

ORDINANCE NO. 1745

CITY OF LEXINGTON, NEBRASKA

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AN ORDINANCE TO AMEND SECTION 28-24.1 OF THE LEXINGTON CITY CODE; TO RESTRICT AND REGULATE THE USE OF SATELLITE DISH ANTENNAS; TO REPEAL ORIGINAL SECTION 28-24.1 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. That Section 28-24.1 of the Lexington City Code is hereby amended to read as follows:

Sec. 28-24.1 Accessory Uses, Listed.

A partial list of accessory uses would include but not be limited to:

- (1) Any required off-street parking, whether within the same zone lot or not, for use only by residents, patrols, or employees.
- (2) Home occupation accessory to a Residential Activity shall be carried on within a dwelling unit or accessory building by one or more occupants of the dwelling unit and shall not occupy more than 20% of the total floor area of such dwelling unit and in no event more than 300 square feet of floor area. The following shall not be permitted except as allowed under Special Use provisions.
  - (a) Exterior displays, or a display of goods or chattels visible from the outside, or exhibit greater than one square foot in size on the premises by any method or device whatsoever or any manner which would indicate from the exterior that the dwelling unit, or accessory building is being utilized in whole or in part as a home occupation.
  - (b) Storage materials or goods or chattels, or any part or parts outside of a principal or accessory building or other structure.
  - (c) The instruction, caring or supervision of more than eight (8) children under eight (8) years of age, including occupant's own children under eight (8) years of age.

- (d) Employment of no person(s) other than the resident(s) of the dwelling unit or more than one part-time non-occupant in the conduct of any home business(es).
  - (e) No horse or similar livestock may be kept on a zone lot less than three acres except by special use permit within the Lexington City Limits.
  - (f) Temporary real estate sales office, located on property being sold, and limited to period of sale, but not exceeding two years without special use permit.
  - (g) A hobby activity may be operated as an accessory use by the occupant of the premises purely for the personal enjoyment, amusement or recreation; provided, that the articles produced or constructed are not sold on the premises.
  - (h) Storage of occupant-owned boats, camping trailers, pickup campers, motor homes, or other recreational vehicles, including motorcycles, shall not be parked in yards adjacent to public streets except within the driveway area(s).
  - (i) Garage sales, yard sales and estate auctions are all specifically exempt from these regulations, provided they are held not more than two week-ends per year.
- (3) A one-family dwelling over or to the rear of a permitted commercial or industrial use provided that such dwelling is for the use of a caretaker or the person owning or operating the commercial or industrial use on the site.
- (4) Permitted accessory uses in high density residential and commercial districts include exterior signs as permitted by ordinance, swimming pools, minor recreation buildings, trash collection centers, and power generating substations and other distribution facilities, food and vending machines and flag poles.
- (5) Residential Districts. Flag poles, chimneys, storage buildings, detached garages, radio, television or microwave antenna, provided, that any satellite dish antenna which is either ground mounted, portable, or greater than three (3) feet in diameter, shall be located only within a rear yard, and shall be located a minimum of ten (10) feet from any lot line, and in the case of a corner lot not less than fifteen (15) feet from a lot line adjacent to a side street.
- (6) Agricultural, Commercial or Industrial Districts. Flag poles, chimneys, cooling towers, elevator bulkheads, gas tanks, grain elevators, air pollution control devices, silos, radio transmitter towers, conveyors, stacks, ornamental towers, monuments, domes, spires, standpipes and the necessary mechanical appurtenances thereto.

- (7) Agricultural District. Accessory building customarily incident to agricultural use, living quarters of persons employed on the premises and not rented or otherwise used as a separate dwelling. Roadside stands offering for sale only agricultural produce or other products produced on the premises.
- (8) The determination of the eligibility of a proposed use as an accessory use shall be made by the building inspector and appeal can be made from his decision as set out in Article V.

Section 2. That original Section 28-24.1 of the Lexington City Code, together with all other ordinances or sections of ordinances in conflict herewith is hereby repealed.

Section 3. That this Ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 14th day of February, 1984.

CITY OF LEXINGTON, NEBRASKA

Clyde R. Cornick  
Mayor

ATTEST:

Jane E. Mahan  
City Clerk