

**ZONING ORDINANCE
KEO, ARKANSAS**

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FOREWORD

PURPOSE AND AUTHORITY

The zoning and subdivision regulations as herein set forth have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, or the general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of water, sewerage, schools, parks, and other public requirements. Zoning regulations have been developed with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the city. Subdivision regulations have been developed to assure a coordinated street system and quality development of new living areas in and adjacent to the city.

CONFORMANCE OF PLANS

The City Planning Commission of Keo, Arkansas, having made a comprehensive study of present conditions and future growth of the City and prepared and adopted a Land Use Plan, finds that this ordinance would carry out the intent of the Land Use Plan.

CHAPTER I DEFINITIONS

Art. 1-1

DEFINITIONS

A. Certain words and phrases shall for the purpose of this ordinance have the following meaning:

1. Accessory Structure: A subordinate building or a portion of the main building located on the same lot as the main building, the use of which is incidental to that of the dominant use of the building or premises.
2. Accessory Use. A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.
3. Advertising sign or structure. Any cloth, card, paper, metal, glass, wooden, plastic, plaster, stone sign or other sign, device, or structure of any character whatsoever, including a statuary, placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, or structure. The term 'plate' shall include erecting, constructing, posting, painting, printing, tacking, mailing, gluing, sticking, carving, or otherwise fastening, affixing, or making visible in any manner whatsoever. The area of an advertising structure shall be determined as the area of the largest cross section of the structure. Neither directional, warning, nor other signs posted by public officials in the course of their public duties nor merchandise or materials being offered for sale shall be constructed as advertising signs for the purpose of this ordinance.
4. Alley. A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting the street, and which may be used for public utility purposes.
5. Apartment House. See multiple family dwelling.
6. Area. The amount of land surface in a lot or parcel of land.
7. Boarding House. A dwelling other than a hotel where, for compensation and by pre-arrangement for definite periods, meals or lodging and meals are provided for three or more, but not exceeding twelve persons on a weekly or monthly basis.
8. Building. Any structure intended for shelter, housing, or enclosure for persons or animals. When separated by dividing walls without openings, each portion of such structure so separated, shall be deemed a separate building.
9. Building Height. The vertical distance from the average line of the highest to lowest point of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

10. Child care center. Any place, home, or institution which receives three or more children under the age of 16 years, and not of common parentage, for care apart from their natural parents, legal guardians, or custodians, when received for regular periods of time for compensation; provided, however, this definition shall not include public and private schools organized, operated, or approved under the laws of this state, custody of children fixed by a court of competent jurisdiction, children related by blood or marriage within the third degree to the custodial parent person, or to churches or other religious or public institutions caring for children within the institutional building while their parents or legal guardians are attending services or meetings or classes or other church activities.
11. Coverage. The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.
12. Dwelling. Any building or portion thereof, which is designed or used as living quarters for one or more families.
13. Dwelling, single-family. A detached dwelling designed to be occupied by one family.
14. Dwelling, two-family. A detached dwelling designed to be occupied by two families living independently of each other.
15. Dwelling, multiple. A detached dwelling designed to be occupied by three or more families living independently of each other, exclusive of hotels or motels.
16. Family. One or more persons related by blood, marriage, or adoption, or a group of not to exceed five persons not all related by blood or marriage, occupying a boarding or lodging house, hotel, club, or a similar dwelling for group use.
17. Garage apartment. A dwelling unit for one family erected above a private garage.
18. Gasoline service or filling station. Any area of land, including structures thereon, that is used for the retail sales of gasoline or oil fuel, or other automobile accessories, and incidental services including facilities for lubricating, hand washing and cleaning, or otherwise servicing automobiles, but not including painting, major repair, or automatic automobile washing or the sale of butane or propane fuels.
19. Home occupation. Any occupation carried on solely by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory buildings; provided that no trading in merchandise is carried on and in connection with which there is no display of merchandise or advertising signs other than one non-illuminated name plate not more than 2 square feet in area attached to the main or accessory building.
20. Hotel. A building or group of buildings under one ownership containing six or more sleeping rooms occupied or intended or designed to be occupied as the more or less

temporary abiding place of persons who are lodged with or without meals for compensation, but not including trailer court or camp, sanatorium, hospital, asylum, orphanage, or buildings where persons are housed under restraint.

21. Kennel. Any lot or premises on which are kept three or more dogs, more than six months.

22. Lot. Any foot of land occupied or intended to be occupied by one main building, or a group of main buildings, and accessory buildings and uses, including such open spaces as are required by this ordinance and other laws or ordinances, and having its principal frontage on a street.

23. Manufactured Home. Detached single-family dwelling unit fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site as a permanent structure with transport built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code.

24. Manufactured Housing Construction and Safety Standards. The standard for construction, design, and performance of a manufactured home as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3282, 3283, and 42 USC 5401 ET SEQ as mandated in the United States of America and as administered by the United States Department of Housing and Urban Development.

25. Medical Facility.

- a. Convalescent, rest, or nursing home. A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
- b. Dental clinic or medical clinic. A facility for the examination and treatment of ill and afflicted human out-patients, provided that patients are not kept overnight except under emergency conditions.
- c. Offices for dentists, doctors, oculists, optometrists, osteopaths, and chiropractors. Same as dental or medical clinic.
- d. Hospital. An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient department, training facilities, central service facilities, and staff offices which are an integral part of the facility.
- e. Public health center. A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics, and administrative offices operating in connection therewith.
- f. Sanatorium. An institution providing health facilities for inpatient medical

treatment or treatment and recuperation, making use of natural therapeutic agents.

26. Mobile home. A residential structure transportable in one or more sections and built prior to June 15, 1976, the effective date for the Federal Manufactured Housing Construction Safety Standards Act of 1974, which is year around residential dwelling unit.

27. Motel. An area containing one or more buildings designed or intended to be used as temporary sleeping facilities of one or more transient persons or families and intended primarily for automobile transients.

28. Nonconforming structure. A lawfully constructed building or structure which does not conform to the regulations of the district in which it is located.

29. Nonconforming use. A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is located.

30. Open space. Any unoccupied space on the lot that is open and unobstructed, to the sky and occupied by no structure or portions of structures whatever.

31. Parking space. An area a minimum of 250 square feet of usable and accessible space which is designated for storage of an automotive vehicle.

32. Place of Public Assembly. A meeting place for more than thirty-five (35) persons to which the public or membership groups are assembled regularly or occasionally, included but not limited to schools, churches, theaters, auditoriums, funeral homes, stadiums, and similar places of assembly.

33. Principle use. The chief or main recognized use of a structure or of land.

34. Property Line. The line bounding a lot as defined herein.

35. Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there being no floor above it, then the space between the floor and the ceiling next above it.

36. Story, half. A space under a sloping roof which has a line of intersection of roof decking and wall face not more than 3 feet above the top floor level, and in which space not more than 2/3 of the floor area is finished off for use. A half story containing independent apartments or living quarters shall be counted as a full story.

37. Street. Any public or private thoroughfare which affords the principle means of access to abutting property.

38. Street intersection. Any street which joins another street at an angle, whether or not it crosses the other.

39. Structure. Anything constructed or erected, the use of which requires location on

the ground or which is attached to something having a location on the ground.

40. Structural alteration. Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or in the exterior walls.

41. Tourist court. An area containing one or more buildings designed or intended to be used as temporary sleeping facilities of one or more transient persons or families and intended primarily for automobile transients.

44. Yard. An open space at grade between a building and the adjoining lot line, unoccupied and unobstructed by any portion of a structure from the ground upward, except where otherwise specifically provided in this ordinance that the building or structure may be located in a portion of a yard required for main buildings. In measuring a yard for the purpose of determining the width of the side yard, the depth of the front yard, or the depth of the rear yard, the shortest horizontal distance between the lot line and the main building shall be used.

CHAPTER II
ESTABLISHMENT OF DISTRICTS

Art. 2-1

CLASSIFICATION OF DISTRICTS

For the purpose of promoting the public health, safety, morals, and general welfare of the community, the City of Keo, Arkansas, is hereby divided into the following types of districts:

- "QN" - Quiet Neighborhood
- "RS" - Residential Subdivision
- "RE" - Residential Estates
- "C" - General Commercial
- "I" - Industrial
- "AG" - Agricultural

Art. 2-2

BOUNDARY OF DISTRICTS

A. The boundaries of the zoning districts are hereby established as shown on the map entitled Zoning District Map of Keo, Arkansas, dated _____, which is a part of this ordinance and which is on file at City Hall.

B. Interpretation of District Boundaries

1. Where district boundaries are indicated as approximately following the center lines of streets or highways, said street lines shall be construed to be such.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
3. Boundaries indicated as approximately following city limits shall be construed as following city limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as approximately following alleys shall be construed as following alleys.
6. When the street or property layout existing on the ground is at variance with that shown on the Zoning District Map or with other requirements of this ordinance, the Board of Adjustment shall interpret the boundaries.
7. Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the Board of Zoning Adjustment.

CHAPTER III USE AND AREA DISTRICTS

Art. 3-1

Quiet Neighborhood District (QN)

The Quiet Neighborhood Zone is intended to protect the stability of the built up portion of the city while allowing maximum flexibility in the use of private property. The zone is designed to allow a mixture of land uses that can coexist peacefully in a rural community setting. The general intent of the zone is permissive, rather than restrictive, with permitted uses intended as those that can exist in a community without endangering the quiet use of residential property or the public health, safety, and welfare.

A. Permitted Uses

1. One-family dwellings
2. Two-family dwellings
3. Multi-family dwellings
4. Manufactured housing, including mobile homes, provided that:
 - a. All transportation elements, including tongues, have been removed;
 - b. The structure is placed upon a permanent foundation;
 - c. The structure is the principal structure on the lot;
 - d. The structure has a self contained sanitary facility capable of being connected to the City's sanitary sewage collection system;
 - e. The structure is underpinned with permanent materials;
 - f. Permanent, off street parking is provided;
 - g. The structure is anchored in conformance to regulations set forth by the U.S. Department of Housing and Urban Development.
5. Churches or similar places of worship
6. Schools and kindergartens
7. Public parks and playgrounds and other municipal recreational uses.
8. Hospitals, nursing homes, doctor and dental clinics, etc.
9. Accessory structures and uses pertinent to the principal structure and use.
10. Home occupation
11. Retail business which operates during normal working hours and which is established for the convenience of the neighborhood and neighborhood residences such as:
 - a. Antique store
 - b. Bank or savings and loan
 - c. Barber and beauty shop
 - d. Custom sewing and millinery
 - e. Day care center (Owner operators only)

- f. Florist shop
- g. Food store
- h. Furniture store
- i. Handicraft shop
- j. Hardware store
- k. Hobby shop
- l. Key shop
- m. Laundromat
- n. Office (General and Professional)
- o. Plumbing, electrical, air condition or heating shop

12. Mobile home parks which conform to the following provisions:

- a. The park shall be located on a well-drained site properly graded to insure rapid drainage on freedom from stagnant pools of water.
- b. Mobile home spaces shall be provided consisting of a minimum of 3,000 square feet for each space which shall be at least 35 feet wide and clearly defined.
- c. The park shall be designed to accommodate a minimum of five mobile homes.
- d. Mobile homes shall be so harbored on each space that there shall be at least a 15 foot clearance between the mobile homes.
- e. All mobile home spaces shall abut a hard-surfaced driveway of not less than 20 feet in width, which shall have unobstructed access to a public street.
- f. All driveways and parking areas shall be paved in conformance with street standards specified by the City of Keo.
- g. Each mobile home space shall be provided with two off-street parking spaces each 9 ft. by 20 ft. in dimension.

- 13. Other uses deemed by the Planning Commission to be similar in nature and consequence to the use outlined above.

B. Size and Area Regulations

All buildings shall be set back from street right-of way lines or lot lines to comply with the following yard requirements:

- 1. Front yard - 25 feet from the property line for 50 feet from the center line of existing right-of-way, whichever is greater for residential. Commercial uses shall have a minimum setback of 40 feet from all street right-of-way lines.

2. Side yard - the main building shall be a minimum of 7 1/2 feet from each property line for residential. Unattached accessory buildings shall not be required to set back more than 3 feet from an interior side lot line when all parts of the accessory buildings are more than 90 feet from the front lot line. Commercial uses shall have a minimum side yard set back of ten feet.

3. Side yard street - 15 feet from property line when lot is back to back with another lot. Twenty feet in all other instances.

4. The main building shall be a minimum of 20 feet from the property line.

5. Lot width - There shall be a minimum lot width of 50 feet at the front building line for single family dwellings and 20 feet additional width at the front building line for each additional family occupying a dwelling. Minimum lot width at the street shall not be less than 35.

6. Lot area, Residential - For each single family dwelling and building accessory thereto, there shall be a lot area of not less than 6,000 square feet.

7. Lot area, Commercial - Minimum lot area for individual commercial uses are not required unless otherwise stated within.

C. Structure Coverage

On any lot, the area occupied by structures, including accessory structures, shall not exceed 40 percent of the total area of the lot.

D. Height regulations

No structure shall exceed 2 1/2 stories in height without approval of the Planning Commission.

E. Miscellaneous

1. No use in this district shall be an all night operation.

2. No use in this district shall be operated in such a manner as to produce audible noise outside normal working hours which are defined as the hours between 7:30 A.M. and 6:00 P.M., Mondays through Saturdays.

Art. 3-2

RESIDENTIAL SUBDIVISION (RS)

This district is designed to provide for medium density residential subdivisions where stability of property values, attractiveness, order, and efficiency are encouraged.

A. USE REGULATIONS

1. Permitted uses: Permitted uses are one (1) single-family dwelling on any lot or parcel.

2. Accessory uses: The following accessory uses shall be permitted only where clearly incidental to the permitted primary use, except as otherwise permitted herein:

- a. Accessory buildings, including private garages, storage facilities and children's playhouses.
- b. Private greenhouses and horticultural collections.
- c. Flower and vegetable gardens.
- d. Home occupations that will not:
 - (1). Change the outside appearance of the dwelling or provide product display visible from the street.
 - (2). Generate traffic, parking sewage, or water use in excess of what is normal in the neighborhood.
 - (3). Create a hazard to persons or property, result in electrical interference, or become a nuisance.
 - (4). Result in outside storage or display of any material or product.
 - (5). Require the construction of, or the addition to the residence of, duplicate kitchens.
 - (6). Require or cause the use or consumption on the premises of any food product produced thereon.

B. Area Regulations

1. Front yard setback: No less than twenty five (25) feet.
2. Side yard setback: No less than seven and one half (7 1/2) feet.
3. Rear yard setback: No less than twenty feet except that in the case of a corner lot, when providing a twenty-five foot exterior side yard, the rear yard may be reduced to not less than ten (10) feet.
4. Lot area: There shall be a lot area of not less than 6,500 square feet.
5. Lot coverage: The main building and all accessory buildings on a lot shall not occupy more than 30 percent of the total area of the lot.

6. Lot width: There shall be a minimum lot width of 60 feet at the front building line.

Art. 3-3

RESIDENTIAL ESTATE (RE)

The Residential Estate Zone is established to provide quiet, low density areas for single family living. The district is characterized by single-family homes on lots of not less than fifteen thousand square feet. The district is not intended to be subject to major alterations by future amendment except at the fringe of such district, where minor adjustment may become appropriate to permit the reasonable development of vacant tracts for gradual transition from other districts. Within the Residential Estate District, all buildings, structures, or uses having commercial characteristics shall be excluded whether operated for profit or otherwise.

A. Use Regulations

1. Permitted uses: Permitted uses are one (1) single-family dwelling on any lot or parcel.
2. Accessory uses: The following accessory uses shall be permitted only where clearly incidental to the permitted primary use, except as otherwise permitted herein:

- a. Servant's quarters, provided said quarters are used only by persons employed on the premises and not for commercial purposes.
- b. Accessory buildings, including private garages, storage facilities and children's playhouses.
- c. Private greenhouses and horticultural collections.
- d. Flower and vegetable gardens.
- e. The keeping of animals for private, noncommercial uses.
- f. Home occupations that will not:

- (1) Change the outside appearance of the dwelling or provide product display visible from the street.
- (2) Generate traffic, parking, sewage, or water use in excess of what is normal in the neighborhood.
- (3) Create a hazard to persons or property, result in electrical interference, or become a nuisance.
- (4) Result in outside storage or display of any material or product.

- (5) Require the construction of, or the addition to the residence of, duplicate kitchens.
 - (6) Require or cause the use or consumption on the premises of any food product produced thereon.
- h. Swimming pools, tennis courts, and similar recreational facilities.

B. Area Regulations

1. Front yard setback: No less than thirty five (35) feet.
2. Side yard setback: No less than ten (10) feet.
3. Rear yard setback: No less than twenty-five feet except that in the case of a corner lot, when providing a twenty-five foot exterior side yard, the rear yard may be reduced to not less than ten (10) feet.
4. Lot area: there shall be a lot area of not less than 15,000 square feet. In addition, there shall be a minimum lot width of not less than 80 feet and a minimum lot depth of not less than 120 feet.
5. Lot coverage: The main building and all accessory buildings on a lot shall not occupy more than 30 percent of the total area of the lot.

Art. 3-4

GENERAL COMMERCIAL (C)

This district is located centrally to the surrounding area and is intended to provide space for retailing services of all kinds, professional offices, banks, hotels, and places of amusement. This district is also intended to provide for the retailing of durable goods, convenience goods, and providing services and lodging for transients. Uses in this district include those which characteristically generate large volumes of automotive traffic. It is intended that this district be confined to the central business district of the community and to areas along the main highway.

A. Permitted Uses

1. Retail establishments providing goods and services such as clothing, furniture, groceries, drugs, hardware, antiques, variety stores, and similar uses, and hotels, motor hotels, and restaurants.
2. Office, (public or private) and bank buildings and uses.
3. Wholesaling and warehousing.
4. Bulk storage of noncombustible materials.

5. Automotive sales, service, repair, and storage.
6. Places of public assembly and any public recreational uses.
7. Parking lots
8. Garages and gasoline service stations.
9. Convenience stores.
10. Accessory structures and uses that are incidental to the permitted uses and that are not detrimental to the adjacent properties or the character of the area.

B. LOT AREA

No requirement

C. YARD REQUIREMENT

No requirement except as may be required by a setback ordinance or as otherwise stated herein.

D. LOADING AND UNLOADING

Loading and unloading facilities shall be provided so as not to block any public way. All maneuvering of vehicles in the process of loading or unloading shall be off any street right-of-way.

E. STRUCTURE COVERAGE

No requirement except as may be necessary to provide off-street parking.

Art. 3-5

INDUSTRIAL DISTRICT (I)

The Industrial District is intended to provide for industrial uses and other uses not otherwise provided for in the districts established by this ordinance. The intensity of uses permitted in this district makes it most desirable that they be located downwind and separated from residential and commercial uses.

A. Permitted Uses

Property and buildings in an Industrial District shall be used only for the following purposes:

1. The manufacturing, compounding, processing, packaging, or assembling of such products as prohibited in the commercial use districts when it is found that the specific location

and the safeguards provided will so reduce the noise, safety, odor, or vibration so as not to be detrimental or dangerous to the health, safety, or general welfare of persons lawfully occupying adjacent properties or the citizens of Keo.

2. Storage of bulk materials as is prohibited in the retail commercial use districts when it is found that the specific location and safeguards provided will so reduce the danger of fire or explosion so as not to be dangerous to the health, safety, or general welfare of persons lawfully occupying adjacent properties or the citizens of Keo.

B. LIMITATIONS

1. Every use shall be so operated that it does not emit an obnoxious or dangerous amount of noise, vibration, heat, glare, radiation, or fumes beyond any boundary line of the lot on which the use is located.

2. No highly flammable or explosive liquids, solids, or gases, except Liquified Petroleum Gas, shall be stored in bulk above ground. Tanks or drums of fuel directly connecting with energy devices, heating devices, or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.

3. All outdoor storage facilities for fuel, raw materials, and products shall be enclosed by a solid fence or wall adequate to conceal such facilities, fuel, raw materials, and products from adjacent residential and business districts; provided, however, that such fence or wall need not exceed 10 feet in height.

4. No materials or waste shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes.

5. All materials or waste which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.

AREA REGULATIONS

1. No structure may cover more than 33 1/3 percent of its total lot area.

2. All structures shall be built at least 25 feet from all property lines.

HEIGHT REGULATIONS

Structures exceeding 35 feet in height must be approved by the Planning Commission.

ON-LOT LOADING AND UNLOADING FACILITIES

Each structure or use shall provide on-lot loading and unloading facilities which will allow such activities to be carried on without blocking a street, alley, or public way.

AGRICULTURAL DISTRICT (AG)

The AG Districts are designed to preserve and protect agricultural (or open) land on the fringe of the urban area.

A. Permitted Uses

1. Aircraft flying fields.
2. Churches.
3. Community Centers.
4. Farms, dairies, stables, nurseries and other agriculturally related operations.
5. Retail sales of farm products.
6. Single family detached dwellings.
7. Structures accessory to farming operations.
8. Utility substations.
9. Veterinary Clinics.

B. Conditional Uses Permitted on Review by the Planning Commission.

1. Automotive service station.
2. Exploration of minerals.
3. Hospitals, nursing homes and clinics.
4. Solid waste disposal facilities.
5. Uses permitted in the Industrial District.

C. Height Regulations

Any zone lot established or structure erected or enlarged in the Agricultural District after the effective date of this ordinance shall be subject to the requirements herein set forth.

Maximum number of feet for building height shall be thirty-five (35) feet with a maximum of two and one half (2 1/2) stories.

D. Area Regulations

All area regulations will be applied hereafter to any building constructed or altered within the City.

1. Front Yard.
Minimum front yard setbacks shall be thirty (30) feet.

2. Rear Yard.
Minimum rear yard setbacks shall be twenty-five (25) feet.

3. Side Yard.
Minimum side yard interior setback shall be ten (10) feet and exterior setbacks not

exceeding twenty (20) feet. For interior regulations shall be one (1) foot of additional interior side yard required for each two (2) feet of additional height.

4. Lot Regulations.

Minimum zoning lot area shall be twenty thousand (20,000) square feet where sewer exists.

**CHAPTER IV
GENERAL PROVISIONS APPLYING TO ALL OR SEVERAL DISTRICTS**

Art. 4-1

ANNEXATION

A. Territory annexed to the City of Keo after adoption of this ordinance shall be given zone designations within 120 days after the effective date of annexation in accordance with the amendment procedures of this ordinance.

B. Before official zone designation is made after annexation, all requests for Notice of Zoning Compliance shall be referred to the City Planning Commission or a committee thereof. The Planning Commission or its designated committee may recommend issuance of the notice if said use conforms to the land use plan.

Art. 4-2

USES PERMITTED

Permits for Temporary Non-conforming

Upon application to the Board of Adjustment, permits may be issued for temporary uses such as: the sale of produce in season; bazaars and carnivals; and offices, signs or other uses necessary for the sale or construction of property or buildings. Permits so issued shall be subject to such limitations as the Board of Adjustment may impose to protect the character of the district or districts affected.

Art. 4-3

COMPLETION OF EXISTING BUILDINGS

A. Nothing herein contained shall require any change in the plans, construction, or designated use of a building actually under construction at the time of the adoption of this ordinance.

B. Nothing herein contained shall require any change in plans, construction, or designated use of a building for which a building permit has been issued within 30 days prior to the adoption of this ordinance, provided construction is started on said building within 120 days after adoption of this ordinance.

Art. 4-4

APPLICATION OF REGULATION TO THE USES OF MORE RESTRICTIVE DISTRICTS

A. Whenever the specific district regulations pertaining to one district permit the uses of a more restrictive district, such uses shall be subject to conditions set forth in the regulations of the more restrictive district unless otherwise specified.

B. It is intended that these regulations be interpreted as not permitting a dwelling unit to be located on the same lot with or within a structure used or intended to be used primarily for nonresidential purposes.

Art. 4-5

RELIEF FROM REQUIREMENTS FOR LOT AREA OR LOT WIDTH IN A RESIDENTIAL ZONE

On any lot separately owned in a residential zone at the time of passage of this ordinance and retained in continuous separate ownership, a single-family structure may be erected even though the lot be of less width and/or area than required by the regulations of the residential zone in which the lot is located, provided all other area requirements are met.

Art. 4-6

AREAS NOT TO BE DIMINISHED

The lot or yard areas required by this ordinance for a particular building or use at the time of passage of this ordinance or later constructed or established shall not be diminished and shall not be included as a part of the required lot, open space, or yard area of any other building or use. If the lot, open space, or yard areas required by this ordinance for a particular building or use are diminished below requirements, the continued existence of such building or use shall be deemed a violation and punished as provided in this ordinance.

Art. 4-7

GROUP HOUSING PROJECTS

In the case of a housing project consisting of a group of two or more buildings to be constructed on a plot of ground of at least two acres not subdivided into the customary streets and lots, and which will not be so subdivided, where the existing or contemplated street and lot layout make it impracticable to apply the requirements of this ordinance to individual buildings in such housing project, the application of such requirements to such housing projects may be changed by the Board of Adjustment, in a manner that will be in harmony with the character of the neighborhood, will insure a density of land use no higher than the standard of open space at least as high as required by this ordinance in the district in which the proposed project is to be located. In no case shall a use or building height or density of population be permitted which is less than the requirement of the district in which the housing project is to be located.

Art. 4-8

OFF-STREET AUTOMOBILE AND VEHICLE PARKING AND LOADING

A. General Intent and Application

It is the intent of these requirements that adequate parking and loading facilities be provided off the street easement for each use of land within the City of Keo. The requirements are intended to be based on the demand created by each use. These

requirements shall apply to all uses in all districts.

B. Location

The off-street parking lot shall be located within 200 feet, exclusive of street and alley widths, of the principal use, and shall have direct access to a street or alley.

C. Joint Parking Facilities

Whenever two or more uses are located together in a common building, shopping center, or other integrated building complex, the parking requirements may be complied with by providing a permanent parking facility, cooperatively established and operated, which contains the requisite number of spaces for each use. The total number of spaces provided shall not be less than the sum of the individual requirements.

D. Size of Off-street Parking Space

The size of a parking space for one vehicle shall consist of a rectangular area having dimensions of not less than 9' x 20' plus adequate area for ingress and egress.

E. Amount of Off-street Parking and Loading Required

Off-street parking and loading facilities shall be provided in all districts in accordance with the following schedule:

1. **Dwelling, Single-family, or Duplex:** One parking space for each separate dwelling unit within the structure.
2. **Dwelling, Multiple-family:** The number of spaces provided shall not be less than one and one-half times the number of units in the dwelling.
3. **Boarding or Rooming Houses or Hotel:** One parking space for each two guests provided overnight accommodations.
4. **Hospitals:** One space for each four patient beds, exclusive of bassinets, plus one space for each three employees including nurses, plus adequate area for the parking of emergency vehicles.
5. **Medical or Dental Clinics or Offices:** Six spaces per doctor plus one space for each two employees.
6. **Sanatoriums, Convalescent or Nursing Homes:** One space for each six patient beds plus one space for each staff or visiting doctor plus one space for each two employees including nurses.
7. **Community Center, Theater, Auditorium, Church Sanctuary:** One parking space for each three seats, based on maximum seating capacity.
8. **Convention Hall, Lodge, Club, Library, Museum, Place of Amusement or Recreation:** One parking space for each fifty square feet of floor area used for assembly or recreation in the building.
9. **Office Building:** One parking space for each three hundred (300) square feet of gross floor area in the building, exclusive of the area used for storage, utilities, and building services.
10. **Commercial Establishments Not Otherwise Classified:** One parking

- space for each one hundred fifty (150) square feet of floor space used for retail trade in the building and including all areas used by the public.
11. **Industrial Establishments:** Adequate area to park all employees and customers vehicles at all times and adequate space for loading, unloading, and storing all vehicles used incidental to or as a part of the primary operation of the establishment.

For all uses not covered in 1 through 11 above, the Planning Commission shall make a determination of the parking demand to be created by the proposed use, and the amount of parking thus determined shall be the off-street parking requirement for the permitted use.

F. Paved Surface Required

All parking spaces shall be paved with a sealed surface pavement and maintained in such a manner that no dust will result from the continued use.

CHAPTER V
NONCONFORMING BUILDINGS, STRUCTURES, AND USES OF LAND

Art. 5-1

NONCONFORMING BUILDINGS AND STRUCTURES

A nonconforming building or structure existing at the time of adoption of this ordinance may be continued, maintained, and repaired, except as otherwise provided in this section.

A. Alteration or Enlargement of Buildings and Structures: A nonconforming building or structure shall not be added to or enlarged in any manner unless said building or structure, including additions and enlargements, is made to conform to all of the regulations of the district in which it is located; provided, however, that if a building or structure is conforming as to use, but nonconforming as to yards or height, or off-street parking space, said building or structure may be enlarged or added to provided that the enlargement or addition complies with yard and height and off-street parking requirements of the district in which said building or structure is located. No nonconforming building or structure shall be moved in whole or in part to another location on the lot unless every portion of said building or structure is made to conform to all of the regulations of the district in which it is located.

B. Outdoor Advertising Signs and Structures

Any advertising sign, billboard, commercial advertising structure, or statuary, which is lawfully existing and maintained at the time this ordinance became effective, which does not conform to the provisions hereof, shall not be structurally altered. All such nonconforming advertising signs, billboards, commercial advertising structures, and statues, and their supporting members, shall be completely removed from the premises not later than three years from the effective date of this ordinance.

C. Building Vacancy

A building or structure or portion thereof, which is nonconforming as to use, which is or hereafter becomes vacant and remains unoccupied for a continuous period of one year shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

D. Change in Use

A nonconforming use of a conforming building or structure shall not be expanded or extended into any other portion of such conforming building or structure, or changed except to a conforming use. If such a nonconforming use, or portion thereof, is discontinued or changed to a conforming use, any future use of such buildings, structure, or portion thereof, shall be in conformity with regulations of the district in which such building or structure is located. A vacant or partially vacant nonconforming building or structure may be occupied by a use for which the building or structure was designed or intended if occupied within a period of one year after the effective date of this ordinance. Otherwise, it shall be used in conformity with the regulations of the district in which it is located.

The use of a nonconforming building or structure may be changed to a use of the same or a more restrictive district's classification; but where the use of nonconforming buildings or structures is changed to a use of more restrictive district's classification, it thereafter shall not be changed to a use of a less restricted district's classifications.

Art. 5-2

NONCONFORMING USES OF LAND

A. A nonconforming use of land where the aggregate value of all permanent buildings or structures is less than \$1,000, existing at the time of the adoption of this ordinance, may be continued for a period of not more than three years therefrom, provided that:

1. Said nonconforming use may not be extended or expanded, nor shall it occupy more area than was in use on the effective date of this ordinance.
2. If said nonconforming use or any portion thereof is discontinued for a period of six months, or changed, any future use of such land, or change in use, shall be in conformity with the provisions of the district in which said land is located.

B. Lots of record that are platted and existing at the time of the adoption of this ordinance shall be deemed to be in compliance with all size and area restrictions of the zone in which they are located.

Art. 5-3

USES PERMITTED ON REVIEW

Several uses not normally permitted in a given zone may be permitted upon review and approval of the Planning Commission. Such uses have been specified where applicable. The petitions must submit plot plans showing the proposed layout of such use, its effect on adjacent property, and the nature of activity contemplated. He shall also provide proof that each property owner within 200 feet of his property has been notified of the pending use. Return receipts of certified letters will be acceptable proof of notification. The commission must approve the use by a majority vote with a quorum present.

CHAPTER VI
BOARD OF ZONING ADJUSTMENT

Art. 6-1

ORGANIZATION OF BOARD OF ZONING ADJUSTMENT

A. A board of Zoning Adjustment, hereinafter referred to as the Board, is hereby established to consist of three members to be nominated by the Planning Commission and confirmed by the City Council. One member of the first Board shall be for one year, one for two years, one for three years, and thereafter, all members shall be appointed for terms of three years each. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant in the same manner as the original appointments.

B. Upon appointment and annually thereafter, the Board shall meet, organize, and elect its own chairman who shall serve for one year or until his successor duly qualifies. The chairman may appoint a secretary who is not a member of the Board and who shall hold office until relieved by the Board and who shall receive such compensation from the City of Keo as may be affixed from time to time by the City Council.

Art. 6-2

MEETINGS

A. Meetings of the Board shall be held at such time and at such place within the City of Keo as the Board may designate, and may meet at any time on call of the chairman.

B. The Board shall keep minutes of its proceedings which shall contain as a minimum:

1. Time, date, and place of meeting.
2. Names of members present.
3. Citation, by number, and description of appeal or application.
4. Pertinent facts of the case.
5. Names of persons appearing and their interest in the case.
6. Record of vote by name.
7. Authority for decision (cite ordinance or statute) and reason for conditions imposed.

The minutes of the meeting shall be filed by the secretary of the Board in the offices of the City Clerk and shall be public record.

C. Any member of the Board who fails to be in attendance at two consecutive scheduled meetings shall have his appointment declared vacated, and a new member shall be selected as provided in Art. 6-1A.

Art. 6-3

APPEALS FROM DECISION OF ENFORCEMENT OFFICER

A. The Board shall hear appeals from an administrative decision of the enforcement official, who shall be designated by the City Council, concerning interpretation of the zoning ordinance and shall decide whether such interpretation was in error or not.

Art. 6-4

VARIANCE

A. The Board shall hear requests for variance from the literal provisions of the zoning ordinance in instances where strict compliance to the provisions of the ordinance would cause undue hardship due to the circumstances unique to the individual property under consideration.

B. The Board may grant variances only when it is demonstrated that such action will be in keeping with the spirit and intent of the zoning ordinance.

C. The Board shall not permit as a variance any use in a zone that is not permitted under this ordinance.

D. The Board may impose conditions in the granting of the variance to insure compliance and to protect adjacent property.

Art. 6-5

OTHER FUNCTIONS OF THE BOARD

A. The Board may hear applications and take such action as permitted on matters specifically referred to it under this ordinance.

Art. 6-6

APPEALS FROM DECISIONS OF THE BOARD

A. Appeal from the decision of the Board shall be to a court of record within 30 days from the decision of the Board.

Art. 6-7

NOTICES AND FEES

A. Whenever an appeal or application for a variance is made to the Board, the Board shall cause to have published at the expense of the appellant or applicant a notice of the time and place of the public hearing upon such appeal or application, which notice shall be published at least once not less than seven days preceding the date of such hearing in an official paper or a paper of general circulation in Keo, said notice to designate the particular location with which the appeal or application is concerned, and a brief statement as to what the appeal or application

consists of. As an alternative, the Board may allow the applicant to circulate the same information by personal notification to the property owners within 200 feet of the property for which the variance is requested and present proof to the Board that such information was circulated. The Board shall also give or cause to be given such additional notice of such hearing to interested persons and organizations as it shall deem feasible and practicable.

B. The appellant or applicant shall be required to pay to the City Clerk a filing fee of five dollars (\$5.00) to cover such other costs as may be incurred in connection with such appeal or application.

CHAPTER VII AMENDMENTS

Art. 7-1

AMENDMENT TO TEXT

A. The City Council may suggest that the Planning Commission amend the text of this ordinance or the Planning Commission itself may desire to initiate an amendment. Should the Planning Commission, after study, request a change in the text, it shall conduct a public hearing on the proposed amendment. Following the public hearing, such recommendations shall be submitted to the City Council for adoption.

Art. 7-2

CHANGE IN CLASSIFICATION

A. A petition giving the legal description of the property involved and the zoning classification requested for the property, shall be submitted to the Planning Commission by the property owner or his legally designated agent. The petition shall also include a statement and diagram explaining why the proposed changes will not conflict with surrounding land uses.

In addition, the petitioner will be required to notify by certified letter or petition, all property owners within two hundred (200) feet of his property if his intentions to rezone within fifteen (15) days of the hearing; and the return receipts for the letters shall be entered in the minutes of the public hearing. The petitioner shall state the date and time of the public hearing with a certified letter or petition.

B. Upon receipt of the petition for an amendment, the Planning Commission, in accordance with Act 186 of the 1957 General Assembly as subsequently amended, shall proceed as follows:

1. The Planning Commission shall hold a public hearing on a proposed amendment. Notice of the public hearing shall be published in a newspaper of general circulation in the City, at least one time fifteen days prior to the hearing.
2. Following the public hearing, the proposed amendment may be approved as presented or in modified form by a majority vote of the Planning Commission and recommended for adoption by the City Council, with reasons for such recommendation stated in writing.
3. If the Planning Commission disapproves a proposed amendment, the reasons for such disapproval shall be given in writing to the petitioner within thirty days from the date of the hearing.
4. The City Council, by majority vote, may by ordinance adopt the recommended amendment submitted by the Planning Commission or may return the proposed amendment to the Planning Commission for further

study and recommendation. If the City Council does not concur with the recommendation of the Planning Commission, either as first submitted or as submitted after re-study, the City Council may, by a majority vote, amend this ordinance by granting the request for amendment in full or in modified form.

5. Following disapproval of a proposed amendment by the Planning Commission, the petitioner may appeal such disapproval to the City Council, provided that the petitioner states specifically in writing to the City Clerk why he considers the Planning Commission's findings and decision are in error. Such appeal shall be filed with the City Clerk within fifteen days of the date he receives reasons for disapproval from the Planning Commission.

C. No application for a zoning amendment will be considered by the Planning Commission within twelve months from date of final disapproval of a proposed amendment unless the Commission finds that a substantial reason exists for waiving this limitation.

D. Before any action shall be taken as provided in this section, any person or persons proposing a change in the zoning regulations or district boundaries shall deposit with the City Clerk the sum of fifteen dollars (\$15.00) to cover the approximate cost of this procedure, and under no condition shall sum or any part thereof be refunded for failure of said change to be adopted by the City Council.

CHAPTER VIII
ENFORCEMENT OFFICER, BUILDING PERMIT

Art. 8-1

ENFORCEMENT OFFICER

A. The provisions of this part of the ordinance shall be administered by an enforcement official designated by the City of Keo.

Art. 8-2

NOTICE OF ZONING COMPLIANCE

A. A Notice of Zoning Compliance will be issued when the application has been approved by the enforcement official as meeting requirements of this part of the ordinance. Such Notice of Zoning Compliance must be obtained prior to any alterations to property that would be affected by any provision of this ordinance. A Notice of Zoning Compliance will be required for any property to have water, sewer, or 911 service provided. All property in use at the time of the adoption of this ordinance shall be deemed to be in zoning compliance and no action will be required on the part of either the property owner or property user. Thereafter, new construction, additions, or alterations shall require a Notice of Zoning Compliance. Applications for such notice shall be submitted to the enforcement official on forms provided by the City of Keo. The enforcement official shall have the authority to grant compliance or may, at his discretion, refer applications to the Planning Commission for review and approval.

Art. 8-3

PENALTY

Any person, firm, or corporation who shall violate any of the provisions of this Ordinance or who shall fail to comply with any provisions hereof within the corporate limits of the City shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed two hundred dollars (\$200.00) each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

Art. 8-4

CONFLICTING ORDINANCES REPEALED

All ordinances and parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed and amended to comply herewith.

Art. 8-5

SEPARABILITY

If any chapter or part of any chapter, paragraph, or clause of this Ordinance is declared

invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force, or effect of any other chapter or chapters, part of chapter, paragraph, or clause of this ordinance.



OFFICIAL KEO Fitu Limits

CITY OF KEO

BOX 35

KEO, AR 72083

BUILDING PERMIT

NAME-----

ADDRESS-----

TELEPHONE-----

Location of building-----

Type of building (give a description and drawing)

Completed Zoning application must accompany this request.

This information will be given to the KEO Zoning Committee for their consideration and you will be notified of their decision.

CITY OF KEO

COST:

DATE:

CITY OF KEO

BOX 35

KEO, AR 72083

NOTICE OF ZONING COMPLIANCE APPLICATION

Date: _____

Name: _____ Phone: _____

Address: _____

Job Address: _____

Customer Name: _____

Type of Construction (Circle One)

Room Addition, New Construction, Commercial, Industrial,
Renovation of Present Structure, Storage Building,
Mobile Home, Residential, Other _____

Zoning: Property is Zoned: _____
(State Present Zoning Classification)

Lot Size: _____
(Show Lot Size and Location of Building or Addition)
(A Drawing May Be Attached If Desired)

Building Size: _____ Square Footage _____

Your Signature: _____

Application Approved: _____

Remarks: _____

_____ Date: _____

City Clerk Signature: _____ Date: _____

