

## ARTICLE VII

### EXCEPTIONS AND MODIFICATIONS

#### Section 700. Walls and Fences

Walls or fences are permitted in any zoning district, and are not subject to setback requirements of this Ordinance, except in a Residential Zoning District:

1. No wall or fence shall exceed eight (8) feet in height within a side yard or rear yard.
2. No wall or fence constructed of any type of material shall extend into a front yard as provided in this section. Industrial and Commercial Districts may apply for a variance with landscape requirements to be included.
3. Any subdivision entrance, wall or fence shall not exceed ten (10) feet in height and shall be subject to approval of the Director of Planning and Development after the submission to Development Review of a landscape plan, site plan and architectural elevations.

#### Section 701. Structures Excluded from Height Limitations

The height limitations of this Ordinance shall not apply to church spires, belfries, flag poles, monuments, cupolas, domes, ornamental towers, nor to observation towers not intended for human occupancy, water towers, transmission towers, radio or television towers or aerials, chimneys, smokestacks, conveyors, derricks, or to necessary mechanical roof appurtenances nor to barns and silos when located on a farm.

The above exclusions from height limits shall not apply in the vicinity of airports.

## Section 702. Substandard Lots of Record

Any lot of record existing at the time of the adoption of amendment of this Ordinance, that has an area or width that is less than is required by this Ordinance, may be used, subject to the following exceptions and modifications:

1. Adjoining Lots: When two (2) or more adjoining lots of record with continuous frontage are in one ownership at any time after the adoption or amendment of this Ordinance and such lots, individually, have an area or width that is less than is required by this Ordinance, then such contiguous lots shall be considered as a single lot or several lots of the minimum width and area required in the Zoning District in which they are located.
2. Individual Lot Not Meeting Minimum Lot Size Requirements: Except as set forth in Subsection 1 of this Section, in any Zoning District in which one-family dwellings are permitted, any lot of record existing at the time of adoption or amendment of this Ordinance which has an area, width or depth less than that required by this Ordinance may be used as a building site for a one-family dwelling.

In the case of such a lot, when it is not possible to provide the required side yards and at the same time build a minimum width one-family dwelling, the Zoning Board of Appeals is hereby authorized to grant a variance reducing the side-yard requirements for such lot the minimum amount necessary for a reasonable dwelling, but in no case shall each of the side yards be less than five (5) feet in width.

## Section 703. Deleted

## Section 704. Temporary Buildings

A temporary building or buildings for use in connection with a construction project or land subdivision development shall be permitted on the land of the project during the construction period.

