

ORDINANCE NO. 535
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY
OF JEFFERSON, IOWA, 2008, BY ADDING A NEW SUBSECTION TO
PROVIDE FOR SPECIAL EXCEPTION FOR ENLARGEMENT OF A
NONCONFORMING STRUCTURE

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. New Subsection. The Code of Ordinances of the City of Jefferson, Iowa, 2008, is amended by adding to Section 165.13 new Subsection 4, which is hereby adopted to read as follows:

165.13 NONCONFORMING STRUCTURES.

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4. If an accessory building is nonconforming because its exterior materials are not the same as that of the principal building on the lot, such accessory building may in the following limited circumstances be enlarged pursuant to a special exception granted by the Board of Adjustment:

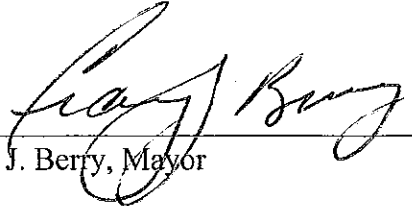
- A. The enlargement may be made only as a replacement of another accessory building on the lot that has been destroyed and removed and which was in good and sound condition before its destruction;
- B. The area of the enlargement shall not exceed an amount equal to the lesser of (i) 50% of the square footage of the accessory building being enlarged and (ii) the square footage of the other accessory building being replaced;
- C. The enlargement shall be compatible with the accessory building being enlarged with respect to building materials, design and character;
- D. The enlargement must be completed within 18 months of the destruction of the other accessory building;
- E. Only one enlargement may be made to an accessory building; and
- F. The accessory building being enlarged must be in good and sound condition and shall in all respects comply with applicable zoning regulations, and the enlargement shall not increase its nonconformity for any other reason.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

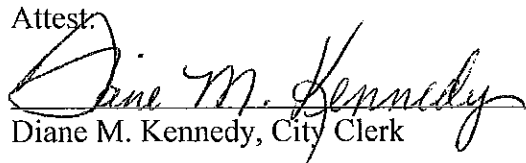
SECTION 4. When effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Finally passed by the Council on January 10, 2012, and approved on January 10, 2012.



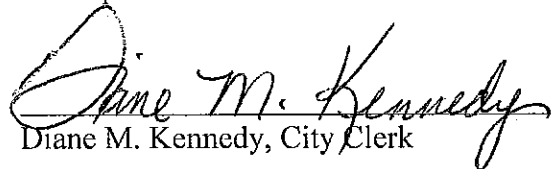
Craig J. Berry, Mayor

Attest.



Diane M. Kennedy, City Clerk

I hereby certify that the foregoing ordinance was published in The Jefferson Herald on January 19, 2012.



Diane M. Kennedy, City Clerk