

AN ORDINANCE AMENDING 6-7.0308 AND 6-7.0309, "'B" SINGLE FAMILY AND "C" TWO FAMILY DWELLING REGULATIONS:

WHEREAS, it is in the best interest of the City of Buffalo to increase the lot size of its residential property in order to accommodate the larger houses that are currently being built,

THEREFORE BE IT RESOLVED that the Buffalo Municipal Code is amended as follows:

1. §6-7.0308 subparagraph (3)(D) is entitled **Intensity of Use** and currently states "Every lot or tract of land shall have an area of not less than 7,500 square feet and an average width of not less than 50 feet, except that if a lot or tract has less area or width than herein required and was legally platted and was recorded at the time of the passage of this code, that lot or tract may be used for any of the uses permitted by this section."

The subparagraph (3)(D) – **Intensity of Use** is amended to read as follows:

Every lot or tract of land shall have an area of not less than 10,000 square feet and a width of not less than 100 feet, except that if a lot or tract has less area or width than herein required and was legally platted and was recorded at the time of the passage of this code, that lot or tract may be used for any of the uses permitted by this section.

2. §6-7.0309 paragraph (4)(D) – **Intensity of Use** currently states "Except as herein provided, every dwelling hereafter erected, enlarged, relocated, altered or reconstructed, shall be located upon lots containing the following areas:

(i) A lot on which there is erected a single family dwelling shall contain an area of not less than 5,000 square feet per family, and an average width of not less than 50 feet.

(ii) A lot upon which there is erected a two family dwelling shall contain an area of not less than 2,500 square feet per family, and an average width of not less than 50 feet.

(iii) Where a lot has less area or width than is herein required and was legally platted and was of record at the time of the passage of this ordinance, that lot may be used only for the single family dwelling purposes or for a two family dwelling if only the width is inadequate, or for any other non-dwelling uses permitted in this article.

Subparagraph (4)(D) is amended to read as follows:

Except as herein provided, every dwelling hereafter erected, enlarged, relocated, altered or reconstructed, shall be located upon lots containing the following areas:

(i) A lot of which there is erected a single family dwelling shall contain an area of not less than 10,000 square feet per family, and a width of not less than 100 feet.

(ii) A lot on which there is erected a two family dwelling shall contain an area of not less than 5,000 square feet per family, and a width of not less than 100 feet.

(iii) Where a lot has less area or width than herein required and was legally platted and was of record at the time of the passage of this ordinance, that lot may be used only for the single family dwelling purposes or for a two family dwelling if only the width is inadequate, or for any other non-dwelling purposes permitted in this article.

3. §6-7.0310 paragraph (4)(D) – **Intensity of Use**, states as follows:

Except as herein provided, every dwelling hereafter erected, enlarged, relocated, altered or reconstructed shall be allocated upon lots containing the following areas:

(i) A lot on which there is erected a single family dwelling shall contain an area not less than 5,000 square feet nor less than 50 feet wide.

(ii) A lot on which there is erected a two family dwelling shall contain an area of not less than 2,500 square feet per family and shall not be less than 50 feet wide.

(iii) A lot upon which there is erected a multi-family dwelling shall contain an area of not less than 1,000 square feet per family, but in no case, shall the lot contain an area of less than 5,000 square feet and be less than 50 feet wide. Dormitories, fraternities and sororities where no cooking is done and individual rooms or apartments shall not be required to conform with the 1,000 square feet per family stipulation.

(iv) Where a lot has less area or width than herein required and was of record at the time of the passage of this code, that lot may be used only for single family purposes or for any other non-dwelling uses permitted in this article unless only the width is inadequate, in which case the lot may be erected for two family dwelling purposes.

The subparagraph is hereby amended to read as follows:

(i) A lot on which there is erected a single family dwelling shall contain an area not less than 10,000 square feet nor less than 100 feet wide.

(ii) A lot on which there is erected a two family dwelling shall contain an area of not less than 5,000 square feet per family and shall not be less than 100 feet wide.

(iii) A lot upon which there is erected a multi-family dwelling shall contain an area of not less than 1,000 square feet per family, but in no case, shall the lot contain an area of less than 10,000 square feet and be less than 100 feet wide. Dormitories, fraternities and sororities where no cooking is done and individual rooms or apartments shall not be required to conform with the 1,000 square feet per family stipulation.

(iv) Where a lot has less area or width than herein required and was of record at the time of the passage of this code, that lot may be used only for single family purposes or for any other non-dwelling uses permitted in this article unless only the width is inadequate, in which case the lot may be erected for two family dwelling purposes.

Full force and effect. This ordinance shall be in full force and effect from the date of passage and publication as required by law.

Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

Severability of provisions. If any section, subsection, sentence, clause, phrase, or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as separate, distinct, and independent provision as such holdings shall not be affected the validity of the remaining portion hereof.

Passed by the City Council of the City of Buffalo, Iowa, this 04 day of October, 1999.

Approved and signed by the Mayor of Buffalo, Iowa, this 04 day of October, 1999.

Signed: Betty O. Walters
Betty O. Walters, Mayor, Buffalo, IA

Attest: Carol A. Bernauer
Carol A. Bernauer, City Clerk,
Buffalo, IA

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Date of 2nd reading: 10-04-99 WAIVED
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