ARTICLE 5

ZONING DISTRICT REGULATIONS

SECTION 506. "R" RESIDENTIAL DISTRICT

A. INTENT. The intent of this district is to provide low density residential development

including those uses which reinforce residential neighborhoods.

B. PERMITTED USES: In District "R" no building, structure, land or premises shall be

used and no building or structure shall be hereafter erected, constructed,

reconstructed, moved or altered except for one or more of the following uses;

1. Single-family dwellings.

2. Two-family dwellings.

3. Multi-family dwellings of up to four (4) units.

4. Public parks, playgrounds and schools.

5. Day care homes.

6. Churches.

7. Accessory structures.

8. Manufactured Homes in conformance with the provisions of Section 617 of these

Regulations. (Amended Ord. “A”, 2011)

C. CONDITIONAL USES: The following conditional uses may be permitted subject to

approved procedures outlined in Section 1105 of these regulations.

1. Single-family-attached subject to the following conditions:

a. The common wall between attached units shall be on the side lot line

separating the two lots and shall not be subject to side yard requirements

providing there are no doors, windows, vents or other openings in the

common wall.

b. Not more than two units shall be attached in this district.

c. No units shall have a depth greater than four times its width.

d. Any exterior wall which is not a common wall must meet all yard

requirements.

e. Each lot must have direct access to a public street.

f. The deed to each lot must include covenants requiring the proper and

timely reconstruction of any damaged or destroyed dwellings.

g. The application for such conditional use must include a plot plan with the

general location of buildings, parking areas, driveways, fences and other

structures, the location of easements and utility lines, the number and

type of all dwelling units, and the property lines within the proposed

development.

2. Bed & Breakfast, Boarding and Lodging Houses.

3. Condominiums.

4. Nursing, Convalescent Homes and Hospitals.

5. Non-profit institutions of an educational, philanthropic or charitable nature,

except for penal or mental institutions.

6. Earth-sheltered residences may be constructed as a conditional use providing

the following conditions are met:

a. The living area shall be provided with exterior windows or skylights which

have a glassed area of not less than ten percent (10%) of the floor area and

give direct visual access to natural light and open spaces.

b. Lot areas, lot widths and setbacks for underground dwellings shall conform

to those established by the zoning district.

c. An outdoor space of no less than 500 square feet shall be provided

immediately outside one wall of the dwelling. The minimum width of the

space shall be twenty (20) feet and average grade elevation shall be no more

than two (2) feet above the grade elevation of the floor of the dwelling.

d. All earth-covered structures shall be designed by a structural engineer and

plans shall be submitted, signed and sealed by a licensed structural

engineer.

e. A site plan, elevations, cross sections and other necessary drawings shall be

submitted to ensure that the proposed structure is compatible with the

adjacent residents and the topography of the area. No site plan will be

approved that creates a storm drainage or runoff problem for an adjacent

property.

7. Telephone exchanges, electrical substations or other similar public utilities.

8. Group homes.

9. Day care centers. See Section 1105.

10. Alternative energy systems utilizing Biomass, Geothermal, Hydropower, Solar

and/or Wind sources in conformance with “Net Metering” as per Nebraska State

Statutes 70-2001 to 70-2005 (August 30, 2009, as amended). Individual or

“Small Wind Energy Conversion Systems (SWECS) shall also be in conformance

with the provisions of Section 616 of these Regulations.

 (Amended Ord. “A”, 2011)

11. Multi-family Dwellings of five (5) units or more. (Amended Ord. “A”, 2011)

D. INTENSITY OF USE REGULATIONS:

1. Minimum Lot Area: Single-family – 7,500 square feet; Two-family, single-family

attached and Multi-family – 1,500 square feet per unit, minimum 7,500 square

feet per lot.

2. Minimum Lot Width: 75 feet.

E. HEIGHT REGULATIONS:

1. Maximum structure height: 35 feet.

F. YARD REGULATIONS:

1. CONFORMING LOTS OF RECORD

a. Front yard: 25 feet.

b. Side yard: Not less than eight (8) feet, except provided for single-family

attached.

c. Rear yard: 15 feet.

d. Comer Lots- The rear yard setback may be reduced to allow a buildable

width of the principle structure of 35 feet which would include all

architectural projections as long as the rear yard setback is not reduced to

less than four (4) feet.

2. NONCONFORMING LOTS OF RECORD:

a. Front yard: 25 feet.

b. Side yard: 6 feet.

c. Rear yard: 15 feet.

The rear yard setback may be reduced to allow a buildable width of the

principle structure of 35 feet which would include all architectural projections

as long as the rear yard setback is not reduced to less than four (4) feet.

3. NONCONFORMING STRUCTURES OF RECORD:

a. Additions to nonconforming principal structures of record may use the

minimum setback of the original principal structure in order to keep both the

original and addition in harmony with each other as long as they do not

interfere with the Public's Health, Safety and Welfare.

b. Accessory structures must meet nonconforming lots of record.

4. HANDICAPPED ACCESS:

a. There shall be no setback requirements for handicapped access as long as the

structure does not interfere with the Public's Health, Safety and Welfare.

b. There shall be a no-fee Site Plan and Land Use Permit.

G. USE LIMITATIONS:

ANY NONCONFORMING MOBILE HOME LOT LEFT VACANT FOR A PERIOD

OF SIX (6) MONTHS SHALL LOSE ITS MOBILE HOME LOT STATUS.

SEE SECTION 506 -- “F” ITEM #2 Nonconforming Lots of Record and

ITEM #3 Nonconforming Structures of Record.