Rules Governing Exceptions

Highway Commercial Zone

§ 801.05 (1) Where a site adjoins or is located across an alley from any R Residential District, a solid wall or fence, vine covered open fence or compact evergreen hedge six (6) feet in height shall be located on the property line common to such districts, except in a required front yard.

This site does not adjoin nor is it across an alley from a residential district.

§ 801.05 (2) Open storage of materials attendant to a permitted use or conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence six (6) feet in height, provided that no materials or equipment shall be stored to a height greater that that of the wall or fence.

No open storage of materials is being proposed.

§ 801.05 (3) No use shall be permitted, and no process, equipment, or ,materials shall be used which are found by the Governing Body to be objectionable to persons living or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibrations, illumination, glare, or unsightliness, or to involve any hazard of fire or explosion.

No such activity or installation is being proposed.

Citywide (All Zones)

The Planning Commission shall put its findings and recommendations in writing which state the extent of compliance with the specific rules governing individual exceptions and the extent that satisfactory arrangement and provision have been made concerning the following, where applicable, and submit them to City Council:

§ 1403.01 ACCESS ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

With the exception of the proposed play area along the alley, access to the site will not be altered. The proposed play area does not impede the entire length of the alley access, and such access can still be made west of the play area.

§ 1403.02 PARKING off-street parking and loading areas where required, with particular attention to the items in § 1403.01 above and the noise, glare, odor, or economic effects of the exception on adjoining properties and properties generally in the district.

The parking proposed by the applicant meets the requirements of the ordinance.

§ 1403.03 SERVICE refuse and service areas, with particular reference to the items in § 1403.01 and § 1403.02 above

The proposed outdoor play area will displace the current dumpster setup on the property. This can be easily accommodated by moving the dumpsters elsewhere on the property.

§ 1403.04 UTILITIES with reference to location, availability, and compatibility

Utilities will not be altered within the scope of the zoning ordinance.

§ 1403.05 SCREENING and buffering with reference to type, dimension, and character

No screening is shown; the property is in a Highway Commercial district with no residential district adjoining the proposal.

§ 1403.06 SIGNS, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.

Signage will be similar to what is in place elsewhere on the property. Any new signs will need to conform to the sign requirements of the ordinance.

§ 1403.07 YARDS required yards and open space

The proposal meets these requirements.

§ 1403.08 COMPATIBILITY general compatibility with adjacent properties and other property in the district

A daycare is compatible with the district and the current uses on the subject property as well as adjoining properties.