

ORDINANCE NO. 278

AN ORDINANCE TO AMEND TITLE VI, CHAPTER 7
OF THE MUNICIPAL CODE OF THE CITY OF BUFFALO,
IOWA ENTITLED "ZONING CODE" KNOWN AS THE
BUFFALO ZONING CODE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BUFFALO,
IOWA that Section 6-7.0215(3), Appeals and Variances; 6-7.0215(4),
Powers Limited; 6-7.0219, Non-Conforming: Special Permits; and 6-
7.0220, commission Recommendation on Special Permits of the
Municipal code of the City of Buffalo, Iowa are hereby repealed and
that the following Section 6-7.0215(3) Special permits; 6-7.0215(4),
Powers Limited; 6-7.0215(5) Appeals, Variances and Special Permits;
and 6-7.0219, Non-Conforming: Special Permits are substituted in
lieu thereof and are hereby enacted.

6-7.0215(3). SPECIAL PERMITS The Board shall have
authority to authorize the granting of a Special permit in
accordance with the conditions of this ordinance.

6-7.0215(4) POWERS LIMITED. The powers of the Board are
limited to any and all powers allowed by the Code of Iowa, 1991,
Sec. 414.12.

6-7.0215(5) APPEALS, VARIANCES AND SPECIAL PERMITS. In
considering all appeals and proposed special permits and variances
to this ordinance, the Board, before making any special permit,
variance or decision on appeal in a specific case, shall first
determine:

(a) That the granting of exception will not permit any use in
any district which would be in conflict with the permitted uses of
such district under the terms of this ordinance.

(b) That it will not impair an adequate supply of light and air
to adjacent property.

(c) That it will not unreasonably increase the congestion in
public streets.

(d) That it will not increase the danger of fire or of the
public safety.

(e) That it will not unreasonably diminish or impair
established property values within the surrounding area.

(f) That it will not in any other respect impair the public
health, comfort, safety, morals or welfare of the inhabitants of the
city.

(Code of Iowa, 1991, Sec. 414.7)

6-7.0219 NON-CONFORMING: SPECIAL PERMITS. The Board may, by special permit, after public hearing held by the Board and advertising as provided in Section 6-7.0216 and subject to the protective restrictions set out in 6-7.0215(5), authorize the locations, construction, extension or structural alteration of any of the following buildings or uses or an increase in their height in any district from which they are prohibited or limited by this code (Code of Iowa, 1991, Sec. 414.12)


1. Any public building erected and used by any department of a municipal, county, state or federal government.
2. Hospitals, clinics and institutions, except institutions for criminals and those for persons who are mentally ill or have contagious diseases; provided, however, that such buildings may occupy not over fifty (50) per cent of the total area of the lot or tract and will not have any serious and depreciating effect upon the value of the surrounding property; and, provided further, that the buildings shall be set back from all yard lines heretofore established an additional distance of not less than two (2) feet for each foot of building height and that adequate off-street parking space will be provided.
3. Cemetery or mausoleum.
4. Airport, landing field, or land strip.
5. Greenhouses, provided that any such structures shall not be less than one hundred (100) feet from all property lines.
6. Nurseries and truck gardens.
7. Riding stables.
8. Roadside stands, commercial amusement or recreational development for temporary or seasonal periods.
9. Extraction of gravel, sand, or other raw materials.
10. Parking lots on land not more than three hundred (300) feet from the boundary of any commercial, business or industrial district, under such conditions as will protect the character of surrounding property.
11. Areas for the dumping or disposal of trash or garbage.
12. Radio towers and radio broadcasting stations.
13. Exhibitions and fair grounds.
14. Tourist camps and motor courts.

15. Any use that is not a nuisance per se and which is generally similar to the uses permitted in the district in which such use is located by special permit.

PASSED, APPROVED and ADOPTED this 18 day of September, 1991.


Betty O. Walters, Mayor

ATTEST:


City Clerk
Carol A. Bernauer