

## PART C

### SECTION I GENERAL REGULATIONS

#### Article 2 Building and Lot Requirements

1. Nothing in these rules and regulations, restrictions or prohibitions shall be construed as changing the plans of uses of present buildings, or the constructions, use or occupancy of any building for which a permit has heretofore been issued according to law, and the construction of such has been diligently prosecuted within three (3) months after the date of such permit.
2. No permit shall be issued for any building or group of buildings unless the plot plan filed with said permit shall bear a certification that the lot containing the building or group of buildings:
  - a. appears as a lot on a subdivision map recorded in the Office of the County Clerk, or
  - b. constitutes a resubdivision and/or lot alteration approved by the City Planning Commission, or
  - c. constitutes a lot alteration approved by the Zoning Administrator provided that such lot alteration is limited to properties in Residential A-1, A-2, A, or AA zone districts, or
  - d. is described in a deed or deeds recorded in the Office of the County Clerk, prior to March 19, 1962.
3. No permit for the erection of a new building to be used in whole or part for residential purposes, or the creation of more than a two-family house whether by remodeling or otherwise, shall be issued for any lot which does not:
  - a. have a minimum frontage of fifty (50) feet on an accepted public street or on a private roadway, the latter having a minimum right-of-way width of fifty (50) feet; or
  - b. have a minimum width measured at the required building setback line of fifty (50) feet and having a frontage on an accepted public street or on a private roadway, the latter having a minimum right-of-way width of fifty (50) feet.
4. Paragraph 3 above shall not apply, however, to the erection or the creation of, by remodeling or otherwise, a one- or two-family house on any lot which:
  - a. contains at least one (1) complete lot shown on a subdivision map filed in the Office of the County Clerk, or
  - b. contains at least one (1) complete lot described in a deed or deeds recorded in the Office of the County Clerk prior to March 19, 1962, or
  - c. has been approved by the City Planning Commission, and measures at least forty (40) feet in frontage and one hundred (100) feet in depth, provided that the new lot is not smaller in frontage or depth than the average frontage or depth of all existing lots upon which a residential structure or structures have been built within two hundred (200) feet of the proposed lot, or within the same block face if the block face is less than four hundred (400) feet.

5. No change in the dimension of any lot existing on March 19, 1962, through sale or otherwise, shall thereafter be made which shall render the use of said lot in violation of any of the provisions of this Ordinance, except that if a planned development is approved by the City Planning Commission in accordance with Part C, Section V, then the platting of individual lots as approved therein, and the conveyance of individual dwelling units and lot shall be permitted by the City Planning Commission and such lots and dwelling units shall not thereafter be deemed to be nonconforming within the meaning of this Ordinance.
  
6. Special Setback Restrictions:
  - a. Setback Lines - 50% or More Occupancy - When 50% or more of the lot frontage in a block is occupied by existing buildings, the setback line for new buildings or for additions to existing buildings, shall be determined by an average established between the setback lines of the nearest buildings in the block within two hundred (200) feet in each direction, except that on corner lots the setback line on the side street shall be not less than 15% of the total front width of the lot, but need not exceed the established setback line for the side street.
  
  - b. Setback Lines - Less Than 50% Occupancy - When less than 50% of the lot frontage in a block is occupied by existing buildings, the setback line for new buildings or for additions to existing buildings shall be established by an average of:
    - (1) the actual setback lines of existing structures in such block, and
  
    - (2) the minimum required setback line for each vacant lot as heretofore provided in the appropriate articles of this Ordinance, or if the property is not subdivided into lots, each fifty (50) feet of street frontage of such property in such block shall be deemed a lot for the purposes thereof.
  
  - c. Maximum Setback Requirements - In no case shall a building be required to setback farther than the maximum distance hereafter established for the zone in which it is situated as follows:
    - (1) Residential A-1 - the maximum required setback shall be forty- five (45) feet.
    - (2) Residential A - the maximum required setback shall be thirty (30) feet.
    - (3) Residential AA - the maximum required setback shall be thirty (30) feet.
    - (4) Residential B-1 - the maximum required setback shall be twenty five (25) feet.
    - (5) Residential B - the maximum required setback shall be twenty (20) feet.
  
7. Surveys:
  - a. Except on lots used solely for single- and two-family dwelling purposes when the erection or alteration of a structure includes construction or alteration of any exterior foundation wall or member, no further construction beyond placement and erection of the foundation for such wall or member shall be undertaken until a survey, showing the exact location of the new foundation relative to the boundaries of the lot on which it is situated, prepared and certified as accurate by a licensed land surveyor is submitted to and approved in writing by the Division of Code Enforcement.
  
  - b. Upon completion of the site development, a survey showing finished grades, location of curbs, drives, landscaping, parking and drainage areas must be submitted to and approved in writing by the Division of Code Enforcement before the building or buildings will be granted a Certificate of Occupancy.