

3.3 GENERAL REQUIREMENTS FOR ALL DISTRICTS

3.3.1 Permitted Uses

No building or structure shall be erected hereafter, no use of waters, land, buildings, or structures shall be established hereafter, no structural alteration, repair, or relocation of existing buildings or structures shall occur hereafter, and no enlargements of or additions to existing uses shall occur hereafter except where such shall be for or result in a use which is permitted within the zoning district in which such waters, land, building, structure, or use is located or unless as otherwise provided by these zoning regulations.

3.3.2 Special Uses

No use shall be allowed as a special use in any zoning district unless such use is specifically permitted as a special use by the regulations for the district in which such use is to be located, and then only if a special permit has been issued in complete accordance with the regulations governing such permits as set forth in section 2.2 of these zoning regulations.

3.3.3 Requirements

No building or structure shall be erected nor any use established, nor any modification made to either of these,

unless such building or structure or such use complies with all requirements of these zoning regulations pertaining to lot size., building, yards and open space, offstreet parking and loading, and other such requirements specified in these zoning regulations.

3.3.4 Infringements in Yards

The following shall not be considered to be infringements of required open space when located in the required yards specified:

1. In all yards--
 - a. Open terraces not over four feet above the average level of the adjoining ground, but not including a permanently roofed-over terrace or porch;
 - b. Awnings and canopies;
 - c. Steps, four feet or less above grade, which are necessary for access to a permitted building or for access to a zoning lot from a street or alley;
 - d. Chimneys projecting 18 inches or less into the yard;
 - e. Recreational and laundry-drying equipment;
 - f. Arbors and trellises;
 - g. Flag poles;
 - h. Fences and walls; and
 - i. Signs as permitted by these regulations.
2. In front yards--

- a. One-story bay windows projecting three feet or less into the yard; and
 - b. Overhanging eaves and gutters projecting three feet or less into the yard.
3. In side yards--
- a. Overhanging eaves' and gutters projecting into the yard for a distance not exceeding 10 percent of the required yard but in no case exceeding 18 inches.
4. In rear yards--
- a. Enclosed, attached or detached, required offstreet parking spaces;
 - b. Open offstreet parking spaces;
 - c. Accessory sheds, tool rooms, and similar buildings or structures for domestic or agricultural storage;
 - d. Balconies;
 - e. Breezeways and open porches;
 - f. One-story bay windows projecting three feet or less into the yard; and
 - g. Overhanging eaves and gutters projecting three feet or less into the yard.

3.3.5 **Height Exceptions for Appurtenances**

Necessary mechanical or structural appurtenances to buildings shall be permitted to exceed the maximum height provisions of the use zone in which the buildings are located when erected in accordance with all other requirements of this and all other ordinances.

3.3.6 **Setback Lines**

1. On streets where a front yard more than that required by these regulations has been maintained for existing structures on lots having a frontage of 50 percent or more of the total frontage on one side of that street between two intersecting streets there shall be maintained a frontyard setback of not less than the average setback of the existing structures, provided that these regulations shall not be interpreted to require a front yard setback of more than 50 feet.
2. On streets where a front yard less than that required by these regulations has been maintained for existing structures on lots having a frontage of 50 percent or more of the total frontage on one side of that street between two intersecting streets the front yard setback need not be greater than the average setback of the existing structures, provided that these regulations shall not be interpreted to permit a front yard setback of less than 20 feet.
3. On through lots extending from one street to another a front yard is required on each street.

3.3.7 **Moved Structures**

No structure shall be moved into the municipality, nor from one location to another location within the municipality, unless such structure shall, when relocated, be made to conform fully with these regulations and other applicable codes and ordinances, including codes and ordinances related to building and construction. No zoning permit shall be issued unless the general height and outward appearance of such structure conforms to that of other buildings in the area to which it is moved to such an extent that its re-

location shall not be detrimental to the appearance of the area or have substantial adverse effect on values of adjacent properties.

3.3.8 **Exemptions**

1. The following structures and uses shall be exempt from the provisions of these regulations:

a. Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or other similar equipment, but not including substations located on or above the surface of the ground, for the distribution to consumers of telephone or other communications service, electricity, gas, or water, or for the collection of sewage or surface water, where such distribution or collection is operated or maintained by a public utility.

b. Railroad track, signals, bridges, and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.

2. Notwithstanding any other provision of these regulations, none of the following public utility or public service uses shall be required to comply fully with the size requirements and bulk regulations of the zoning district in which they are located, except as may be determined by the board of zoning appeals where such use is subject to conditions imposed as part of a special use permit.

a. Electric and telephone substations and distribution systems.

b. Gas regulator stations.

c. Pumping stations.

d. Radio, television, and micro-wave transmitting or relay stations and towers.

e. Transformer stations.

f. Water towers and standpipes.