

**Section 4.08 AGP – Primary Agricultural District**

**4.08.01 Intent:**

The AGP Primary Agricultural District regulations are intended to provide for the preservation of lands best suited for agricultural uses of all types including feed lots and the commercial feeding of livestock and accessory uses. The AGP District is also intended to conserve and protect the value of open space, wooded areas, streams, mineral deposits and other natural resources and to protect these uses from incompatible land uses.

The district provides for the location and the establishment and operation of land uses compatible with agriculture and such natural resources; while separating these uses from residential, commercial (non-agricultural) and industrial (non-agricultural) areas. To provide for the location and establishment of residential uses which are accessory and necessary for conducting the practice of agriculture, while placing limitations on non-agricultural residential uses. Such non-agricultural residential uses shall not be so located as to be detrimental to or conflict with the intended primary uses of the district.

**4.08.02 Permitted Uses**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.08.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the AGP District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.08.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.08.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.08.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	Front Yard (feet) (1)	Rear Yard (feet) (1)	Side Yard (feet) (1)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	5	300	(2)	15	15	35	20
Other Permitted Uses	5	300	(2)	15	15	35	20
Grain Bins and other Agricultural structures (not on the same property as a farmstead)	-	-	(2)	15	15	90	-
Conditional Uses	5	300	(2)	15	15	35	20
Seasonal dwellings	5	300	(2)	15	15	35	20
Accessory structures	-	-	(2)	15	15	35	-

- (1) Single, Double, and Triple frontage lots shall have a setback of 90 feet from the centerline of any unplatted Road
- (2) Front Yard setbacks when abutting any other platted street, road or highway shall be 57 feet from the property line.

Note:

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.25. This shall also apply to trees being placed within the space.

**4.08.07 Residential Development Regulations**

Knox County supports agricultural practices in the AGP District and therefore, all persons seeking to construct a new dwelling unit in the AGP District shall do so only after:

1. Making Application for a Zoning Permit for a dwelling unit in AGP with the Zoning Administrator.
2. Within such Application, Applicant shall acknowledge and accept as reasonable and normal the effects on rural living of normal, usual, customary, or generally accepted farming practices or farming operations, and all matters in any way related to or incidental thereto, as the same now exist, or as the same may be hereafter developed in Knox County including but not limited to:
  - A. noise from tractors or other farm equipment and aerial spraying at all hours and noise from livestock at all hours.
  - B. dust from animal pens, field work, harvesting, and gravel roads.
  - C. increased flies, mosquitoes, or other insects that are attracted to crops, livestock, or manure.
  - D. odor from livestock operations and animal confinement operations, and order from silage, manure, and manure application procedures including liquid manure being distributed on farm ground via pivot or other method, stockpiling of manure away from the livestock feeding operation for later distribution, or distributing manure on farm ground as fertilizer.
  - E. smoke from burning ditches or other approved burning.
  - F. the use and application practices for all livestock waste, herbicides, pesticides, fertilizer and other chemicals, including drift by aerial spraying or other application of such products.
  - G. all field preparation, harvest practices, and all livestock animal husbandry practices.
  - H. the movement of livestock, farm products, manure, machinery and equipment on public roads; and
  - I. all other similar or related farming practices or farming operations, and all matter in any way related or incidental thereto.

**4.08.08 Supplementary Regulations**

1. Roadside stands for sale of agricultural produce shall not exceed 200 square feet in area.
2. No salvage or wrecking yard shall be located within 1,000 feet of any public right-of-way and shall be screened from any right-of-way by a solid growth of natural plant materials not less than eight feet in height or an oblique fence not less than eight feet in height.

**Table 4.08.1: Separation distances for specific uses to dwellings & dwellings to uses**

Shooting Ranges	¼ mile
Landfills (all types)	¾ mile
Racetracks including horse racetracks, auto and motorcycle racetracks and courses, off road courses or tracks	½ mile
Schools, colleges, trade schools, and/or athletic fields	¼ mile
Private Air Strips not including landowner's residence	½ mile
Commercial storage of flammable products or fuel including propane, fertilizer, gasoline, diesel, etc.	½ mile
Commercial storage of hazardous waste or hazardous products including manufacturing of such	¾ mile

\* Distances shall be measured to dwellings and dwellings to the listed uses

**Section 4.09 AGT – Transitional Agricultural District**

**4.09.01 Intent:**

The intent of this district is to recognize the transition between agricultural uses of land and communities; to encourage the continued use of that land which is suitable for agriculture but limit the land uses that may be a detriment to the efficient pursuit of agricultural production.

**4.09.02 Permitted Uses**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.09.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the AGT District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.09.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.09.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.09.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	Front Yard (feet) (1)	Rear Yard (feet) (1)	Side Yard (feet) (1)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	3	300	(2)	15	15	35	20
Other Permitted Uses	3	300	(2)	15	15	35	20
Grain Bins and other Agricultural structures (not on the same property as a farmstead)	-	-	(2)	15	15	90	-
Secondary non-farm dwellings	6	300	(2)	15	15	35	20
Conditional Uses	3	300	(2)	15	15	35	20
Seasonal dwellings	3	300	(2)	15	15	35	-
Accessory structures	-	-	(2)	15	15	35	20

- (1) Single, Double, and Triple frontage lots shall have a setback of 90 feet from the centerline of any unplatted Road
- (2) Front Yard setbacks when abutting any other platted street, road or highway shall be 57 feet from the property line.

**Note:**

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.29. This shall also apply to trees being placed within the space.

**4.09.07 Residential Development Regulations**

Knox County supports agricultural practices in the AGT District and therefore, all persons seeking to construct a new dwelling unit in the AGT District shall do so only after:

1. Making Application for a Zoning Permit for a dwelling unit in AGT with the Zoning Administrator.
2. Within such Application, Applicant shall acknowledge and accept as reasonable and normal the effects on rural living of normal, usual, customary, or generally accepted farming practices or farming operations, and all matters in any way related to or incidental thereto, as the same now exist, or as the same may be hereafter developed in Knox County including but not limited to:
  - A. noise from tractors or other farm equipment and aerial spraying at all hours and noise from livestock at all hours.
  - B. dust from animal pens, field work, harvesting, and gravel roads.
  - C. increased flies, mosquitoes, or other insects that are attracted to crops, livestock, or manure.
  - D. odor from livestock operations and animal confinement operations, and odor from silage, manure, and manure application procedures including liquid manure being distributed on farm ground via pivot or other method, stockpiling of manure away from the livestock feeding operation for later distribution, or distributing manure on farm ground as fertilizer.
  - E. smoke from burning ditches or other approved burning.
  - F. the use and application practices for all livestock waste, herbicides, pesticides, fertilizer and other chemicals, including drift by aerial spraying or other application of such products.
  - G. all field preparation, harvest practices, and all livestock animal husbandry practices.
  - H. the movement of livestock, farm products, manure, machinery and equipment on public roads; and
  - I. all other similar or related farming practices or farming operations, and all matter in any way related or incidental thereto.

**4.09.08 Supplementary Regulations**

1. Roadside stands for sale of agricultural produce shall not exceed 200 square feet in area.
2. No salvage or wrecking yard shall be located within 1,000 feet of any public right-of-way and shall be screened from any right-of-way by a solid growth of natural plant materials not less than eight feet in height or an oblique fence not less than eight feet in height.

**Table 4.09.1: Separation distances for specific uses to dwellings & dwellings to uses**

Shooting Ranges	¼ mile
Landfills (all types)	¾ mile
Racetracks including horse racetracks, auto and motorcycle racetracks and courses, off road courses or tracks	½ mile
Schools, colleges, trade schools, and/or athletic fields	¼ mile
Private Air Strips not including landowner’s residence	½ mile
Commercial storage of flammable products or fuel including propane, fertilizer, gasoline, diesel, etc.	½ mile
Commercial storage of hazardous waste or hazardous products including manufacturing of such	¾ mile

\* Distances shall be measured to dwellings and dwellings to the listed uses

**Section 4.10 RPC –River Protection Corridor District**

**4.10.01 Intent:**

The intent of this district is to recognize agricultural uses of land along major waterways, especially the Missouri River and Niobrara River within the county. Agricultural uses in this district are typically treated similar to the AGP District; however, potential contaminating uses such as large livestock feeding operations, and application of sludge and paunch manure, as well as other items shall not be allowed in this district.

**4.10.02 Permitted Uses**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.10.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the RPC District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.10.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.10.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.10.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	Front Yard (feet) (1)	Rear Yard (feet) (1)	Side Yard (feet) (1)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	5	300	(2)	15	15	35	20
Other Permitted Uses	5	300	(2)	15	15	35	20
Grain Bins and other Agricultural structures (not on the same property as a farmstead)	-	-	(2)	15	15	90	-
Conditional Uses	5	300	(2)	15	15	35	20
Seasonal dwellings	5	300	(2)	15	15	35	20
Accessory structures	-	-	(2)	15	15	35	-

- (1) Single, Double, and Triple frontage lots shall have a setback of 90 feet from the centerline of any unplatted Road
- (2) Front Yard setbacks when abutting any other platted street, road or highway shall be 57 feet from the property line.

Note:

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.29. This shall also apply to trees being placed within the space.

**4.10.07 Supplementary Regulations**

- 1. Roadside stands for sale of agricultural produce shall not exceed 200 square feet in area. Make these exempt in the Land Use Table – all districts.

2. No salvage or wrecking yard shall be located within 1,000 feet of any public right-of-way and shall be screened from any right-of-way by a solid growth of natural plant materials not less than eight feet in height or an oblique fence not less than eight feet in height.

**4.10.08 Residential Development Regulations**

Knox County supports agricultural practices in the RPC District and therefore, all persons seeking to construct a new dwelling unit in the RPC District shall do so only after:

1. Making Application for a Zoning Permit for a dwelling unit in RPC with the Zoning Administrator.
2. Within such Application, Applicant shall acknowledge and accept as reasonable and normal the effects on rural living of normal, usual, customary, or generally accepted farming practices or farming operations, and all matters in any way related to or incidental thereto, as the same now exist, or as the same may be hereafter developed in Knox County including but not limited to:
  - A. noise from tractors or other farm equipment and aerial spraying at all hours and noise from livestock at all hours.
  - B. dust from animal pens, field work, harvesting, and gravel roads.
  - C. increased flies, mosquitoes, or other insects that are attracted to crops, livestock, or manure.
  - D. odor from livestock operations and animal confinement operations, and odor from silage, manure, and manure application procedures including liquid manure being distributed on farm ground via pivot or other method, stockpiling of manure away from the livestock feeding operation for later distribution, or distributing manure on farm ground as fertilizer.
  - E. smoke from burning ditches or other approved burning.
  - F. the use and application practices for all livestock waste, herbicides, pesticides, fertilizer and other chemicals, including drift by aerial spraying or other application of such products.
  - G. all field preparation, harvest practices, and all livestock animal husbandry practices.
  - H. the movement of livestock, farm products, manure, machinery and equipment on public roads; and
  - I. all other similar or related farming practices or farming operations, and all matter in any way related or incidental thereto.

**Table 4.10.1: Separation distances for specific uses to dwellings & dwellings to uses**

Shooting Ranges	¼ mile
Landfills (all types)	¾ mile
Racetracks including horse racetracks, auto and motorcycle racetracks and courses, off road courses or tracks	½ mile
Schools, colleges, trade schools, and/or athletic fields	¼ mile
Private Air Strips not including landowner's residence	½ mile
Commercial storage of flammable products or fuel including propane, fertilizer, gasoline, diesel, etc.	½ mile
Commercial storage of hazardous waste or hazardous products including manufacturing of such	¾ mile

\* Distances shall be measured to dwellings and dwellings to the listed uses

**Section 4.11 LAR Lake Area Residential District**

**4.11.01 Intent:**

This district is intended to provide residential living in the Lewis and Clark Lake Area, with the influence of recreation yet maintaining the pristine and natural beauty of the area both during and after development, consistent with the Comprehensive Plan.

**4.11.02 Principal Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.11.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the LAR District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.11.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.11.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.11.06 Height and Lot Requirements:**

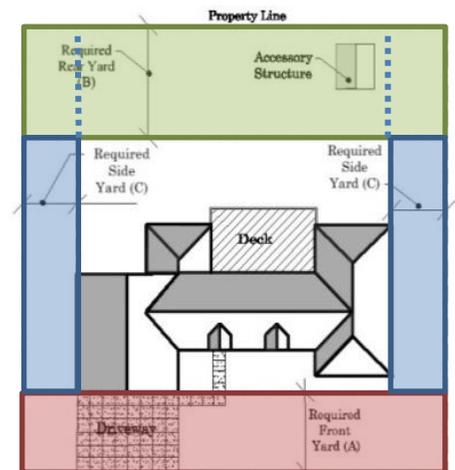
The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	A Front Yard (feet) (1)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	1 (3)	100	25 (2)	25 (2)	10 (2)	35	25
Other Permitted Uses	1	100	25 (2)	25 (2)	10 (2)	35	25
Conditional Uses	1	100	25 (2)	25 (2)	10 (2)	35	25
Seasonal dwellings	1	100	25 (2)	25 (2)	10 (2)	35	25
Accessory structures	-	-	25 (2)	5 (2)	5 (2)	-	-

- (1) On a corner lot when a second front yard is present the setback for the declared second yard shall be a minimum of 15 feet from the edge of the right-of-way.
- (2) Any yard bordering a government "take" line – 5 feet from the take line.
- (3) On existing and previously platted subdivisions, the minimum lot size shall be ½ acre.

**Note:**

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.29. This shall also apply to trees being placed within the space.



**4.11.07 Supplemental Requirements:**

1. All access to said properties shall meet the County Highway Superintendents specifications.

**4.11.08 Lake Area Setback:**

The purpose of the "setback" requirements is to promote uniformity and predictability of line of site views for existing and future structures, and for health, fire and traffic safety considerations. Due to the varied, non-uniform size and configuration of the lots in the Lake Area, the unique proximity of each lot to the lake, and the desired ability of maintaining "lake views" for residential purposes, the setback requirements in the Lake Area require special treatment and exceptions to the general rule, which shall be liberally constructed to promote their purposes.

## 1. Setback – Adjustments

- A. In previously unplatted or un-subdivided areas located within the LAR District, the "default" setbacks shall apply except when the proposed subdivision is deemed to meet the bulk requirements of a Planned Development Overlay District.
  - B. In previously platted or subdivided areas located within the LAR District, the Zoning Administrator may decrease (or increase) the "default" setbacks based upon consideration of the following factors; however, setback adjustments may not be granted for over 50 percent of the "default" setback:
    - 1) Whether previous subdivision covenants or plat dedications allowed a lesser (or greater) setback.
    - 2) Whether a previous variance allowed a different setback on similarly situated lands.
    - 3) Whether the historic use or actual construction of previously built and existing structures allow a different set-back.
    - 4) Whether the distance of existing structures from previously established lines (streets; "take" lines; boundaries; etc.) allow a different setback; including consideration of whether the previous setback was measured from the center of the street, the side of the street, the property line, or other line.
    - 5) Whether consideration of buffer, health, fire and traffic safety factors dictate or allow a different setback; and,
    - 6) Whether the landowners adjoining the setback in question (and other adversely affected landowners) have given a consent and waiver of hearing to the setback in question. The lack of consent or waiver shall not be the sole reason for denying this setback adjustment.
2. No conditional use permit shall be issued in the LAR District unless it is found that:
- A. It minimizes the destruction or despoliation of unique or important natural features of the environment.
  - B. It minimizes the expenditure of public monies for services, facilities and improvements and will minimize damage to them in the event of a flood or other natural catastrophe.
  - C. It preserves the natural resources, vegetation, and animal life in the area.
  - D. It does not cause a deterioration of water quality, decrease flood storage capacity, or impair the habitat of fish, fowl, or mammals, especially unique or endangered species.
  - E. It does not contribute to soil erosion, slope instability or rapid runoff of water.

**Section 4.12 RAR – River Area Residential District**

**4.12.01 Intent:**

This district is intended to provide residential living with the influence of recreation yet maintain the pristine and natural beauty of the area and to limit the removal of vegetation during development and recognizing that the area is located within a floodplain and is subject to the Knox County Floodplain Regulations.

**4.12.02 Principal Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.12.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the RAR District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.12.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.12.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.12.06 Height and Lot Requirements:**

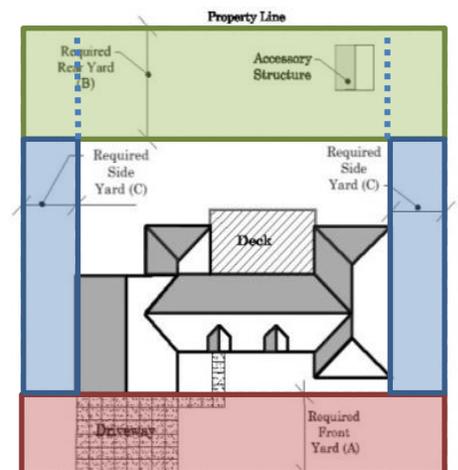
The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	1	100	20 (1)	(2)	10	35	25
Other Permitted Uses	3	100	20 (1)	(2)	10	35	25
Conditional Uses	3	100	20 (1)	(2)	10	35	25
Seasonal dwellings	1	100	20 (1)	(2)	10	35	25
Accessory structures	-	-	20 (1)	5	5	-	-

- (1) On a corner lot when a second front yard is present the setback for the declared second yard shall be a minimum of 15 feet from the edge of the right-of-way.
- (2) Setback is either 10 feet from the property line or 50 feet from the high-water mark of the river

**Note:**

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.23 This shall also apply to trees being placed within the space.



**4.12.07 Supplemental Requirements:**

1. Setback – Adjustments
  - A. In previously unplatted or un-subdivided areas located within the RAR District, the “default” setbacks shall apply except when the proposed subdivision is deemed to meet the bulk requirements of a Planned Development Overlay District. Setback Adjustments may not be granted for over 50 percent of the “default” setback.
  - B. In previously platted or subdivided areas located within the RAR District, the Zoning Administrator may decrease (or increase) the “default” setbacks based upon consideration of the following factors:
    - 1) Whether previous subdivision covenants or plat dedications allowed a lesser (or greater) setback.
    - 2) Whether a previous variance allowed a different setback on similarly situated lands.
    - 3) Whether the historic use or actual construction of previously built and existing structures allow a different set-back.
    - 4) Whether the distance of existing structures from previously established lines (streets; “take” lines; boundaries; etc..) allow a different setback; including consideration of whether the previous setback was measured from the center of the street, the side of the street, the property line, or other line.
    - 5) Whether consideration of buffer, health, fire and traffic safety factors dictate or allow a different setback; and,
    - 6) Whether the landowners adjoining the setback in question (and other adversely affected landowners) have given a consent and waiver of hearing to the setback in question.
2. Streets, 30 feet in width shall be provided within an area of leased lots to accommodate pedestrian and vehicular traffic and to allow for the provision of police, fire, refuse disposal and other development services. One off-street parking space shall be provided on each leased home site or lot. Any future development of lots shall be 280 feet back from the river when there are existing lots along the river.
3. Any new development or extension or addition of an area with leased lots, shall require a complete survey and plat by a certified engineer. Plans for septic, water, and electricity must be submitted for review by the Planning Commission.

**Section 4.13 RR Rural Residential District**

**4.13.01 Intent:**

This district is intended to provide living areas within the county where development is limited to low densities and where certain advantages of urban living are complemented by rural and/or recreational uses.

**4.13.02 Principal Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.13.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the RR District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.13.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.13.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.13.06 Height and Lot Requirements:**

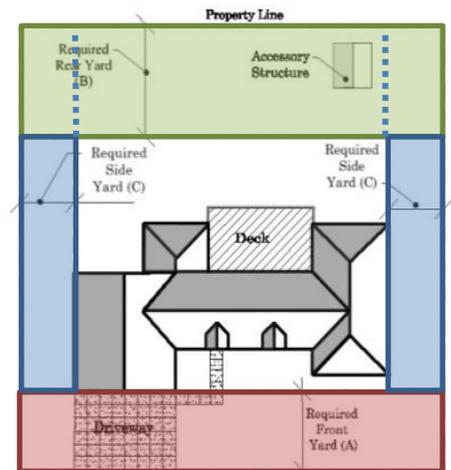
The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	A Front Yard (feet) (1)	B Rear Yard (feet) (1)	C Side Yard (feet) (1)	Max. Height (feet)	Max. Coverage (%)
Single-family dwelling	3	300	(2)	15	15	35	20
Secondary non-farm dwellings	6	300	(2)	15	15	35	20
Other Permitted Uses	3	300	(2)	15	15	35	20
Conditional Uses	3	300	(2)	15	15	35	20
Seasonal dwellings	3	300	(2)	15	15	35	20
Grain Bins and Agricultural Buildings	-	-	(2)	15	15	-	-
Accessory structures	-	-	(2)	15	15	-	-

- (1) Single, Double, and Triple frontage lots shall have a setback of 90 feet from the centerline of any unplatted Road.
- (2) Front Yard setbacks when abutting any other platted street, road or highway shall be 57 feet from the property line.

**Note:**

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the “No Build Zone”, see Section 3.29 This shall also apply to trees being placed within the space.



**4.13.07 Supplemental Requirements:**

1. Residential dwelling units on non-agricultural land existing at the time of passage of these regulations, may construct accessory structures, make repairs, replace, remodel, rebuild, or replace the residential structure in case of damage regardless of the percent of damage or extent of structural change provided the use does not change.
2. All uses other than general farming operations shall be located no less than the distances from those shown in Section 8.09 Non-farm Residence Spacing and Distance, from an existing agricultural operation having between 100 and 300 animal units and an AFO based upon the type of operation. The distance requirements for other uses with a setback restriction to an AFO may be decreased or waived by a conditional use permit and an easement signed by all of the livestock producers within the distances specified. The livestock producer shall sign an easement on a form provided by the County Zoning Administrator which consent shall be acknowledged before a Notary Public and filed in the office of the Knox County Register of Deeds. The easement, when filed, shall be evidence of the property owner's consent to the decrease and/or waiver of the required spacing distances as described hereof. Such easement will run with the land.

**Table 4.09.1: Separation Distances\* for the Uses Listed Below**

Shooting Ranges	1,320 ft.
Landfills (all types)	1,320 ft.
Racetracks including horse racetracks, auto and motorcycle racetracks and courses, off road courses or tracks	2,640 ft.
Schools, colleges, trade schools, and/or athletic fields	1,320 ft.
Private Air Strips	2,640 ft.
Commercial storage of flammable products or fuel including propane, fertilizer, gasoline, diesel, etc.	1,320 ft.
Commercial storage of hazardous waste or hazardous products including manufacturing of such	2,640 ft.

\* Distances shall be measured to dwellings and dwellings to the listed uses

**Section 4.14 VAD Village Area Development District**

**4.14.01 Intent:**

This district is intended to provide residential living with the influence of economic vitality. Land uses should be evaluated on how they affect the neighborhood not just a zoning district.

**4.14.02 Principal Uses:**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.14.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the VAD District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.14.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.14.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.14.06 Height and Lot Requirements:**

The height and minimum lot requirements shall be as follows:

Use	Lot Area	Lot Width (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Coverage (%)
Single-family Dwelling w/ on-site waste treatment	(2)	100	20 (1)	6	6	35	25
Single-family Dwelling w/ community waste treatment	(2)	100	20 (1)	6	6	35	25
Other dwellings - not in floodplain and w/ on-site treatment	(2)	100	20 (1)	6	6	35	25
Multiple family residential w/ on-site waste treatment	(2)	100	20 (1)	6	6	35	25
Multiple family residential w/ community waste treatment	(2)	100	20 (1)	6	6	35	25
Other Permitted Uses w/ on-site waste treatment	(2)	100	20 (1)	6	6	35	25
Other Permitted Use w/ community waste treatment	(2)	100	20 (1)	6	6	35	25
Conditional Uses w/ on-site waste treatment	(2)	100	20 (1)	6	6	35	25
Conditional Use w/ community waste treatment	(2)	100	20 (1)	6	6	35	25
Accessory Buildings	-	-	20 (1)	5	5	-	-

- (1) On a corner lot when a second front yard is present the setback for the declared second yard shall be a minimum of 15 feet from the edge of the right-of-way.
- (2) The minimum lot area shall be determined based upon NDEE minimum sanitary sewer requirements.

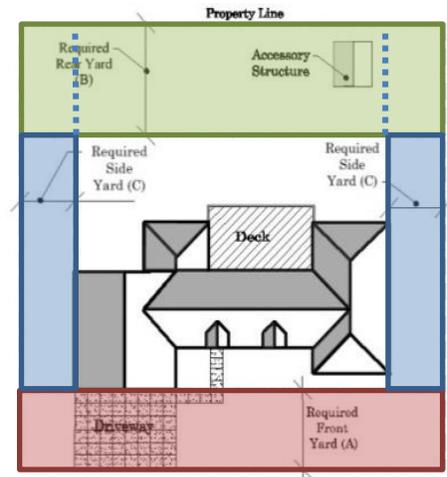
Note:

At county road intersections, no permanent structures, including grain bins shall be allowed to be constructed in the "No Build Zone", see Section 3.29. This shall also apply to trees being placed within the space.

**4.14.07 Supplemental Requirements:**

1. Setback – Adjustment

- A. In previously unplatted or un-subdivided areas located within the VAD District, the "default" setbacks shall apply except when the proposed subdivision is deemed to meet the bulk requirements of a Planned Development Overlay District.
- B. In previously platted or subdivided areas located within the VAD District, the Zoning Administrator may decrease (or increase) the "default" setbacks based upon consideration of the following factors:
  - 1) Whether previous subdivision covenants or plat dedications allowed a lesser (or greater) setback.
  - 2) Whether a previous variance allowed a different setback on similarly situated lands.
  - 3) Whether the historic use or actual construction of previously built and existing structures allow a different setback.
  - 4) Whether the distance of existing structures from previously established lines (streets; "take" lines; boundaries; etc..) allow a different setback; including consideration of whether the previous setback was measured from the center of the street, the side of the street, the property line, or other line.
  - 5) Whether consideration of buffer, health, fire, and traffic safety factors dictate or allow a different setback; and,
  - 6) Whether the landowners adjoining the setback in question (and other adversely affected landowners) have given a consent and waiver of hearing to the setback in question.



**Section 4.15 CC – Commercial Corridor District**

**4.15.01 Intent**

This district is intended to provide a blend of residences and a wide range of commercial uses which are compatible with other uses permitted in this district and in adjacent districts.

**4.15.02 Principal Uses**

Permitted Uses are allowed outright provided the uses and/or structure meet the minimum bulk requirements of the District. Refer to Section 4.07 to determine specific uses allowed as Permitted Uses.

**4.15.03 Conditional Uses**

Conditional uses are subject to any conditions listed in this Resolution and are subject to other conditions relating to the placement of said use on a specific tract of ground in the CC District as reviewed by the Planning Commission and approved by the County Board. Refer to Section 4.07 to determine specific uses allowed under a Conditional Use.

**4.15.04 Temporary Uses**

Temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit. See Section 3.33.

**4.15.05 Accessory Uses**

Refer to the definitions of Accessory Uses and Structures, as well as Table 4.07 and Sections within Article 3 for more detail.

**4.15.06 Height and Lot Requirements**

The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	A Front Yard (feet)	B Rear Yard (feet)	C Side Yard (feet)	Max. Height (feet)	Max. Coverage (%)
Single-family Dwelling w/ on-site waste treatment	2	200	50 (1)	15	15	35	25
Single-family Dwelling w/ community waste treatment	½	200	50 (1)	15	15	35	25
Other Permitted Uses	3	200	50 (1)	15	15	35	25
Conditional Uses	3	200	50 (1)	15	15	35	25
Accessory Buildings	-	-	50 (1)	15	15	-	-

(1) On a corner lot when a second front yard is present the setback for the declared second yard shall be a minimum of 15 feet from the edge of the right-of-way.

Note:

At county road intersections, the minimum setback for structures shall meet the requirements of Section 3.29. In no case shall any structure or trees be placed within the space at right angles from this point.