

CITY OF WHEELER, OREGON ZONING ORDINANCE

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ARTICLE 12: EXCEPTIONS TO ZONING RULES

Section 12.010. Intent.

The purpose of the exceptions article is to specify cases of exemptions from zoning rules and to assist in administrative interpretation of the zoning ordinance.

Section 12.020. Zone Boundaries.

If a zone boundary as shown on the official zoning map divides a lot between two zones, the entire lot shall be deemed to be in the zone in which the greater area of the lot lies. Except as otherwise described, zone boundaries follow property lines, street rights-of-way, or city limits lines.

Section 12.030. Authorization of Similar Uses.

The Planning Commission may permit in a particular zone a use not listed in this ordinance provided the use is of the same general type as the uses permitted there by this ordinance, or provided the use is required by state or federal law, such as pollution control equipment.

Section 12.040. Projections from Buildings.

Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, and flues shall not project more than 18 inches into a required yard. Awnings may extend no more than 5 feet into the public right-of-way or the width of the sidewalk, whichever is less.

Section 12.050. General Exception to Lot Size Requirements.

If a lot platted prior to the adoption of this Ordinance (December 1979) has an area no less than 4,000 square feet, but does not meet the lot size requirement or lot dimension requirements of the zone in which the property is located, the property may be occupied by a use permitted in the zone subject to the other requirements of the zone provided that if there is an area deficiency, residential use shall be limited to a single family dwelling or to the number of dwelling units consistent with the density requirements of the zone. If a lot has an area of less than 5,000 square feet, application for a building permit shall include evidence that the lot was platted and recorded in the office of the County Clerk prior to the passage of this Ordinance (December 1979).

Section 12.060. General Exceptions to Yard Requirements.

The required front yard for a dwelling need not exceed the average depth of the nearest front yards of dwellings within 100 feet on both sides of the proposed dwelling, but in no case shall the front yard setback be less than 12 feet.

Section 12.070. General Exception to Building Height Limitations.

Projections such as chimneys, single pole antennae, flagpoles and similar projections shall not be subject to building height limitations. Satellite receiving dishes larger than 3 feet in diameter shall not be placed on the roof of a structure, nor in the front or side yards.