

E. Setbacks.

1. **Measurement.** Setbacks are measured as the unobstructed unoccupied open area between the furthestmost projection of a structure and the property line of the lot on which the structure is located, except as modified by the standards of this section. Setbacks shall be unobstructed from the ground to the sky except as specified in this section. Structures shall meet the front yard setback from all Abutting Streets unless otherwise provided in this Code.
2. **Exceptions and Permitted Encroachments.** The following features may encroach into required setbacks:
 - a. Landscaping;
 - b. Bay windows, not to exceed three (3) feet;
 - c. Chimneys, not to exceed two (2) feet;
 - d. Clothesline posts;
 - e. Driveways, curbs and sidewalks;
 - f. Flagpoles;
 - g. Heating and cooling units, not to exceed three (3) feet;
 - h. Mailboxes;
 - i. Overhanging roof, eave, gutter, cornice, or other architectural feature and awnings, not to exceed three (3) feet;
 - j. Underground utilities;
 - k. Signs;
 - l. Open steps, stairs or fire escapes (non-enclosed), not to exceed six (6) feet;
 - m. Uncovered, unenclosed terraces or porches not to exceed six (6) feet, but in no case closer than three (3) feet to any property line;
 - n. Fences or walls, if otherwise allowed by this Code;
 - o. Yard and service lighting fixtures and poles;
 - p. Required parking where not specifically prohibited; and
 - q. Open carports, up to one-half of the required side or rear yard setback for principal structures, but not closer than three (3) feet to the lot line.
3. **Setback Averaging.** Regardless of the minimum front setback required by the zoning district, a front setback may be reduced to the mean of the setbacks of the immediately adjoining lots that are on both sides of the subject lot. The following rules apply in calculating the mean setback:
 - a. Only the setbacks on the lots that abut a side the subject lot at the street and are on the same side of the street may be used. Setbacks across the street or along a different street may not be used; and
 - b. When one abutting lot is vacant, or if the lot is a corner lot, then the average is of the setback of the non-vacant lot and the zoning district minimum setback.
 - c. Approval of setback averaging shall be in the form of a letter from the Director.
4. **The following special setbacks shall apply where noted:**
 - a. On corner lots, in areas where an existing parkway strip exceeds ten (10) feet in width between a sidewalk and the curb, the front yard setback on a side street may be varied by the Director under the conditions and restrictions listed below. A side street shall be considered that street corresponding to the side yard of the majority of the structures on a block. In unusual or conflicting circumstances, the Director shall designate which street is the side street.
 - (1) No variance shall be approved to less than five (5) feet from property line.
 - (2) A variance may be approved only for a single family residential use.

- (3) Any variance approved shall meet all other provisions of this Code, including sight distance requirements. No variance shall be granted unless the City Engineer finds, in writing, that the proposal will not create a danger to pedestrians or vehicle circulation.
- (4) No vehicular access shall be allowed from a side street to any structure approved for a variance under the provisions of this section.
- (5) A variance shall only be effective if it is issued by the Director, contains the legal description and any terms and conditions, and is recorded by the applicant prior to issuance of a building permit.
- (6) More than one contiguous parcel of land in the same ownership may be used for a principal use and to satisfy setback requirements for structures if such owner records an instrument, approved by the City Attorney which limits the uses and rights to convey (including for loans) the contiguous parcel.