

CITY ORDINANCE No. _____ TBD _____

BUILDING HEIGHT RESTRICTION

(a) Generally

Building Height shall conform to the requirements herein unless superseded by further ordinance or zoning regulation.

(b) Building Height

Building Height is limited to thirty-five (35) vertical feet for all buildings or structures within the city limits.

(c) Measurement

“Building Height” is the vertical distance between the average of the highest and lowest points of grade of that portion of the lot covered by the building to the highest point of a structure. Height is the overall height of any part of the structure including flagpoles, canopies or other decorative features except as stated below in (d) Exceptions.

(d) Exceptions

The Building Height limits herein do not apply to buildings already exceeding the vertical height limit prior to the adoption of this ordinance, church spires, belfries, cupolas, or domes not used for human habitation, nor to chimneys, ventilators, skylights, solar energy systems, or necessary mechanical appurtenances usually located on the roof level, provided that such features are limited to the height necessary for their proper functioning; however, said excepted structures exceeding the vertical height restriction herein may not engage in any construction beyond the vertical heights presently in existence without specific approval required for a variance.

(e) Variance

The city council shall have the power to authorize in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of this ordinance shall be observed and substantial justice done. To obtain such variance a structural plan approved by a licensed Structural Engineer must be submitted where the building will be publicly used or if it is directly adjacent to any public area.