

**CHAPTER 40**  
**ZONING CODE**  
**ARTICLE II – DEFINITIONS**

**Delete the Following:**

**40-2-2**

**Club House:** A structure containing less than **nine hundred (900) square feet** which is occupied less than **ninety (90) days** within a calendar year, used for recreational purposes and normally found along lakes, rivers and streams. **(Ord. No. 05-04-02)**

**Add the Following:**

**40-2-2**

**Club House:** A structure containing no less than **two (200) square feet** which is occupied less than **one hundred twenty days (120)** within a calendar year, used for recreational purposes and normally found along lakes, rivers and streams. **(Ord. No. 05-04-02)**

**ARTICLE III – GENERAL REGULATIONS**

**Delete the Following:**

**40-3-14     ACCESSORY USE RESTRICTIONS**

- (A) **Height.** No accessory use shall be higher than  
(1) **seventeen (17) feet** to the peak of any structure in any Residential District;

**Add the Following:**

**40-3-14     ACCESSORY USE RESTRICTIONS**

- (A) **Height.** No accessory use shall be higher than  
(1) **twenty-five (25) feet** to the peak of any structure in any Residential District;

## **DIVISION V – OVERLAY DISTRICTS**

### **Add the Following:**

**40-4-82     RESIDENTIAL (R-3) OVERLAY DISTRICT.** The purpose of the Residential (R-3) Overlay District is to provide standards for pre-existing subdivisions, currently zoned Residential (R-3), which allowed dwellings and recreational vehicles in their pre-zoning recorded covenants. Dwellings and recreational vehicles are permitted in the R-3 Overlay District, subject to any restrictions provided in any other applicable section of the Zoning Code. Front setbacks for a lot in an R-3 Overlay District are reduced to 10' for all structures. Accessory structures shall maintain a minimum side and rear setback of 3' or one-third (1/3) the height of the wall of the building, whichever is greater. Accessory structures and clubhouses are permitted without a principal structure in an R-3 Overlay District, subject to any restrictions provided in any other applicable section of the Zoning Code. No more than one (1) clubhouse is permitted, per parcel. No more than one recreational vehicle is allowed per 4500 sq ft and can be used for camping seasonally. Structures cannot encroach on any utility easement and must abide by state and national code setbacks to any existing utility.