

ORDINANCE NO. 578-1998

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, SO ADOPTING AND ORDAINING AN ANTI-MONOTONY CODE FOR THE CITY OF DRY RIDGE CONCERNING THE STYLE AND STRUCTURE-PROFILE OF RESIDENTIAL UNITS AND STRUCTURES WITHIN THE CITY OF DRY RIDGE, KENTUCKY, SO SET FORTH IN SECTION 9.27 OF THE CITY'S OFFICIAL ZONING ORDINANCE, NO. 380-1982.

BE IT HEREBY ORDAINED BY THE CITY OF DRY RIDGE AS FOLLOWS:

There is hereby established and ordained an anti-monotony code for all residential units and structures within the City of Dry Ridge, Kentucky, as follows, to-wit:

SECTION 9.27 -- ANTI-MONOTONY CODE:

A. General Provisions...

No building permit shall be issued for the construction within the City of Dry Ridge, Kentucky, from and after ninety (90) days following the effective date of this ordinance for any new single-family detached dwelling unit, any two-family detached dwelling unit, or any duplex-type detached dwelling unit which is similar in appearance to any dwelling unit on the same street which is within two (2) lots distance of it, nor in cul-de-sac turnarounds which is similar in appearance to another dwelling unit. For the purpose of this ordinance and regulation, "similar in appearance" shall mean a dwelling which is identical, or nearly identical, to another in any four (4) of the following characteristics:

1. Roof type (gable, hip, mansard, combination);
2. Roof height;
3. Approximate dimensions (height and length) of the front wall closest to the front wall closest to the front lot line;
4. Shape of the front elevation silhouette;
5. Relative locations and sizes of windows in the front door elevation;
6. Relative locations and dimensions of garage door(s), if included on the front elevation;
7. Type(s) of siding (e.g. brick veneer, lapped horizontal siding, half-timber, board and batten, shakes, etc.) on the front elevation.

If adjacent lots as defined herein in this ordinance and this regulation contain different housing styles as herein described, the previously delineated similarity standards do not apply. Housing style is one and of itself a significant enough characteristic to constitute dissimilarity. Housing style shall consist of the six (6) categories: Ranch, bi-level, tri-level, one and half story, two story and three story.

If the Building Inspector/Codes Enforcement Officer of the City of Dry Ridge, or a person acting in that capacity, finds that a dwelling for which a building permit is being requested is similar in appearance to a dwelling for which a permit has been previously issued within two (2) lots distance and facing the same street, the building officer shall deny the permit requested for non-compliance with this ordinance and regulations.

An applicant for a building permit which has been denied a building permit based upon the provisions of this ordinance and regulations may:

1. Alter the dwelling plans so that the proposed dwelling is no longer similar to another adjacent dwelling according to the criteria specified herein; or
2. Appeal the decision to the City of Dry Ridge's Board of Zoning Adjustments;

B. Exceptions...

1. This regulation and ordinance shall not apply to dwellings for which permits have been approved before the effective date of this ordinance, including dwellings that are being remodeled, reconstructed or replaced after damage by fire, windstorm or other casualty.
2. Subdivisions or tract developments already in progress where such enforcement of regulations would substantially alter the uniform character of the subdivision or tract development.
3. Dwellings not within subdivisions or tract developments.
4. Cases where the applicant for a permit could not expect to anticipate the design of a neighboring dwelling for which a permit has already been issued, but not under construction.
5. Apartment complexes, condominiums, residential planned unit developments in which similarity of architectural form and style among dwellings is integral to the success of a unified plan in which the high quality of building materials, building plan, and site plan details overcome the presumed deficiencies of similarity. In such cases, the developer shall request, and the Board of Zoning Adjustments may grant an exception to this ordinance as a condition of a planning unit development.

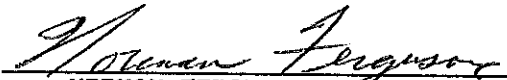
In any appeal of the interpretation of this ordinance and regulation by the building officer to the Board of Zoning Adjustments, the applicant for a permit shall present evidence sufficient to demonstrate compliance with this ordinance, such as architectural drawings, material specifications and similar items.

This ordinance and regulation shall become effective on August 6, 1998.

First Reading: July 6, 1998

Second Reading: August 3, 1998

PASSED, ADOPTED, ORDAINED AND ORDERED PUBLISHED THIS THE 4th DAY OF AUGUST, 1998.



NORMAN FERGUSON, MAYOR

ATTEST:



CINDY L. HARRIS, CITY CLERK