

ARTICLE 9
YARD EXCEPTIONS, MODIFICATION AND INTERPRETATIONS

9.01 MISCELLANEOUS HEIGHT AND OPEN SPACE REQUIREMENTS

The following regulations shall supersede the height and open space requirements found in this Resolution:

- A. Parapet walls not exceeding four (4) feet in height, chimneys, ventilators, cooling towers, elevators, bulkheads, tanks, telecommunication towers, radio towers, ornamental towers, monuments, cupolas, domes, and church spires may be erected above the height limits herein established.
- B. Every part of a yard required herein shall be open and unobstructed from the lowest point at ground level to the sky except for the ordinary projections of windowsills and other ornamental features to the extent of not more than four (4) inches.
- C. Chimneys and bay windows may be erected within the limits prescribed for yards provided that they do not extend more than two (2) feet into any such yard.
- D. Only one principal building shall be erected or used on a residential lot. A group of multi-family dwelling structures shall be considered as one principal building for purposes of this provision only.
- E. Barns, silos or other farm and agricultural related structures on farms shall meet the minimum yard requirements for the district in which it is located if the agricultural use or property is located on a lot of less than five (5) acres in size and is adjacent to or is abutting an area consisting of fifteen (15) or more residential lots or a platted subdivision.

9.02 PERMITTED USES REVOKED

Any use permitted in this Resolution shall be revoked and discontinued if because of dust, odors, smoke, noise, fumes, flame, vibration, or physical deterioration it becomes a hazard to the neighborhood in which the use is located.

9.03 FRONTAGE

Every lot with an area of less than five (5) acres shall front on a public street and shall have a minimum street frontage of twenty-five (25) feet. An access easement does not constitute ownership and therefore does not fulfill the public street frontage requirement. This Section shall not apply to any lot five (5) acres or more in size.

9.04 SETBACK REQUIREMENTS FOR CORNER BUILDING

On a corner lot, the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard setback in the district in which such structures are located.

9.05 ARCHITECTURAL PROJECTIONS

Architectural features may project into the required front or side yard as follows:

- A. Cornices, canopies, eaves, or other architectural features not to exceed two (2) feet six (6) inches.
- B. An open stair and necessary landing may project not more than six (6) feet.
- C. A front porch may project not more than four (4) feet, provided it is open on three sides, except for railings and banisters.
- D. Bay windows, balconies, or chimneys may project not more than three (3) feet, provided that the aggregate width of such projections shall not exceed one-third (1/3) of the length of the wall upon which it is located.

Decks may project into the required minimum rear yard no more than ten (10) percent of the required rear yard.

Terraces, platforms and ornamental features which do not extend more than two (2) feet above the floor level of the ground (first) story may project into a required front or rear yard but shall not be closer to any side lot line than the side yard requirement.

9.06 HEIGHT REGULATIONS

No building may be over forty (40) feet in height without Board of Zoning Appeal approval, unless specifically exempted herein.

The following shall be required for approval:

- A. All necessary fire equipment has been provided.
- B. Local fire and building department permits have been obtained.
- C. A Clermont County Airport Zoning Certificate has been obtained.
- D. Statement from FCC that building will not interfere with air communications.