

The City of
Fayette, Iowa

11 South Main St. P.O. Box 28

Fayette IA 52142

563-425-4316

info@fayetteiowa.com

www.fayetteiowa.com

APPLICATION FOR A BUILDING PERMIT AND/OR CONNECTION TO PUBLIC UTILITIES

Date: _____ Applicant Name: _____

Current Address: _____

Telephone Number: _____ Email: _____

Address of Proposed Building Project: _____

Legal Description (when applicable): _____

Description of Proposed Building Project: _____

*A copy of setback requirements has been received by the applicant at the time of this application and applicant agrees to follow the standards specified in the Uniform Building Code. **Please include a drawing/diagram (as close to scale as possible) showing the proposed building project in relation to the lot or lots involved and adjacent structures and lots in relation to your property lines. Drawing must include how many feet the new building/structure is from all other structures and property lines.**

Estimated Cost of Project: \$ _____

Estimated Starting Date: _____ Completion Date: _____

=====

If a connection to the public water and/or sanitary sewer system is not required, omit the following and return to the City Administrator/Clerk with the proper fee.

Check if required:

Connection to Public Water System Connection to Public Sanitary Sewer System

Scope of work, including description and location of connections needed: _____

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Applicant's Responsibility. The contractors or workers are properly covered with property and liability insurance; the connection is completed within a reasonable time and streets and/or property are returned to their original condition within thirty (30) days.

THE APPLICANT SHOULD READ AND BECOME THOROUGHLY FAMILIAR WITH THE BUILDING CODE AND THE CHAPTERS OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO PUBLIC SERVICES BEFORE SUBMITTING THIS APPLICATION.

THE PARTY REQUESTING THIS PERMIT SHALL COMPLETELY CONSTRUCT THE PROPOSED BUILDING WITHIN THE YEAR ALLOWED BY THE PERMIT.

Applicant's Signature: _____ Date: _____

FOR OFFICE USE ONLY

FEE SCHEDULE:

Building Application Fee (Due at Time of Application):

_____ \$10.00 (estimated costs \$2,000 - \$5,000)

_____ \$25.00 (estimated costs over \$5,000)

Connection Fees for Building at Address of this Proposed Building
(Due Prior to Date of Connection):

_____ Public Water System \$ _____

_____ Sanitary Sewer System \$ _____

Applicable Pro Rated Sewer and/or Water Line Construction Costs:

\$ _____

City Administrator/Clerk: _____ Date: _____

Public Works Director: _____ Date: _____

Mayor's Approval: _____ Date: _____

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Excerpts from the Fayette City Code as of 4/1/2021 in regard to setbacks and zoning requirements are below. For more information or to view the entire Fayette City Code, visit www.fayetteiowa.com or contact Fayette City Hall.

CHAPTER 162 – SOLAR ENERGY SYSTEMS

162.04 SOLAR ENERGY SYSTEM REQUIREMENTS.

(C) **Setbacks:** Ground-mounted solar energy systems shall meet all set back requirements for the applicable zoning district for accessory structures. Roof-mounted systems shall not extend beyond the exterior perimeter of the building on which the system is mounted.

CHAPTER 165 – ZONING REGULATIONS

165.01 DEFINITIONS. For the purpose of this chapter, certain terms and words are hereby defined. As used herein, the word “building” includes the word “structure.”

1. “Accessory use or structure” means a use or structure subordinate to the principal use of a building or land on the same lot or parcel of land and serving a purpose customarily incidental to the use of the principal building or use of land.
9. “Building” means any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.
11. “Business” means commercial activity or enterprise customarily engaged in as a means of livelihood or occupation, usually although not necessarily with intention of producing gain or profit. Real estate zoned for “Business” use or purpose is therefore deemed most suitable for business use as its primary use.
15. “ Dwelling” means any building or portion thereof which is designed for and used exclusively for residential purposes.
16. “ Dwelling, single-family” means a building designed for or occupied by one family.
17. “ Dwelling, two-family” means a building designed for or occupied exclusively by two families.
18. “ Dwelling, multiple” means a building designed for or occupied exclusively by more than two families.
22. “Garage, private” means an accessory building designed or used for the storage of not more than four motor-driven vehicles owned and used by the occupants of the building to which it is accessory. No more than one of the vehicles may be a commercial vehicle of not more than two-ton capacity.
23. “Garage, public” means a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring or storing motor-driven vehicles.
24. “Garage, storage” means a building or portion thereof designed or used exclusively for term storage by pre-arrangement of motor-driven vehicles, as distinguished from daily storage furnished transients, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.
27. “Institution” means a building occupied by a nonprofit corporation or a nonprofit establishment for public use.
28. “Junk yard” means any area where waste, discarded or salvaged materials are bought, sold, exchanged, stored or abandoned, baled or packed, disassembled or handled, including the dismembering or “wrecking” of automobiles or other vehicles of machinery; house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building.
29. “Loading space” means a space within the main building or on the same lot providing for the standing, loading or unloading of trucks, having a minimum dimension of 12 by 35 feet and a vertical clearance of at least 14 feet.
30. “Lot” means a parcel of land, as legally described by an official plat or government survey, occupied or intended for occupancy by one main building together with its accessory buildings officially approved and having its principal frontage upon a dedicated street. The boundaries of the lot are designated as its lot lines.
31. “Lot, corner” means a lot abutting two or more streets at their intersections.
32. “Lot, depth of” means the mean horizontal distance between the front and rear lines.
33. “Lot, double frontage” means a lot having frontage on two nonintersecting streets, as distinguished from a corner lot.
34. “Lot, interior” means a lot other than a corner lot.
35. “Lot of record” means a lot which is part of a subdivision, the plat of which has been recorded in the office of the county recorder of the county in which it is located.
36. “Lot width” means width of a lot measured at the building line and at right angles to its depth.
37. “Lot, reversed corner” means a corner lot, the side street line of which is substantially a continuation of the front line of the first lot to its rear.
38. “Main Street Business District” means that portion of Main Street lying within the B-1 business district between the Volga River and the intersection of Main Street and Clark Streets, and also all parcels of real estate adjoining Main Street therein. The “Main Street Business District” consists of the following Lots and Blocks of the Original Town of Fayette as platted for public record: Lots Three (3) and Four (4) of Block Five (5); Lots Eight (8) through Fourteen (14) of Block Six (6); Lots Eight (8) through Fourteen (14) of Block Seven (7); Lots One (1) through Seven (7) of Block Twelve (12); Lots

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One (1) through Seven (7) of Block Thirteen (13), and Lots One (1) and Two (2) of Block Fourteen (14).

46. "Nonconforming use" means any existing lawful use of a building or land which does not conform with the requirements of this chapter prior to its enactment or the effective date of any amendment thereto.

48. "Office building" means a building designed for or used as the offices of professional, commercial, industrial, religious, institutional, public or semi-public persons or organizations; provided that no goods, wares or merchandise shall be prepared on the premises, except that a portion of an office building may be occupied by a drug store, barber shop, cosmetologist shop, cigar stand or newsstand, when such uses are located entirely within the building with no entrance from the street nor visible from any sidewalk, and having no sign or display visible from the outside of the building indicating the existence of such use.

49. "Parking space" means a surfaced area, enclosed in the main building or in an accessory building, or unenclosed, having an area of not less than 180 square feet exclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.

50. "Place" means an open unoccupied space or a public or private thoroughfare other than a street or alley permanently reserved as the principal means of access to abutting property.

54. "Store building" means a building designed and constructed for primary use as a place of business or commerce, where human occupation and goods and personal services are made available to the public for sale, purchase, or hire and to which building the public may obtain direct, street level access to the first story thereof as invitees for commercial purposes. If the building is located within the Main Street Business District with its storefront facing Main Street then to be a "store building" the building must have at least one ground-story window facing Main Street and the public must have direct ground-story access through the storefront by way of a door facing Main Street.

55. "Storefront" means a wall of a store building which abuts and faces a city street.

59. "Structure" means anything constructed or erected, the use of which requires more or less permanent location on the ground, including but without limiting the generality of the foregoing, advertising signs, billboards, back stops for tennis courts and pergolas.

62. "Yard" means an open space between a building and the adjoining lot lines unoccupied and unobstructed by a portion of a structure from 30 inches above the ground upward except as otherwise provided herein. In measuring a yard for the purpose of determining a side yard, or of the depth of a front yard or rear yard, the minimum horizontal distance between the lot lines and the building shall be used. A roof overhang up to three feet may project into a required yard.

63. "Yard, front" means a yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections of the usual uncovered steps, uncovered balconies or uncovered porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension, except where the owner shall elect to front a building on a street parallel to the lot line having the greater dimension.

64. "Yard, rear" means a yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots the rear yard shall be in the rear of the front yard.

65. "Yard, side" means a yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projections thereto.

165.02 ESTABLISHMENT OF DISTRICTS AND ZONING MAP. The City is hereby divided into districts which shall be designated as follows:

A-1	Agricultural
R-1	Residential
B-1	Local Business
B-2	Restricted Business
M-1	Local Industrial
DOZ	Downtown Overlay Zone

165.05 R-1 RESIDENTIAL DISTRICT REGULATIONS.

4. Minimum Lot Area And Width.

A. A single family dwelling shall have a lot area of at least 6,000 square feet and a lot width of at least 65 feet.

B. A two family dwelling shall have a lot area of at least 7,200 square feet and a lot width of at least 70 feet.

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C.A multi-family dwelling shall have a lot area of at least 6,000 square feet plus 1,500 square feet per dwelling unit over one, and a lot width of at least 80 feet.

5.Minimum Yard Requirement.

A.A dwelling shall have a minimum front yard of 25 feet, a minimum rear yard of 30 feet and a minimum side yard of six feet plus two feet per story of height beyond the first story, except the side street yard on a corner lot shall be at least 15 feet;

B.A school, church or other public or institutional building shall have a minimum front yard of 40 feet, a minimum rear yard of 40 feet, and a minimum side yard of 20 feet, except the side street yard on a corner lot shall be at least 25 feet.

6.Maximum Height Allowance. A building structure in an R-1 zoned district is limited to three stories or 45 feet of height.

165.06 B-1 LOCAL BUSINESS DISTRICT REGULATIONS.

4.Minimum Lot Areas And Width.

A.A multi-family dwelling shall have a lot area of at least 6,000 square feet plus 1,500 square feet per each dwelling unit over one;

B.A commercial building shall have a lot area of sufficient size to accommodate the building's principal and accessory uses.

5.Minimum Yard Requirements.

A.A dwelling shall have a minimum front yard of 25 feet, a minimum rear yard of 25 feet and a minimum side yard of 10 feet except the side street yard on a corner lot shall be at least 15 feet;

B.A building used for institutional purposes shall have a front yard of at least 25 feet, a rear yard of at least 30 feet and a side yard of at least 25 feet;

C.There shall be no yard requirement for a commercial building except where a B-1 district is adjacent to an R-1 district, a front or side yard of 10 feet and rear yard of 20 feet shall be provided between the commercial building and the boundary of the adjacent R-1 District.

6.Maximum Height Allowance. A building structure in a B-1 zoned district is limited to three stories or 45 feet of height.

165.08 M-1 LOCAL INDUSTRIAL DISTRICT REGULATIONS.

4.Minimum Lot Areas And Width. A building structure in an M-1 zoning district shall be located on a lot of sufficient size to accommodate its principal and accessory uses.

5.Yard Requirements. A building structure in an M-1 zoning district shall have a front yard of at least 25 feet, a rear yard of at least 25 feet and a side yard of at least 20 feet.

6.Maximum Height Allowance. An office building, hotel, dwelling or other similar structure located in an M-1 zoned district shall be limited to 65 feet of height.

165.10 SUPPLEMENTARY DISTRICT REGULATIONS.

1.Visibility at Intersection. On a corner lot in any agricultural or residential district, no fence, wall, hedge or other planting or structure that will obstruct vision between a height of two-and-one-half feet and 10 feet above the centerline grades of the intersecting streets shall be erected, planted or maintained within the triangular area formed by the right-of-way lines at such corner and a straight line joining said right-of-way lines at points which are 25 feet distant from the intersection of the right-of-way lines, and are measured along the right-of-way lines.

2.Accessory Buildings. No accessory building shall be erected in any required front or side yard and no separate accessory building shall be erected within five feet of any main building.

3.More Than One Principal Structure on a Lot. In any district, more than one principal structure housing a permitted principal use may be erected on a single lot provided that the area, yard and other requirements of this chapter are met for each structure as though it were on an individual lot.

4.Height Regulation Exception. The height limitations contained in the schedules of District Regulations do not apply to spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housing or other structures placed above the roof level and not intended for human occupancy.

5.Use of Public Right-of-way. No portion of the public street or alley right-of-way shall be used or occupied by an abutting use of land or structures for storage or display purposes, or to provide any parking or loading space required by this chapter, or for any other purpose that would obstruct the use or maintenance of the public right-of-way.

8.Hedges and Fences. Fences or hedges shall not exceed four feet in height in any required front yard and shall not exceed six feet in height in any required side yard, subject to the further restrictions of subsection 1.

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9. Proposed Use Not Covered in Chapter. Any proposed use not covered in this chapter as a permitted use or special exception shall be referred to the Planning and Zoning Commission for recommendation as to the proper district in which such use should be permitted and the chapter amended as provided before a permit is issued for such proposed use.

165.14 PERMITS.

1. Construction Permit. No building shall hereafter be erected, reconstructed, structurally altered or moved, nor shall any work be started upon same until a construction permit for same has been issued by the Administrative Officer, which permit shall state that the proposed building complies with all provisions of this chapter.

a. A property owner desiring to construct a building or structure shall make application to the Administrative Officer for a construction permit, on application form to be supplied by the City. The application shall substantially describe the proposed construction, including but not limited to height, dimension and setback calculations in compliance with this chapter.

b. If the Administrative Officer, exercising discretion, concludes that the proposed building does comply with all provision of this Chapter, then the Officer shall issue a construction permit. Said permit shall be effective for one (1) year from date of issue.

c. The party requesting the permit shall completely construct the proposed building within the year allowed by the permit.

d. If the construction is not completed within the year permitted

1.) the permit holder may apply to the city Council within 14 days after the expiration for the permit for an extension of the permit:

2.) the council shall grant a public hearing, to occur within thirty (30) days of such application.

3.) at the hearing the permit holder shall attempt to show that good cause exists for non-completion, and a reasonable estimate of the time needed to complete the project; and

4.) if the Council finds that good cause exists for non-completion of the project, then the council may grant a temporary construction permit of any length it may set, and the permit holder shall complete construction within said time limit fixed by the Council.

e. Should construction not be completed within the year of the permitted, and the Council does not determine that good cause exists why the construction was not completed, then:

1.) construction may neither commence nor continue, and

2.) any incomplete building shall be hereby deemed as a matter of law to be an "unsafe building" under Chapter 145 of this code and a "nuisance" under Chapter 50 of this Code, and shall be abated as a nuisance under Chapter 50.

2. Certificate of Occupancy. Subsequent to the effective date of this chapter, no change in the use or occupancy of land nor any change in use or occupancy in an existing building, other than for single-family dwelling purposes, shall be made, nor shall any new building be occupied for any purpose other than a single family dwelling or a farming use until a certificate of occupancy has been issued by the Administrative Officer.

Every certificate of occupancy shall state that the new occupancy complies with all provisions of this chapter.

165.19. DOWNTOWN OVERLAY ZONE (DOZ)

d) GENERAL REGULATIONS

1. Front Yard Building Setbacks shall be approved by the City Council and be in conformity with the Downtown Master Plan.

CHAPTER 166 – SUBDIVISION REGULATIONS

166.11 MINIMUM STANDARDS. The following standards are considered the minimum standards necessary to protect the public health, safety, and general welfare.

9. Lots.

b. Minimum lot dimensions and sizes.

(3) Corner lots for residential use shall be ten (10) feet wider than adjacent lots to permit appropriate building setback from and orientation to both streets.

166.18 REQUIREMENTS OF PRELIMINARY PLAT. The subdivider shall prepare and file with the City Clerk four (4) copies of a preliminary plat of adequate scale and size showing the following:

5. Building setback or front yard lines.

For more information or to view the entire Fayette City Code, visit www.fayetteiowa.com or contact Fayette City Hall.