

(First published in the Times Sentinel _____, 2013)

THE CITY OF GARDEN PLAIN, KANSAS

ORDINANCE NO. 643

**AN ORDINANCE AMENDING THE "ZONING
ORDINANCE FOR THE CITY OF GARDEN
PLAIN, KANSAS" AS ADOPTED BY AND
INCORPORATED BY REFERENCE TO, IN
ORDINANCE 589, SECTION 1.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDEN PLAIN,
KANSAS:

Section 1. The model regulations as published in book form and identified by section 1 of Ordinance 589 as "Zoning Ordinance for the City of Garden Plain, Kansas", shall be amended as follows:

A. New Additions:

1. The following new section shall be inserted into "Article XXVI Additional Height Area and Use Regulations, Section 1" onto a new page 119a and shall read:

"Before a permit can be issued for a new building or addition or accessory structure the property pins must be located, exposed, and marked on all corners to be verified by the city."

2. The following new section shall be inserted into "Article XXVI Additional Height Area and Use Regulations, Section 1", onto page 116 and added to the end of number 3 and shall read:

"Freight shipping containers, rail cars, semi trailer boxes, metal storage containers, or any other similar shipping container shall not be used as an accessory building or for storage within any residential zone. The exception may be a storage container for moving or storing household goods during a remodel which may be located in the front yard or driveway for no more than 30 days. A permit is required from the city prior to the placement of the container at the cost of \$10.00."

B. Changes:

1. Page 40, Section 7, 2 a R-1 shall be amended to read as follows:

"Except as hereinafter required in the additional height, area, and use regulations of this Ordinance, there shall be a side yard having a width of not less than ten (10) percent of the width of the lot with a minimum of eight (8) feet on each side of the principal building, except as provided for zero lot-line development."

2. Page 43, Section 7, 2 a R-2 shall be amended to read as follows:

"There shall be a side yard on each side of a principal building which shall be one-third (1/3) the height of the building or ten (10) percent of the width of the lot, whichever is the greater, with a minimum of eight (8) feet except as provided for zero lot-line development."

3. Page 45, Section 7 a R-3 shall be amended to read as follows:

“There shall be a side yard on each side of a principal building which shall be one-third (1/3) the height of the building or ten (10) percent of the width of the lot, whichever is the greater, with a minimum of eight (8) feet.”

4. Page 116, #5 shall be amended to read as follows:

“The setback line for side yard requirements shall be determined by measuring the horizontal distance from the property line to the foundation.”

5. Page 118, #15 shall be amended to read as follows:

“Privately owned swimming pools, with the exception of children’s play pools, shall be enclosed with a minimum 48 inch safety barrier.”

Section 2. This ordinance shall be effective upon its passage and publication once in the official city paper.

Passed and approved by the Governing Body of the City of Garden Plain, Kansas, this 6 day of March, 2013.

Approved by the Mayor this 6 day of March, 2013.

Larry Lampe, Mayor

ATTEST:

Ronda Mollenkamp, City Clerk