

OFFICIAL PUBLICATION

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the City Council of the City of Fairmont will hold a public hearing to consider proposed Ordinance No. 2017-07.

**ORDINANCE AMENDING FAIRMONT CITY CODE CHAPTER 26.
DEFINITIONS AND SECTIONS 26-152 (e)(2), 26-153(e)(2) and
26-205 (5) and (9)c REGULATING BUILDING HEIGHT**

WHEREAS, building height has not been measured for several years consistent with City Code language, and;

WHEREAS, this inconsistency has caused confusion, and;

WHEREAS, city staff has evaluated new building height language from other communities and the Minnesota Building Code and presented its findings to the Planning Commission, and;

WHEREAS, city staff recommends that the City Code building height language be amended to allow principal structures in the R-1, R-2 and R-2S to be built to a mean roof height of 30 feet and accessory structures be built to a mean roof height of 22 feet.

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, that Fairmont City Code Chapter 26 Zoning be amended as follows:

ARTICLE 1. IN GENERAL, Sec. 26-1. Definitions.

Building height is the mean roof height, the average of the eave height and the height to the highest point on the roof surface except that for angles less than or equal to 10 degrees, the mean roof height shall be the roof eave height.

~~*Building height* means the vertical distance from the average elevation of the finished lot grade at the front of the building to the highest point of the coping of a flat roof, or the deck line of a mansard roof or to the highest point of a gable, hip or gambrel roof.~~

ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-152, R-1 Single-family family residential district. (e) *Lot area, floor area, height, lot width and yard requirements.*

(2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty five (25)~~ thirty (30) feet in mean roof height.

ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-153, R-2 One-and two-family district. (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty five (25)~~ thirty (30) feet in mean roof height.

ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-163, R-2S One-to four-family district. (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty five (25)~~ thirty (30) feet in mean roof height.

ARTICLE IV. GENERAL DEVELOPMENT REGULATIONS, Sec. 26-205 (5). Accessory buildings or structures in residential districts shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in maximum roof height. Accessory structures in residential zones may be built to a maximum one thousand (1,000) square feet of floor area or ten (10) percent of the lot area whichever is larger to an aggregate accessory structure maximum of three thousand (3,000) square feet of floor area.

Sec. 26-205 (9) (c) The accessory building or structure shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in maximum roof height.

You are further notified said hearing will be held in the **City Council Chambers of City Hall**, 100 Downtown Plaza, Fairmont, Minnesota on Monday, July 24, 2017, at 5:30 p.m.

BY ORDER OF THE CITY OF FAIRMONT

/s/ Patricia J. Monsen
Patricia J. Monsen, City Clerk