

ZONING AND SUBDIVISION

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CHAPTER 165

ZONING REGULATIONS

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165.01 SHORT TITLE. This chapter shall be known and may be cited as “The City of Olin, Iowa, Zoning Ordinance.”

165.02 PURPOSE. The purpose of this chapter is to provide adequate light and air, to prevent the over-crowding of land, to avoid undue concentration of population, to regulate the use of land and to promote the health, morale, safety and general welfare in the City.

165.03 BUILDING PERMITS. A building and zoning permit is required before a building may be erected or structurally altered. No land shall be occupied or used, and no building hereafter erected or structurally altered shall be occupied or used in whole or in part for any purpose whatsoever, until a certificate is issued by the code official stating that the building and use comply with the provisions of this Code. No change of use shall be made in any building or part thereof, now or hereafter erected or structurally altered, without a permit being issued by the code official. No permit shall be issued to make a change unless the changes are in conformity with the provisions of this Code. Nothing in this Code shall prevent the continuance of a legally established nonconforming use, unless discontinuance is necessary for the safety of life or property. Permit applications shall be made available by the City Clerk. Fees for permit evaluation and certificate issuance will be charged. All fees shall be set by resolution of the Council and schedules shall be available from the Clerk. Each application for a building and zoning permit shall be submitted prior to the construction or alteration of any structure or building. The application shall be accompanied by a site plan or map, in duplicate, drawn to scale, showing the actual dimensions of the lot, the size, shape and location of all existing buildings, and such other information as may be necessary to provide for the enforcement of this Code. A record of applications and plans shall be kept in the Code Official’s office.

165.04 DEFINITIONS. For the purpose of this chapter certain terms or words used herein shall be interpreted and defined as follows, unless the context requires otherwise:

1. "Dwelling" means a building with a permanent foundation or crawl space used as living quarters for one or more families, not including auto courts, rooming houses or tourist homes.
2. "Lot" includes the words "plat and parcel."
3. "Structure" means a combination of materials other than a building to form a construction that is safe and stable and includes, among other things, stadiums, platforms, radio towers, sheds, storage bins, fences, signs.
4. "Used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

165.05 APPLICABILITY OF REGULATIONS. Except as otherwise specifically provided by this Code:

1. No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located.
2. No building shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, to occupy a greater percentage of lot area, or to have narrower or smaller rear yards, side yards, front yards, inner or outer courts, than are specified herein for the district for which such building is located.
3. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space similarly required for another building.
4. No building or buildings shall be erected, moved, altered, used or occupied in a district for purposes or uses other than are allowed herein for that district.

165.06 CLASS R-1 DISTRICT – SINGLE-FAMILY RESIDENTIAL.

1. The areas shown on the “Zoning Map of the City of Olin, Iowa,” a certified copy of which is on file in the office of the Clerk, designated R-1, shall be zoned Class R-1.
2. The following uses shall be allowed in any Class R-1 District:
 - A. One-family dwelling units.
 - B. Churches, places of worship, and parochial schools.
 - C. Public schools, public libraries, parks and playgrounds.
 - D. Modular and manufactured housing (which meet the same standards as single-family dwelling units).
 - E. Small home occupations, provided there are no signs or other evidence of such use.
 - F. Other accessory uses in buildings, provided such uses are incidental to the principal use and do not include any activity conducted as a business.
 - G. Other conditional uses which, in the opinion of the Board of Adjustment, are of the same general character as those listed above as permitted uses, and which will not be detrimental to the district in which they are located. Conditional uses may include (but are not limited to) day care facilities and having horses or other livestock on the property. In all conditional use cases, the Board of Adjustment may set additional conditions such as lot size, fencing or other conditions deemed necessary to protect neighboring properties.
3. The following regulations shall apply to any structure, building or dwelling constructed or altered in any Class R-1 district:
 - A. Density of Population. Lot area should be not less than 12,000 square feet. There shall be a 60-foot minimum lot width. No more than one dwelling shall be placed upon any lot of the above size.
 - B. Percentage of Lot Covered By Buildings, Dwellings and Other Structures. No dwelling or other structure, including accessory buildings, shall cover more than 40% of the area of the lot. If more than one lot is used, the percentage shall be computed on the combined size of the lots.

C. Clearance Between Homes. No dwelling shall be located within 8 feet of the side yard lot line. The overhang is included in the dwelling.

D. Yards, Courts and Open Spaces. Every lot in any class R-1 district shall be required to have a front yard with a minimum of 15 feet before any structure may be erected, and a side yard on each side with a minimum of 4 feet before any structure may be erected and a rear yard of 15 feet.

E. Size of Structure. No house shall be built having less than 1,200 square feet of floor area living space in a multi-story dwelling, or less than 1,000 square feet of living space in a one-story dwelling.

F. Temporary Residences. Basement dwellings may be lived in, not to exceed six months, and garages may be used as temporary dwellings for not to exceed six months.

G. Parking Requirements.

(1) Dwellings: two (2) spaces for each dwelling unit.

(2) Church or temple: one (1) space for each six (6) seats of average seating in the main auditorium.

(3) Schools and public buildings: one (1) space for each classroom or office room plus one (1) space for each ten (10) seats of average seating in the main auditorium, stadium, or place of public assembly.

All parking and loading areas shall comply with the Americans With Disabilities Act.

(Ord. 1104-06 – Oct. 12 Supp.)

165.07 CLASS R-2 DISTRICT – SINGLE-FAMILY RESIDENTIAL.

1. The areas shown on the “Zoning Map of the City of Olin, Iowa,” a certified copy of which is on file in the office of the City Clerk, designated R-2, shall be zoned Class R-2.
2. The same uses permitted in Class R-1 districts will be permitted in an R-2 district.
3. The following regulations shall apply to any structure, building or dwelling constructed or altered in a class R-2 district:
 - A. Density of Population. Lot area shall be not less than 6,000 square feet. There shall be a 50-foot minimum lot width. No more than one dwelling shall be placed upon each lot of the above size.
 - B. Percentage of Lot Covered by Buildings, Dwellings and Other Structures. No dwelling or other structure, including accessory buildings, shall cover more than 50% of the area of the lot. If more than one lot is used, the percentage shall be computed on the combined size of the lots.
 - C. Yards, Courts and Open Spaces. Every lot in any class R-2 district shall be required to have a front yard with a minimum of 10 feet before any structure may be erected, and each lot shall have a minimum side yard of at least 4 feet on each side and a rear yard of at least 10 feet.
 - D. Size of Structure. No house shall be built having less than 1,000 square feet of floor area living space in a multi-story dwelling, or less than 850 square feet of living space in a one-story dwelling.
 - E. Temporary Residences. Basement dwellings may be lived in, not to exceed six months, and garages may be used as temporary dwellings for not to exceed six months.
 - F. Parking Requirements. The same parking requirements permitted in Class R-1 districts will be permitted in an R-2 district.



165.08 CLASS RD DISTRICTS – ZERO-LOT DUPLEX AND MULTI-FAMILY RESIDENTIAL.

1. The areas shown on the “Zoning Map of the City of Olin, Iowa,” a certified copy of which is on file in the office of the City Clerk, designated RD, shall be zoned Class RD.
2. Permitted uses in an RD district include:
 - A. Apartments
 - B. Condominiums and town homes
 - C. Duplexes
3. The following regulations apply to any structure, building or dwelling constructed or altered in a class RD district:
 - A. Density of Population. Lot area shall be not less than 8,000 square feet with a minimum of 4,000 square feet per unit.
 - B. Percentage of Lot Covered By Buildings, Dwellings and Other Structures. No dwelling or other structure, including accessory buildings, shall cover more than 50% of the area of the lot. If more than one lot is used, the percentage shall be computed on the combined size of the lots.
 - C. Yards, Courts and Open Spaces. Every lot in any class RD district shall be required to have a front yard with a minimum of 15 feet before any structure may be erected, and each lot shall have a minimum side yard of at least 6 feet on each side.
 - D. Size of Structure. No structure shall be built having less than 750 square feet of living space per dwelling unit.
 - E. Temporary Residences. Basement dwellings may be lived in, not to exceed six months, and garages may be used as temporary dwellings for not to exceed six months.
 - F. Parking Requirements. One (1) space per number of bedrooms, but not more than three (3) spaces per unit.

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165.09 CLASS C DISTRICTS – CENTRAL COMMERCIAL.

1. The districts shown on the Olin zoning map and designated Class C shall be zoned Class C.
2. The following uses shall be allowed in any Class C district:
 - A. Stores and shops for conducting any lawful retail business.
 - B. Personal service shops.
 - C. Banks, theaters, offices, restaurants and taverns.
 - D. Garages and filling stations upon the approval of the board of adjustment and subject to such conditions and safeguards as deemed appropriate by such board.
 - E. Wholesale businesses.
 - F. Post offices, plumbing shops, police and fire departments, stations, and telephone offices.
 - G. Those which in the opinion of the Board of Adjustment are of the same general character as those listed above as permitted uses, and which will not be detrimental to the district in which they are located.
 - H. Second-story residential apartments.
3. The following regulations shall apply to any structure, building or dwelling constructed or altered in a class C district:
 - A. Minimum Lot Size Requirements. Lot width shall not be less than 20 feet in width.
 - B. Percentage of Lot Covered By Buildings, Dwellings and Other Structures. No dwelling or other structure, including accessory buildings, shall cover more than 90% of the area of the lot. If more than one lot is used, the percentage shall be computed on the combined size of the lots.
 - C. Yards, Courts and Open Spaces. No minimum required setbacks.
 - D. Size of Structure. No structure shall be built greater than 45 feet or 3 stories tall.
 - E. Minimum Off-Street Loading. Adequate receiving facilities for intended use while not blocking public right-of-way.



165.10 CLASS C-1 – LIGHT COMMERCIAL.

1. The districts shown on the Olin zoning map and designated Class C-1 shall be zoned Class C-1.
2. The following uses shall be allowed in any Class C-1 district:
 - A. Stores and shops for conducting any lawful retail business.
 - B. Personal service shops.
 - C. Banks, theaters, offices, restaurants and taverns.
 - D. Garages and filling stations upon the approval of the Board of Adjustment and subject to such conditions and safeguards as deemed appropriate by such board.
 - E. Wholesale businesses.
 - F. Post offices, plumbing shops, police and fire departments, stations, and telephone offices.
 - G. Those which in the opinion of the Board of Adjustment are of the same general character as those listed above as permitted uses, and which will not be detrimental to the district in which they are located.
3. The following regulations shall apply to any structure, building or dwelling constructed or altered in a class C-1 district:
 - A. Minimum Lot Size Requirements. Lot width shall not be less than 50 feet in width.
 - B. Percentage of Lot Covered By Buildings, Dwellings and Other Structures. No dwelling or other structure, including accessory buildings, shall cover more than 60% of the area of the lot. If more than one lot is used, the percentage shall be computed on the combined size of the lots.
 - C. Yards. Every lot in any class C-1 district shall be required to have a front yard with a minimum of 15 feet before any structure may be erected, and each lot shall have a minimum side yard of at least 10 feet on each side and a rear yard of 15 feet.
 - D. Size of Structure. No structure shall be built greater than 35 feet or 2 stories tall.
 - E. Parking Requirements. One (1) space per 300 square feet of floor area. Parking should be paved with reasonable hard surfacing meeting the City Engineer's specifications.

F. Minimum Off-Street Loading: Adequate receiving facilities for intended use while not blocking public right-of-way.

G. Transitional Yards. Where a side or rear lot line coincides with a side or rear lot line in an adjacent Residential District, or an existing residential use, a yard shall be provided along such side or rear lot line not less than 45 feet in depth and shall contain landscaping and planting so designed and/or planted to provide an effective visual screen, when viewed horizontally, between 2 feet and 8 feet above average ground level. Where a lot within any Commercial District fronts on a street which forms a boundary line between the Commercial District and a Residential District, or an existing residential use, then such lot shall have a front yard of not less than 45 feet in depth. Parking shall not be permitted therein and such yard shall be appropriately landscaped with grass and/or other suitable plantings.

H. Open Space. The total land area devoted to open space and landscaping shall not be less than ten percent (10%) of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings, except ornamental structures included as part of the landscaping theme.

165.11 CLASS I DISTRICTS – INDUSTRIAL.

1. The districts shown on the Olin zoning map and designated Class I shall be zoned Class I.
2. The following uses should be allowed in any Class I district:
 - A. Subject to subsection 3 of this section, all lawful uses not permitted in any other class or district shall be permitted in any district zoned Class I.
 - B. There shall be no residential use permitted within a Class I district without Board of Adjustment approval.
3. **Prohibited Uses.** All uses of land, buildings and structures or industrial processes that may be noxious or injurious by reason of production or emission of dust, smoke, refuse matter, odor, gas, fumes, noise, vibrations, or similar substances or conditions and uses that have been declared a nuisance in any court of record are prohibited in any district zoned Class I.
4. The following regulations apply to any structure, building or dwelling constructed or altered in a Class I district:
 - A. **Minimum Lot Size Requirements.** Lot width shall not be less than 50 feet in width.
 - B. **Percentage of Lot Covered By Buildings, Dwellings and Other Structures.** No dwelling or other structure, including accessory buildings, shall cover more than 60% of the area of the lot. If more than one lot is used, the percentage shall be computed on the combined size of the lots.
 - C. **Yards.** Every lot in any Class I district shall be required to have a front yard with a minimum of 20 feet before any structure may be erected, and each lot shall have a minimum side yard of at least 15 feet on each side and a rear yard of 20 feet.
 - D. **Size of Structure.** No structure shall be built greater than 35 feet or 2 stories tall.
 - E. **Parking Requirements.** One (1) space per 300 square feet of floor area. Parking should be paved with reasonable hard surfacing meeting the City Engineer's specifications.
 - F. **Minimum Off-Street Loading.** Adequate receiving facilities for intended use while not blocking public right-of-way.

G. Transitional Yards. Where a side or rear lot line coincides with a side or rear lot line in an adjacent Residential or Commercial District, or an existing residential use, a yard shall be provided along such side or rear lot line not less than 45 feet in depth and shall contain landscaping and planting so designed and/or planted to provide an effective visual screen, when viewed horizontally, between 2 feet and 8 feet above average ground level. Where a lot within an Industrial District fronts on a street which forms a boundary line between the Industrial District and a Residential or Commercial District, or an existing residential use, then such lot shall have a front yard of not less than 45 feet in depth. Parking shall not be permitted therein and such yard shall be appropriately landscaped with grass and/or other suitable plantings.

H. Open Space. The total land area devoted to open space and landscaping shall not be less than ten percent (10%) of the gross land area included in the building lot. Such open space shall be maintained as grassed and landscaped area and shall not include access drives, parking areas, structures or buildings, except ornamental structures included as part of the landscaping theme.

165.12 CLASS R-FB OVERLAY DISTRICT – RESIDENTIAL FACTORY-BUILT HOUSING PARK.

1. The R-FB Residential Factory-Built Housing Park Overlay District is intended to provide for the placement of manufactured homes, mobile homes and modular homes within factory-built housing parks. The overlay district is intended to provide and maintain for the operation of facilities to be used by manufactured home park residents including laundry, recreational facilities, and other structures or features for the safety and welfare of park residents. The overlay district allows for a residential factory-built housing park to be located anywhere in the City provided it meets the minimum standards provided herein.
2. Bulk Regulations. The minimum area, setback, density and maximum height shall be as prescribed in the Table A.
3. Accessory Uses. Accessory uses are permitted subject to the provisions of Section 165.14.
4. Off-Street Parking. Off-street parking shall be provided in all Mobile Home Parks.
5. Factory-Built Housing Park Layout Standards. The following standards shall be considered as minimums for the layout of factory-built home parks.
 - A. Minimum Area. The minimum gross area for a park is 20 acres.
 - B. Maximum Density. Maximum density shall not exceed 7 factory-built homes per gross acre.
 - C. Minimum Lot Size. Minimum lot sizes shall be as prescribed in Table A.
 - D. Clearance Between Homes. No factory-built home shall be located within 8 feet of the side yard lot line for the space. In determining the clearance requirements, an annex shall be considered an integral part of the factory-built home. No factory-built home shall be located closer than 20 feet from the front yard lot line or 25 feet from the rear yard lot line for the space.
 - E. Yards. Each factory-built home park shall provide a yard not less than 50 feet along each boundary abutting a public right-of-way. Such yards shall be landscaped to screen the park from the right-of-way, except for those portions used for ingress and egress.

F. Unit Placement. All homes shall have a parallel orientation to the street.

G. General Exemption. A general exception to parallel orientation will be provided to developers electing to provide a design alternative to parallel orientation that provides a street-front facade. Design alternatives must be submitted for review by the Planning and Zoning Commission. The following illustration provides an example of a perpendicular orientation providing a street-front facade:



H. Park Perimeter Buffering. Each yard area abutting on a perimeter public street or adjoining other property shall provide an appropriate width and screening to effectively buffer the park. Perimeter buffering will be reviewed during site plan review and may include a combination of screening trees, vertical berming, and/or screening fencing.

I. Trees. Trees shall be provided along street frontages at a rate of two trees per lot.

J. Access.

(1) Entrance/Exit Roadways. Each factory-built home park shall have at least two (2) separate entrance and exit roadways and shall connect to a dedicated public right-of-way not less than 50 feet in width.

(2) Private Streets. All factory-built home park spaces shall abut a private street of not less than 24 feet in width and with a minimum right-of-way of 40 feet. Interior streets greater than 250 feet in length shall be of curvilinear design with curve radius to reduce the straight line appearance of the park. The actual curve radius shall be determined based on the length of the street and site conditions, such as topography and shall provide an overall offset equal to the width of the street.

(3) Cul-de-sac Requirements. All dead-end private streets over 400 feet shall include adequate space for a cul-de-sac with a diameter of 100 feet.

(4) Surfacing. Private streets shall be constructed of a six-inch portland concrete cement with a rollover curb.

(5) On-Street Parking. Parking shall only be allowed on one side of a private street, provided the street is a minimum width of 29 feet and provides a minimum of a 45-foot right-of-way. Parking shall be allowed on one side only and shall be marked accordingly with signs designating parking.

K. Sidewalks. Sidewalks not less than 4 feet in width shall be provided from factory-built home spaces to service buildings on both sides of all streets within a factory-built home park. Sidewalks shall be located one foot outside the lot line of the factory-built home space and shall be constructed of a thickness of no less than four-inch portland concrete cement, except six-inch is required through drives.

L. Off-Street Parking. Two (2) off-street-parking spaces shall be provided on each factory-built home site and shall be located entirely on the factory-built home space. Each such parking space shall measure not less than nine by eighteen (9 x 18) feet.

M. Storage Shed. A maximum of one storage shed per lot is allowed and no greater than twelve by twelve (12 x 12) feet may be located as an accessory use to the factory-built home, provided the shed is located on the same space as the factory-built home. The storage shed shall not be located in the front yard of the factory-built home space and shall be located no less than 4 feet from the side or rear lot line of the factory-built home space. The exterior wall and roof covering material shall match the wall and roof covering material of the dwelling unit for which it serves.

N. Storage Area. Enclosed storage facilities in clusters throughout the R-FB park shall be provided in an amount equal to 100 square feet per factory-built home space. The area shall be for the residents of the park to store trailers of all types, boats, detached pickup campers, motor homes, etc. Such storage area shall be topped with a dust- and growth-free surface facilitating drainage and shall be screened on all four sides by a solid fence not less than 8 feet in height.

O. Recreation Area. A general area or areas amounting to not less than eight percent (8%) of the gross area of the factory-built home park, excluding any area dedicated as public right-of-way, shall be provided for recreation use. Such areas shall not include any that are designated as a factory-built home space, storage area or required yard.

P. Fences. All fences erected or placed within a factory-built home park shall comply with Section 165.13 of this Code.

Q. Storm Shelters. There shall be one or more storm shelters provided and maintained for use by the residents. An architect or engineer, as defined in the Iowa Architectural and Engineering Laws, shall prepare the structural plans for the storm shelters with the following location and design criteria:

- (1) Location within 1,200 feet of all units.
- (2) Shelter size to provide for 7 square feet per unit served by that shelter.
- (3) Shelters to be provided with emergency lighting and battery operated AM radio.

R. Tie-Downs and Base. All factory-built homes located within the City limits shall provide, install and maintain an approved tie-down system in securing and maintaining in position mobile homes, annexes thereto and auxiliary buildings.

TABLE A – BULK REGULATIONS FOR R-FB DISTRICTS

	Minimum Lot Size Requirements			Minimum Yard Requirements			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Principal Permitted Uses:							
Single-Family Dwellings; Family Homes, Manufactured Homes; Mobile Homes; Modular Homes in a parallel orientation		90 feet	5,500 sq. feet	15 feet**	5 feet**	10 feet	35 feet or 2½ stories
Single-Family Dwellings; Family Homes, Manufactured Homes; Mobile Homes; Modular Homes in a perpendicular orientation	35 feet	50 feet	5,000 sq. feet	20 feet**	8 feet**	25 feet	35 feet or 2½ stories
Factory-Built Housing Park	400 feet	500 feet	20 acres	25 feet*	20 feet*	30 feet	
*50 feet if adjacent to a public right-of-way							
**25 feet if adjacent to a public right-of-way							

165.13 FENCE REQUIREMENTS. The provisions of this section apply to the construction, alteration, moving, and repair of any fence within the jurisdiction.

1. **Permit Required.** Each application for a fence permit shall be submitted prior to the installation of a fence. The application shall be accompanied by a plot plan, in duplicate, drawn to scale, showing the actual dimensions of the lot, the size, shape and location of all existing buildings, location, height and material type of the purposed fence, and such other information as may be necessary to provide for the enforcement of this Code. A record of applications and plans shall be kept in the code official's office. A fee for the fence permit shall be charged. The fee shall be set by the City Council and shall be available at the office of the code official.

2. **Height Restrictions.** Fences may be erected in rear and side yards to a height not exceeding six (6) feet. Fences may be erected in front yards to a height not exceeding four (4) feet. However, in no instance shall a fence be erected within thirty (30) feet of an intersection of two streets.

(Ord. 401-04 – Oct. 12 Supp.)

165.14 ACCESSORY BUILDINGS AND USES.

1. **General.** Accessory buildings and uses shall occupy the same lot as the main use or building. No lot shall have an accessory building or use without the principal use. No accessory building shall be used as a dwelling unit.
2. **Appearance.** An accessory building shall be comprised of similar building materials as the principal building.
3. **Private Garages.** An accessory building used as a private garage may be located in any portion of the rear or side yard under the following conditions:
 - A. Maximum one private garage per lot.
 - B. A maximum square foot gross building area not to exceed 30% of the rear yard area with a maximum size of 700 square feet.
 - C. No portion of the structure located in a rear yard area shall be located less than four feet (4') from an adjoining property line; less than fifteen feet (15') from a public or private alley; on a utility easement.
 - D. No portion of the structure located in a side yard area shall be located less than the required side yard setback for the main building or on a utility easement.
 - E. Maximum building height of fifteen feet (15').
4. **Storage Buildings.** All accessory buildings used for storage or other similar use may be located in any portion of the rear yard under the following conditions:
 - A. Maximum 200 square foot gross building size.
 - B. No portion of the structure shall be located less than four feet (4') from any adjoining property line; less than ten feet (10') from a public or private alley; on a utility easement.
 - C. Maximum building height of ten feet (10').
5. **Front Yard Area.** No private garage or storage buildings shall be located in a front yard area.

165.15 SPECIAL USES.

1. Home Occupations. A home occupation is any occupation or activity carried on within a dwelling unit or accessory building by a member of the family residing on the premises, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof. Home occupations shall comply with the following:

A. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its residential use, and not more than twenty-five percent (25%) of the gross floor area of the dwelling unit shall be used for the home occupation.

B. There shall be no change to the outside appearance of the building or premises, or visible evidence of the conduct of such home occupation.

C. No home occupation shall be conducted in an accessory building except by special exception of the Board of Adjustment.

D. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met by providing off-street parking and shall not be in a required front yard.

E. No equipment or process shall be used in such home occupation which creates noise, vibration, smoke, dust, odor, electrical interference, heat or glare beyond the confines of the dwelling unit or accessory building.

165.16 ENFORCEMENT.

1. Administration and Enforcement. This chapter shall be enforced by the Olin code official. No building permit or certificate of occupancy shall be issued except where the provisions herein have been complied with.

2. Permits and Certificates of Occupancy. No land shall be used or occupied and no building erected hereafter, or extended, until a certificate of occupancy and a building permit shall have been issued in accordance with the provisions of this chapter. Said permit shall be valid for one year and a new permit shall be required if the first permit expires. The second permit shall be in the same amount as the first.

3. **Building Inspector.** The building inspector shall have the following powers and duties:

A. The inspector shall issue building permits, when it has been shown to said official's satisfaction that such proposed building or extension will be in conformity with this chapter, and upon the required payment as determined by City Council resolution.

B. The building inspector shall receive compensation set by the Council to be paid from the fees collected for the issuance of building permits.

165.17 ZONING ADMINISTRATOR. As per the State Code of Iowa, the position of Zoning Administrator is created to assist in the administration and enforcement of this zoning ordinance. The City Clerk is hereby designated as the Zoning Administrator for the City of Olin, Iowa, to enforce this ordinance and to issue permits as per the zoning ordinance regulations. The Zoning Administrator will report to the City Council and to the Planning and Zoning Commission and will have no vote on the Planning and Zoning Commission.

165.18 BOARD OF ADJUSTMENT.

1. **Board of Adjustment Created.** A Board of Adjustment is hereby created. The Board of Adjustment shall consist of three (3) members, each to be appointed by the Council for a term of five (5) years, excepting that when the board shall first be created one member shall be appointed for a term of five (5) years, one for a term of three (3) years, and one for a term of one (1) year. Vacancies shall be filled by the Council for the unexpired term of any member whose term becomes vacant. The Board shall elect a Chairperson from its membership, and appoint a Secretary. Matters of procedure, powers and judicial review relating to this board are regulated by statute.

2. **Review by Board of Adjustment.** All prohibitions as above provided are subject to review by the Board of Adjustment and an otherwise prohibited use may be permitted if approved by said board, subject to securing a permit therefor and to such conditions, restrictions, and safeguards as may be deemed necessary for the purpose of protecting the health, safety, morals and general welfare of the community.

165.19 NONCONFORMING USES. The lawful use of any building or land or agricultural use, including the keeping of livestock, existing at the time of the enactment of this chapter may be continued although such use does not

conform with the provisions of this chapter. Whenever a nonconforming use has been discontinued for a period of one year, such use shall not thereafter be re-established, and any future use shall be in conformity with the provisions of this chapter.

165.20 ZONING MAP. The use districts are bounded and defined as shown on a map entitled "Olin Zoning Map," a certified copy of which is on file in the office of the City Clerk.

1. **Map Changes.** No changes of any nature shall be made in the official zoning map or matters shown thereon except in conformity with procedures set forth in this chapter. Any unauthorized change of whatever kind by any person shall be considered a violation of this chapter. Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning map which shall be located in the office of the City Clerk shall be the final authority as to the current zoning status of the land and water areas, buildings, and other structures in the City.
2. **Map Replacement.** In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Zoning Commission may by resolution adopt a new official zoning map which shall supersede the prior official zoning map.
3. **Map Interpretation; Uncertainty.** When uncertainty exists as to the boundaries of districts as shown on the zoning map, the following rules shall apply:
 - A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys, shall be construed to follow such centerlines.
 - B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 - C. Boundaries indicated as approximately following section subdivision lines shall be construed as following such section or such section subdivision lines.
 - D. Boundaries indicated as approximately following City limits shall be construed as following City limits.
 - E. In subdivided property, the location of any district boundary, unless the same is indicated by dimensions shown on the same map, shall be determined by the use of the scale appearing thereon.

F. Boundaries indicated as parallel to or extensions of features indicated in paragraphs A through E above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

G. Where physical or cultural features existing on the ground are at variance with those shown on the zoning map, or in other circumstances not covered by paragraphs A through E above, the Board of Adjustment shall interpret the district boundaries.

4. Map Interpretations; Street/Alley Vacated. Where any public street or alley is officially vacated or abandoned, the regulations applicable to each parcel or abutting property shall apply to the portion of such street or alley added thereto by virtue of such vacation or abandonment.

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CHAPTER 170

REVIEW OF SUBDIVISION PLATS AND PLATS OF SURVEY

170.01 REVIEW AND APPROVAL BY CITY COUNCIL. Subdivision plats and plats of survey proposed for lands within the corporate limits of the City of Olin, Iowa, and within two miles of the corporate limits of the City, are subject to review and approval by the City Council, to ensure all subdivision plats meet the standards and specifications prescribed by the City, subdivision being defined as the division of any tract of land into three or more parcels, whether by subdivision plat or successive plats of survey. Review and approval of plats of survey that do not amount to subdivision plats may be waived by the Mayor and Clerk following preliminary review.

(Chapter 170 added by Ord. 1105-06 – Oct. 12 Supp.)

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