processing to order, but not including the shaping of headstones.
- (ss) Moving or storage offices
- (tt) Musical instrument repair shop
- (uu) Nursery or day care facilities
- (vv) Office or business machine stores, sales or rental
- (ww) Offices for business, professional, governmental, civic, social, fraternal, political, religious and charitable organizations.
- (xx) Photographic developing or printing establishments and studios.
- (yy) Printing establishments
- (zz) Publicly owned buildings, public utility buildings and service yards but not including storage yards.
- (aaa) Radio and television studios and telephone exchanges.
- (bbb) Repairs - electrical or other household appliances, locks, radios, televisions, shoes and time pieces, etc.
- (ccc) Repairs - typewriters or other small business machine repairs
- (ddd) Restaurants and fast food establishments
- (eee) Schools, business schools and colleges or private schools operated for profit for academic, technical, vocational or professional instruction.
- (fff) Sign painting shops limited to 2500 square feet of floor area per establishment.
- (ggg) Swimming pools, tennis courts, putting greens and other similar recreational uses.
- (hhh) Studios for work or teaching of fine arts, such as photography, music, drama, dance and theater.
- (iii) Taxidermy shops
- (jjj) Tavern or package liquor stores

- (kkk) Ticket and travel agencies
- (lll) Upholstering shops dealing directly with customer
- (mmm) Venetian blind, window shades, or awning shops, custom shops, including repairs limited to 2,500 square feet per establishment.
- (nnn) Wedding chapels or banquet halls.
- (ooo) Any retail business or retail service, including the making of articles to be sold at retail on the premises. Any such manufacturing, or processing shall be incidental to a retail business or service and not more than five (5) persons shall be employed in such manufacture.
- (ppp) Accessory uses permitted - Any accessory use of building customarily incidental to the above permitted use.

SECTION 14.03 - Conditional Uses.

- (A) Any uses not allowed above, which are of the same general character as the above permitted uses which will not be detrimental to the district in which they are located, and which will not be objectionable by reason of odors, dusts, smoke, cinders, gas, fumes, noise, vibrations and refuse matter are eligible for a conditional use permit. The procedure in Section 4.03 shall be followed.
- (B) The owner-operator of a permitted general business district commercial use may be allowed to establish one dwelling unit for his use only as an accessory conditional use to the commercial use. Said residential use shall follow the procedure for obtaining a conditional use permit as outlined in Section 4.03 of Article IV. All provisions of Section 4.03 shall apply to this section. Additionally, the residential use shall be required to have one off-street parking space in addition to the required spaces for the commercial use. The proposal shall be submitted to the Board of Zoning Adjustment which may alter, deny or grant any request in accordance with Section 4.03.

SECTION 14.04 - General Requirements.

- (A) A permanent landscaped buffer of evergreen plant material or a solid wall or fence or other suitable enclosure of a commercial land abutting a residential district.
- (B) Plans for building construction, parking area, yards, driveways, entrances and exits shall be approved by the enforcement officer and the City Council, acting jointly, in consultation with the Planning Commission, and they may require any changes therein as may be deemed necessary or desirable to insure safety, to minimize traffic difficulty and to safeguard adjacent properties.
- (C) There shall be no outdoor storage of merchandise or materials and no outdoor processing in any commercial district unless authorized as a conditional use. All above ground structures accessory to any outdoor use shall be located a minimum of twenty-five (25) feet from any front lot lines.
- (D) All commercial districts located on lots adjacent to a residential district shall maintain a minimum setback of twenty-five (25) feet on the side adjacent to the residential district.

- (E) All signs and outdoor advertising displays are subject to the provisions established in Article X.

SECTION 14.05 - Area, Height, Bulk and Placement Requirements.

(See attached schedule of Regulations, Article XVI).

ARTICLE XV

IND, INDUSTRIAL DISTRICT

SECTION 15.01	Statement of Purpose
SECTION 15.02	Permitted Uses
SECTION 15.03	Conditional Uses
SECTION 15.04	Area, Height, Bulk and Placement Regulations

## ARTICLE XV

### IND, INDUSTRIAL DISTRICT

SECTION 15.01 - Statement of Purpose - The intent of this Article is to permit certain industries which are of a light manufacturing character to locate in planned areas of the County. So that such uses may be integrated with land uses, such as commercial and residential areas, limitations are placed upon the degree of noise, smoke, glare, waste, and other features of industrial operations so as to avoid adverse effects. It is further intended that these light industrial uses not necessarily require railroad access or major utility facilities.

SECTION 15.02 - Permitted Uses. These permitted uses to include any manufacturing, treatment, altering, finishing or assembling incidental thereto:

- (A) Bakeries
- (B) Bottling works
- (C) Building material yard
- (D) Animal hospital, dog kennels
- (E) Cabinet making
- (F) Carpenter's shop
- (G) Clothing manufacturing
- (H) Dairy
- (I) Dyeing and/or dry cleaning
- (J) Fruit canning or packing
- (K) Ice plants
- (L) Jewelry manufacturing
- (M) Optical goods
- (N) Laundry
- (O) Paper box works
- (P) Pencil printing
- (Q) Pharmaceutical products manufacturing, publication or engraving
- (R) Truck terminal
- (S) Plastic molding

- (T) Restaurants, including fast food operations
- (U) Wholesale operations
- (V) Storage, warehouse
- (W) Retail sale of any commodity manufactured, fabricated or processed on the premises, or of any commodity designed especially for use in agriculture, mining, industry, business, transportation or construction.
- (X) Accessory buildings and uses - garages and other buildings and uses accessory to the principal use.

SECTION 15.03 - Conditional Uses.

- (A) Gasoline, oil, alcohol or liquefied petroleum gas storage above ground in excess of five hundred (500) gallons and other industrial uses not listed above shall be considered conditional uses and will require the approval of the Board of Zoning Adjustment.
- (B) Junkyard in accordance with Section 4.36.
- (C) Manufacturing, fabrication and/or processing of any commodity.

SECTION 15.04 - Area, Height, Bulk and Placement Regulations. (See attached schedule of Regulations, Article XVI).

SECTION 15.05 - General Provisions for Industrial Zones.

- (A) Uses which constitute a fire hazard or emit smoke, noise, odor or dust which would be obnoxious or detrimental to neighboring properties shall not be allowed.

ARTICLE XVI

SCHEDULE OF REGULATIONS

	R-S	R-M	GB	IND	RMH (See Article XIII)
Maximum Lot Coverage	40%	45%			
Maximum Building Height (ft)	30	40	40	30	
Minimum Lot Width (A)	*	*	*	*	
1-Family	60	50			
2-Family		75 (B)			
Multi-Family		70			
Others					
Minimum Setbacks (feet)					
Front Yard	25	20	25	50	
Rear Yard	25	20	20	25	
Side Yard	8	(E)	10	25	
Minimum Lot Area (Sq. Ft.)	*	*	*	*	
1-Family	7,500	6,500			
2-Family		9,000			
Multi-Family		(D)			
<u>Other</u>					

- (A) At the required front yard setback line.
- (B) Zero lot line (2-Family Dwelling) - Minimum Lot width 37.5 ft.; See Article IV, Section 4.06, for additional requirements.
- (C) Except townhouses - See Article IV, Section 4.05.
- (D) 6,500 square feet for first two dwellings plus 2,000 square feet for each additional unit.
- (E) 10% of total lot width with the total aggregate width of both side yards on any lot shall be no less than 25% of the lot width.

\* Lots with individual well and septic tank must comply with County Health Department Regulations.