

ARTICLE IV APPLICATION OF REGULATIONS

Section 1. Zoning Affects Every Building and Use.

No building or land shall hereafter be used, and no building or part thereof shall be erected, moved, or altered except in conformity with the regulations herein specified for the district in which it is located. *No person shall undertake any development activity or use of land that is subject to this Ordinance without a zoning permit.*

Section 2. Reduction of Lot and Yard Areas Prohibited.

No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirements set forth herein, except for road widening and land affected by other public purchases. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

Section 3. Required Yard, Open Space, Off-Street Parking.

No part of any yard, open space, or off-street parking required for any structure or use shall be considered a part of a required yard, open space, or off-street parking for any other structures or uses, except as provided in Article VI Design Standards.

Section 4. Relationship of Building to Lot.

Every building hereafter erected, moved or structurally altered shall be located on a lot which conforms to the regulations herein specified and in no case shall there be more than one (1) principal building or structure and its customary accessory buildings or structures on any lot, except in the case of a planned unit development or planned business development.

Section 5. Road Access.

No building shall be erected on a lot which does not have at least forty (40) feet of frontage (access) to a road publicly maintained.

Access from public or private streets through one (1) zoning district in connection with a use not permitted in that district shall be prohibited unless:

- A.** It is the sole access to the property.
- B.** Commercial uses may have access through business and industrial districts.

- C. Industrial uses may have access through commercial districts.
- D. Institutional uses may have access through industrial and commercial districts. Access by institutional uses through residential districts will not be permitted without issuance of a special use permit.
- E. Office uses may have access through industrial, commercial, and multi-family residential districts.

Section 6. Obstructions to Vision at Road Intersections.

On a corner lot in residential and non-residential districts, there shall be no obstruction to vision by structures, grade, or foliage other than power or utility. In order to provide an unobstructed view to persons using the streets and roads of Ramsey, corner lots shall be clear of all obstructions about two and one-half (2 ½) feet and twenty (20) feet in height, except tree trunks and poles, for a distance of twenty (20) feet in each direction from the intersecting point of the edges of pavement of the streets or roads.

Section 7. Location of Manufactured Homes.

Manufactured homes are permitted in the appropriate residential zoning districts on individual lots. All manufactured homes on individual lots shall be oriented so that the longer side is parallel to the centerline of the road. Exceptions to this standard may be granted by the Board of Commissioners for pre-existing lots due to extreme topography. Junked/abandoned manufactured homes are prohibited within the Town of Ramsey.

Section 8. Location of Accessory Structures on Residential Lots.

- A. **General Location Requirements.** On any residential lot, accessory structures (*see D of this Section for fences*) shall:
 - 1) not have a footprint greater than one thousand two hundred (1,200) sq. ft. (each individual structure) and shall not be larger than the primary residence, except upon issuance of a special use permit as outlined in Section C (*Exceeding General Location Requirements*) below;
 - 2) be located behind the building line of the primary residence or 100 feet from the front lot line, whichever is less, within residential zoning districts;
 - 3) all accessory structures combined shall not cover more than thirty (30%) percent of the yard area where permitted (rear or side yard areas); and
 - 4) be at least ten (10) feet from any other building on the same lot.
- B. **Order of Construction.** No accessory structure shall be permitted to be constructed on any lot which does not contain an existing primary structure or

for which a valid building permit has not been secured to construct a primary structure.

C. Exceeding General Location Requirements. Applicants may apply for a special use permit to construct an accessory structure which exceeds the maximum building footprint of one thousand two hundred (1,200) sq. ft. In order for the permit to be issued, the proposal must meet all the *findings* listed in Article V, Section 9, Special Uses, *and* the applicant must prove that:

- 1) the structure will not be used for the purpose of conducting a business unless authorized by special use permit;
- 2) the existence of such structure will not adversely impact neighboring property;
- 3) the accessory structure will not be used as an accessory dwelling unless such dwelling is a permitted use in the district in which the structure is located; and
- 4) the total size (square footage) of the accessory structure does not exceed the size of the principal structure by more than twenty (20%) percent.

D. Fences in Residential Zoning Districts. The following restrictions shall apply to all fences and walls located in any residential district:

- 1) There shall be a six (6) ft. height limit on fences, except that a height limit of four (4) ft. shall apply to fences located within the front yard setback of any residential lot. For the purposes of this Section, the front yard setback line is that area between the street(s) and the existing building line of the primary structure.
- 2) No fence shall be located within a street right-of-way or within 5 ft. of the edge of a publicly maintained street or road, whichever is greater.
- 3) No fence shall hinder emergency services to any of the property involved.
- 4) All fences shall be constructed of masonry, stone, wood, ornamental metal, chain-link, or similar material and constructed to the standards of the State Building Code.
- 5) The fence shall be reasonably compatible with and not adversely affect the property values of the surrounding properties.

Section 9. Lot of Record – Date and Permitted Use.

In any district in which residences are permitted, where a lot has an area or width of less than the required area or width and was a lot of record on or before the effective date of this Ordinance, such lot may be occupied by a single-family dwelling, provided that the minimum front, rear and side yard setbacks for the district in which it is located are met. This provision shall not apply to any lot to which the provisions of Section 12A of this Article apply.

Section 10. Lot of Record – Recording Requirements.

A deed or deed of trust must be recorded in the County Register of Deeds Office prior to development of an individual lot.

Section 11. Exceptions to Height Limits.

Roof structures for the housing of elevators, stairways, tanks, ventilation fans or similar equipment required to operate and maintain a building, skylights, towers, steeples, flagpoles, chimneys, water tanks or similar structures may be erected above the height limits herein specified if approved by the Zoning Administrator. Such structures shall not be approved if they pose health, safety, or welfare risks to surrounding property. No space above the height limit shall be allowed for the purpose of providing additional floor space.

Section 12. Modification of Required Yards and Dimensional Requirements.

- A. The Zoning Administrator may permit the front yard of any lot to be less than the required front yard for the zoning district where all the following criteria are met:
 - 1) the front yards on developed lots located within one hundred (100) feet of each of side of such lot (within the same block and zoning district) and fronting on the same road are less than the minimum required front yard;
 - 2) the computed front yard for the undeveloped lot shall not be less than the average of the existing front yards on the developed lots; and
 - 3) the front yard on the undeveloped lot shall not be less than one-half (1/2) of the required front yard for the zoning district.

- B. The minimum front yard setback on double frontage lots shall be applied to both the front and rear yard.

- C. The minimum side yard setback on corner lots shall be equal to either the front yard setback for the zoning district in which the lot is located or the established front yard on the adjoining lot to the rear of the property, whichever is less.

- D. Every part of a required lot shall be open and unobstructed from its lowest level to the sky, except for the ordinary projections of sill, chimneys, flues, buttresses, ornamental features and eaves and landscaping and natural areas. None of the aforesaid projections shall extend into a minimum yard more than twenty-four (24) inches, except landscaping and natural areas.