

7-1.6 Joint Use of Off-Street Parking Lots

Up to 50 percent of the parking spaces required for (1) theaters, public auditoriums, bowling alleys, dance halls, clubs, churches and religious institutions may be provided and used jointly by (2) financial institutions, offices, retail stores, repair shops, service establishments, and similar uses not normally open, used, or operated during the same hours as those listed in (1); provided however, that written agreement thereto is properly executed and filed as specified below.

Where such spaces are proposed to be collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form and content by the County Attorney and shall be filed with the application for a Building Permit.

Section 7-2. Off-Street Loading

All uses shall provide off-street loading space sufficient for their requirements. Such space shall be arranged so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk, alley, or private street.

Off-street loading and unloading space shall in all cases be located on the same lot or parcel of land as the structures they are intended to serve.

Section 7-3. Approval of Parking and Off-Street Loading Plans and Layouts

Designs and plans for areas to be used for off-street parking and off-street loading shall be subject to approval by the Building Official, who may withhold a permit or take other action if the layout of either would create avoidable safety or traffic congestion problems, pending acceptable modification of the layout, or appeal to the Board of Zoning Appeals.

ARTICLE VIII

GENERAL PROVISIONS AND REGULATIONS

The regulations contained in this Article are intended to clarify, supplement or modify the regulations set forth elsewhere in this Ordinance.

Section 8-1. Street Access

8-1.1. General

Each principal building shall be located on a lot or parcel having direct vehicular and pedestrian access to a publicly dedicated or publicly maintained street; or approved private street.

8-1.2. Flag Lots

Flag Lots - Flag lots shall only be permitted in those locations where because of geometric, topographic, or other natural features, it would be impractical to extend a public street. Flag lots shall have a panhandle extending to a publicly dedicated street for the purpose of access, and shall have two conforming lots adjoining the flag lot (see examples on following pages).

- (1) Flag lots in RD (Rural Development) and residential subdivisions shall meet the following standards:

- (1) Single flag lots shall have twenty feet (20') of frontage on a publicly dedicated street. In the case of two contiguous flag lots, there shall be thirty feet (30') of frontage on a publicly dedicated street with a common driveway. With two contiguous flag lots, a deeded 15 foot (15') strip of land for each lot is required with a common unobstructed access easement for a shared driveway to the public street.

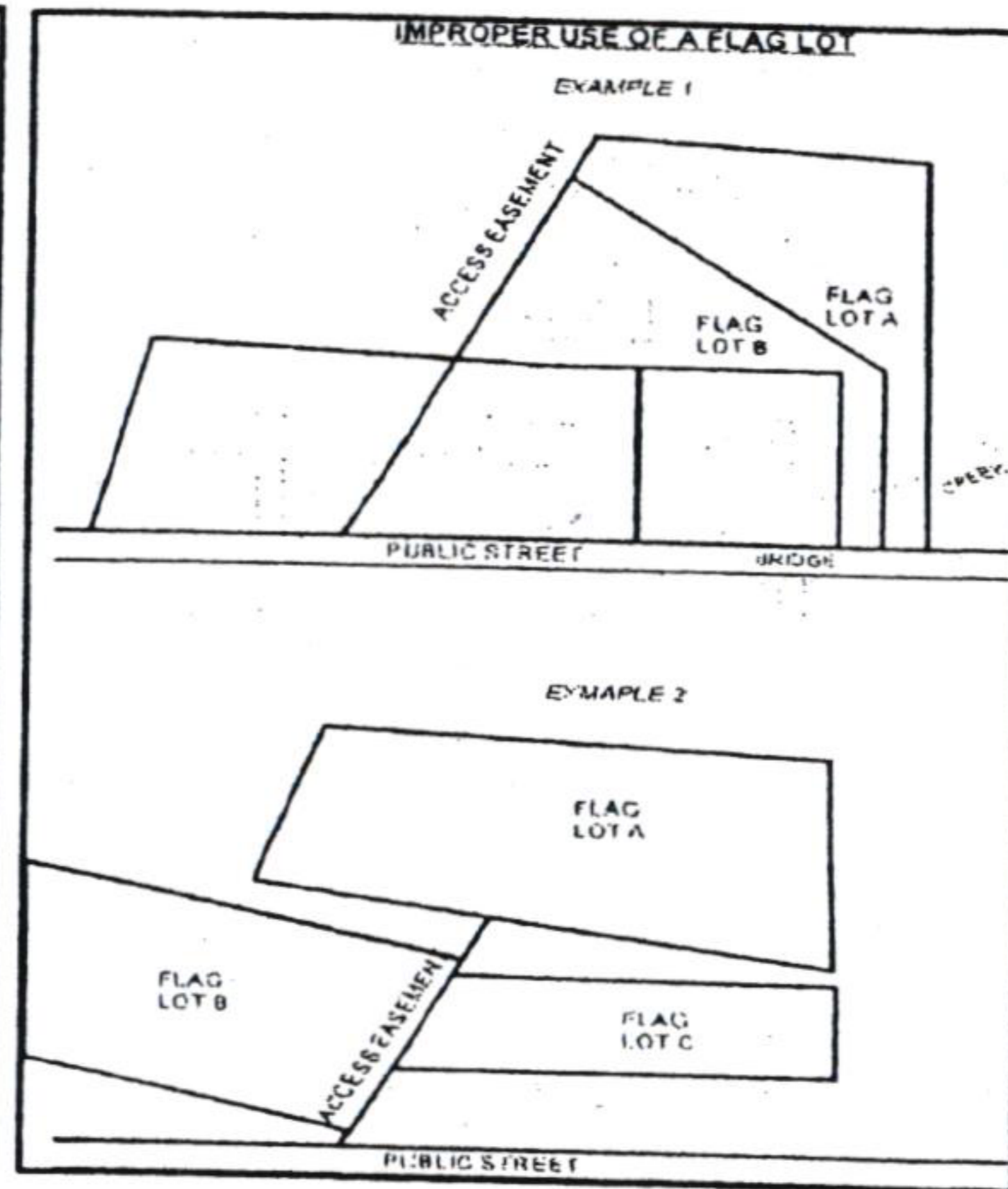
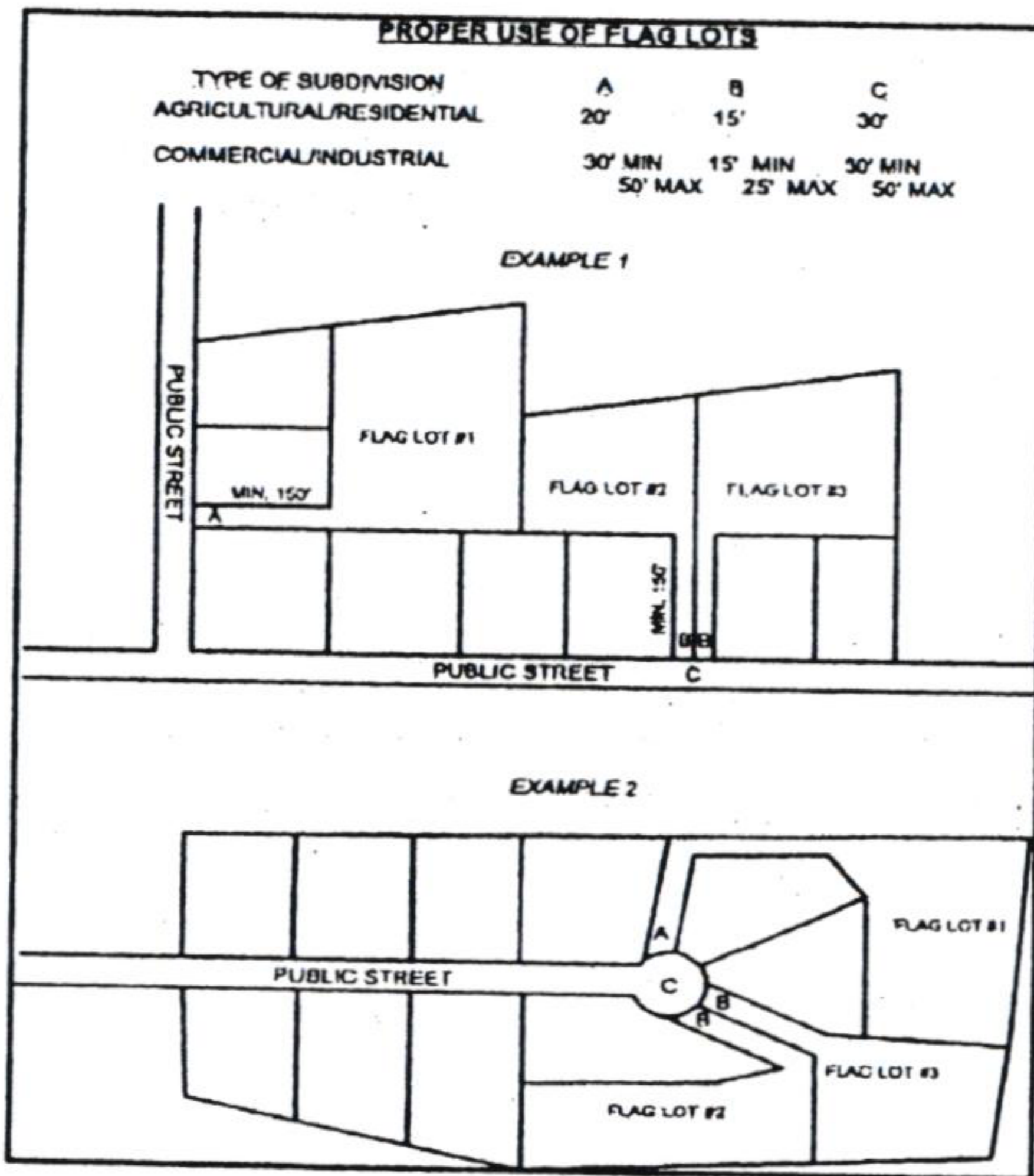
(2) Flag lots in commercial and industrial subdivisions shall meet the following standards:

- (1) Flag lots shall have a minimum of thirty feet (30') of frontage and a maximum of fifty (50') of frontage on a publicly dedicated street.
- (2) In the case of two contiguous flag lots, there shall be a minimum of thirty feet (30') of frontage and a maximum of fifty feet (50') of frontage, for both lots combined, on a publicly dedicated street with a common driveway.
- (3) With two contiguous flag lots, a deeded strip of land that is at least 15 feet (15') wide, but not greater than twenty five feet (25') in width, is required for each lot with a common unobstructed access easement for a shared driveway to the public street.

(3) All flag lots shall meet the following standards:

- (1) Flag lots shall have a panhandle for a minimum distance of 150 feet from a publicly dedicated street.
- (2) In no case shall more than two flag lots be contiguous to each other at the publicly dedicated street.
- (3) The maximum number of flag lots permitted for each phase of a subdivision (Improvement Plan submittal) shall not exceed 15%.
- (4) A driveway must be located within the panhandle of the deeded property for a flag lot. Also, the driveway for a flag lot shall be located at a minimum of five (5) feet from each lot line, unless approved by the Planning Commission. For two contiguous flag lots with a common driveway, a joint access easement shall be shown across the entire width of both panhandles containing the common driveway on the Final Plat.

- (5) The non flag portion of a flag lot shall be subject to the lot width/depth requirement for non flag lots. The flag pole or panhandle portion of the lot shall not be included in calculating lot size.
- (6) Approved flag lots may not be further subdivided.
- (7) Flag lots may have only one residential unit per lot regardless of size of flag lot.



Section 8-2. Yard and Setback Modifications

8-2.1 Setbacks on Corner Lots

Where a side yard abuts a street, the minimum side yard requirements along the street shall be not less than the minimum front yard setback required by Table II for the district in which the lot is located.

8-2.2 Front Yard Setbacks From Streets

The front yard (street) setback requirements of this Ordinance shall not apply on any lot where the average setback of existing buildings located wholly or in part within two hundred (200) feet on each side of such lot within the same block and fronting on the same side of the street is less than the minimum required setback.

In such cases the average alignment of the existing buildings shall be the minimum setback line. For the purpose of this Ordinance, the frontage along the side line of a corner lot is excluded.

8-2.3 Setbacks From Railroads

Structures within commercial and industrial districts which are adjacent to railroads may locate closer to the railroad right-of-way than the permitted side or rear yard setbacks of the respective zoning districts. However, the location must be in accordance with applicable railroad standards and conform to all other pertinent provisions of the Zoning Ordinance.

Section 8-3. Yard Measurements - Buildable Area

The required front, side and rear yards for individual lots, as set forth for the particular zoning district within which a given lot is located, shall be measured inward toward the center of said lot from all points along the respective front, side and rear property lines of the lot. Once the yard areas of a given lot have been established, the remaining area of the lot which is not included in any required front, side or rear lot shall be known as the **buildable area** within which the approved structure(s) shall be placed.