

CITY OF DOVER

ORDINANCE NO. 58

AN ORDINANCE OF THE CITY OF DOVER, IDAHO, SETTING FORTH ITS AUTHORITY, ESTABLISHING APPLICABILITY, AMENDING PROVISIONS FOR EXEMPTIONS FROM BUILDING PERMIT REQUIREMENTS ,PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Dover desires to amend the existing zoning standards to limit the requirements regarding construction of accessory buildings; and

WHEREAS, the City Council of the City of Dover desires to amend the existing zoning ordinance to require development permits for land development; and

WHEREAS, a public hearing was held May 31, 2001 and continued to June 14, 2001, to consider such amendments;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Dover, Idaho that the following be and is hereby adopted as an Ordinance of the City of Dover, Idaho:

SECTION 1: AUTHORITY

This ordinance is adopted pursuant to authority granted to the City of Dover at Title 67, Chapter 65 of the Idaho Code.

SECTION 2: APPLICABILITY

The standards contained within this ordinance shall be applicable to development regulated by Chapter III, Division 1 of the City of Dover Zoning Ordinance.

SECTION 3: AMENDMENTS

Chapter III, Division 1, Section A. is hereby amended in its entirety to read as follows:

A. Permit Required. A Development Permit shall be required for any division of land, construction, reconstruction, alteration of natural drainages and, excepting in Rural and Agricultural Zones, development disturbing more than 100 cubic yards of soil or more than 1,000 square feet of ground area. Said Development Permit shall identify additional permitting required such as preliminary platting, special use permits and building permits. Unless specifically noted otherwise all permits shall be precessed as described in this chapter.

Chapter III, Division 1, Section B, first paragraph is hereby amended in its entirety to read as follows:

B. Exemptions from Building Permits. Activities listed here are not exempt from Development Permits or any other requirement of the City zoning ordinance except the requirement for a Building Permit. No Building Permit shall be required for:

Chapter III, Division 1, Section B.3. is hereby amended in its entirety to read as follows:

3. construction of accessory buildings of less square feet in floor area than 10% of the square feet of the subject parcel; uninhabited agricultural buildings within Rural and Agriculture Zones;

In addition, item 7. is added to said Section B as follows:

7. Porches, awnings, covered walkways, overhangs, decking with first floor access and other such construction which are associated with an allowable structure and does not encroach into required setback standards. Decking associated with second story construction is not included within this exemption and shall obtain a building permit.

Chapter VI, Division 1, Section I.2. is hereby amended in its entirety to read as follows:

2. Accessory buildings shall be permitted in required rear yards where a minimum setback of five feet (5') from all property lines is maintained. No accessory building shall be located in a required 10 foot side yard of any zone district or in a required 25 foot front yard within the Residential Zone. Front and side yards may be used for required parking.

SECTION 4: SEVERABILITY

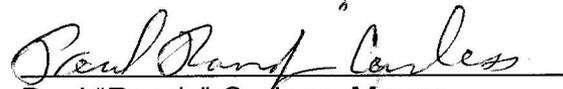
The provisions of this Ordinance are hereby declared to be individually severable. Should a court of competent jurisdiction declare any provision of this Ordinance to be invalid, it shall not affect the validity of the remaining provisions.

SECTION 5: EFFECTIVE DATE

This Ordinance shall be in full force and affect upon its passage, approval and publication in one issue of the Bonner County Daily Bee, a newspaper of general circulation, published in the City of Sandpoint, and declared the official newspaper of the City of Dover and hereby declared to be the official newspaper for the publication of this Ordinance.

APPROVED AND ADOPTED AS AN ORDINANCE OF THE CITY OF DOVER BY THE CITY COUNCIL UNDER SUSPENSION OF THE RULES AT A DULY NOTICED MEETING OF THE DOVER CITY COUNCIL ON JUNE 14, 2001 AND SUBSEQUENTLY RE-ADOPTED THIS 11th DAY OF OCTOBER, 2001 UPON THE FOLLOWING ROLL CALL VOTE:

Margaret Becker	<u>Absent</u>
Neal Hewitt	<u>Aye</u>
Genevieve Thurlow	<u>Aye</u>
James Janish	<u>Aye</u>


Paul "Randy" Curless, Mayor

Attest:


Ruth Guthrie, City Clerk