

**CITY OF ELY
LINN COUNTY, IOWA**

ORDINANCE NO. 273

AMENDING TITLE VI PHYSICAL ENVIROMENT, CHAPTER 13 ZONING CODE

SECTION 1. SECTION 6-13-4(B) (29) REPEALED. Section 6-13-4-(B) (29) of the Ely Municipal Code of Ordinances 1997 is hereby entirely repealed.

SECTION 2. SECTION 6-13-14(B) (29A) ENACTED. The following is hereby enacted as Section 6-13-14(B)(29A) of the Ely Municipal Code of Ordinances:

Garage, Private -- A building that is primarily used for the storage of no more than four (4) motor-driven vehicles which are owned and used by the occupants of the building(s) to which it is an accessory. Not more than one (1) of the vehicles may be a commercial vehicle and of not more than two (2) ton capacity.

SECTION 3. SECTION 6-13-14(B)(29B) ENACTED. The following is hereby enacted as Section 6-13-14(B)(29B) of the Ely Municipal Code of Ordinances:

Garage, Attached - A garage that is attached to the main building only if the common portion of the wall attaching the structure to the main building is at least 50% of the total length of the wall of the attached garage.

SECTION 4. SECTION 6-13-9(B) REPEALED. Section 6-13-9(B) of the Ely Municipal Code of Ordinances is hereby entirely repealed.

SECTION 5. SECTION 6-13-9(B) ENACTED. The following is hereby enacted as Section 6-13-9 (B) of the Ely Municipal Code of Ordinances:

Accessory Buildings and Structures -- No accessory building or structure shall be erected more than one hundred and twenty (120) days prior to the time of completion of the construction or establishment of the main building or use to which it is accessory. Accessory buildings and structures shall be limited to fifteen (15) feet in height, and shall be in distance at least ten (10) feet from any main buildings and five (5) feet from any lot line. No accessory building or structure, except attached private garages, shall be erected in any yard other than a rear yard. The total area of any accessory building or structure, including any private garage, located in whole or in part of the rear yard shall occupy less than thirty percent (30%) of the required minimum rear yard. Attached private garages must meet the main building minimum yard requirements. All properties in all single family residential districts shall be limited to one garage and one accessory building.

SECTION 6. SECTION 6-13-9(C) REPEALED. Section 6-13-9(C) of the Ely Municipal Code of Ordinances is hereby entirely repealed.

SECTION 7. SECTION 6-13-9 (C) ENACTED. The following is hereby enacted as Section 6-13-9(C) of the Ely Municipal Code of Ordinances:

One Main Building on a Lot - In any district, more than one (1) main building housing a permitted principal use may be erected on a single lot provided that the area, yard and other requirements of this Code shall be met for each structure as though it were on an individual lot. However, regardless of lot size, the erection of single family homes is limited to one (1) per lot.

SECTION 8. REPEALER CLAUSE. Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance is hereby repealed, to the extent of said difference or inconsistency.

SECTION 9. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional

SECTION 10. EFFECTIVE DATE. This ordinance shall be in effect from and after it's final passage, approval, posting and publication as required by law.

Introduced the 9th day of July, 2018, and adopted by the City Council of the City of

Ely, Iowa this 9th day of July, 2018.



Eldy Miller, Mayor

Attest:



Denise Hoy, Clerk/Administrator

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First Reading: 07/09/2018

Second Reading: Waived 07/09/18

Third Reading: Waived 07/09/18

Posted: 07/11/18

I certify the foregoing was posted as Ordinance #273 on the 9th day of July, 2018, as required by law.


Denise Hoy, Clerk/Administrator

Seal

AFFIDAVIT OF POSTING

City of Ely, Iowa

Document Posted: 07/11/2018

Ordinance No 273 – Amending Zoning Code Pertaining to Accessory Bldgs

Locations Document Posted at:

Location # 1 - Ely City Hall

Location # 2 – Ely Post Office

Location # 3 – Ely Public Library

Location #4 - Solon State Bank

Attested to on behalf of the City of Ely by:

Denise L Hoy

Printed Name of City Clerk

Denise L. Hoy

Signature of City Clerk

7/11/18

Date

Luanne Miller

Printed Name of Notary Public

Luanne R. Miller

Signature of Notary Public

7/18/18

Date

