

ORDINANCE 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 building height of 30 feet and accessory structures be built to a building 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 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 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 building 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 building height.

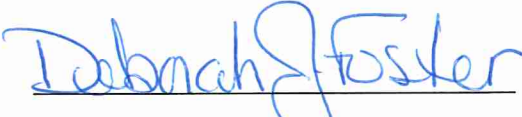
ARTICLE III. ZONING DISTRICT REGULATIONS, Sec. 26-163, R-2S One-to four-family district. (e) *Lot area, floor area, height, lot width and yard requirements.* (2) Except exempted use, no structure shall exceed ~~two (2) stories or twenty five (25)~~ thirty (30) feet in building height.

ARTICLE IV. GENERAL DEVELOPMNT REGULATIONS, Sec. 26-205 (5). Accessory buildings or structures in residential districts shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in building 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.

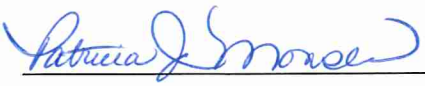
Sec. 26-205 (9) (c) The accessory building or structure shall not exceed ~~fifteen (15)~~ twenty-two (22) feet in building height.

Motion by: Council Member Jim Zarling
Seconded by: Council Member Tom Hawkins
All in Favor: Council Members Wayne Hasek, Bruce Peters and Jim Zarling
Opposed: Council Members Tom Hawkins and Ruth Cyphers
Abstained: None
Absent: None

PASSED, APPROVED AND ADOPTED, this 31st day of July, 2017


Deborah J. Foster, Mayor

ATTEST:


Patricia J. Monsen, City Clerk

First Reading: July 10, 2017
Second Reading: July 24, 2017
Third Reading: July 31, 2017