
Sec. 24-215. Setback requirements.

- (a) *Except for those roadways identified in Sec. 24-215 (c),* structures, except those associated with intensive agricultural uses, shall be located a minimum of 50 feet from any street right-of-way which is 50 feet or greater in width. If the street right-of-way is less than 50 feet in width, structures shall be located a minimum of 75 feet from the centerline of the street; except that where the minimum lot area is three acres or more, the minimum setback shall be 75 feet from any street right-of-way which is 50 feet or greater in width and 100 feet from the centerline of any street right-of-way less than 50 feet in width. Devices for nutrient management plans, pens, and structures associated with intensive agricultural uses shall be 250 feet from any dwelling not owned by the operator of the use, all property lines not associated with the use, all public roads, and 1,000 feet from platted residential subdivisions, residentially zoned districts, areas designated for residential use on the comprehensive plan, schools, parks and playgrounds, recreation areas, public wells, water tanks and reservoirs.
- (b) All subdivisions platted and recorded prior to March 1, 1969, with building setback lines shown on their recorded plat will be allowed to adhere to these established setback lines.
- (c) *For parcels abutting a portion of a road right-of-way designated an Open/Agricultural Community Character Corridor and located outside of the Primary Service Area on the Comprehensive Plan Future Land Use Map, structures shall be located a minimum of 400 feet from the right-of-way. For those parcels containing a lot depth of 500 feet or less or those parcels approved as a flag lot as of January 1, 2023, the applicable setback shall be pursuant to Sec. 24-215 (a).*

(Ord. No. 31A-88, § 20-31, 4-8-85; Ord. No. 31A-114, 5-1-89; Ord. No. 31A-165, 9-18-95; Ord. No. 31A-169, 5-28-96; Ord. No. 31A-257, 11-22-11)