

ORDINANCE NO. 173

AN ORDINANCE AMENDING ORDINANCE NO.79 CONCERNING  
PARKING AREAS IN REAR YARDS

Ordinance No. 79, the City's Zoning Ordinance, is amended as follows  
(additions shown by underline, deletions shown by ~~strike-through~~):

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D. Non-conforming Use.

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7. Any driveways, parking spaces, or parking areas in place and in use as of December 1, 2008, that comprise more than one-third (1/3) of the required front yard may continue to be used if they are constructed of asphaltic concrete, Portland cement concrete, manufactured paving material such as brick, or similar permanent, dust-free surface material. Such non-conforming driveways, parking spaces, or parking areas may be repaired or replaced with like material, but they may not be enlarged.
8. Any driveways, parking spaces, or parking areas in place and in use as of December 1, 2008, that comprise one-third (1/3) or less of the required front yard may continue to be used if they are constructed of loose gravel, rock, or stone; or compacted gravel, rock, or stone; or crushed rock or chip seal surfaces. Such non-conforming driveways, parking spaces, or parking areas may be repaired or replaced with like material, but they may not be enlarged.
9. Any driveways, parking spaces, or parking areas in place and in use as of December 1, 2008, that project into a rear yard may continue to be used if they lead to or provide access to a garage with a door or opening large enough to admit automobiles; and if the door or opening faces the rear yard; and if the door or opening was in place as of December 1, 2008; and if they are constructed of asphaltic concrete, Portland cement concrete, manufactured paving material such as brick, or similar permanent, dust-free surface material. Such non-conforming driveways, parking spaces, or parking areas may be repaired or replaced, but they may not be enlarged. In the event the garage door or opening that faces the rear yard is ever closed off or otherwise abandoned, the non-conforming driveways, parking spaces, or parking areas must be removed and the rear yard shall thereafter conform to the provisions of this ordinance.

Effective Date. This amendment shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council on this 8<sup>th</sup> day of December, 2009, and approved this 08<sup>th</sup> day of December, 2009.

Louise From  
Louise From, Mayor

ATTEST:  
(SEAL)

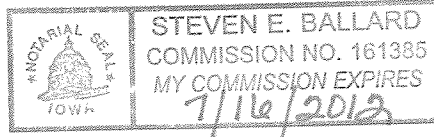
Christine M. Anderson  
Christine Anderson, City Clerk

STATE OF IOWA )  
 ) SS:  
COUNTY OF JOHNSON )

On the 8<sup>th</sup> day of December, 2009, before me, a notary public in and for the state of Iowa, personally appeared Louise From, Mayor, and Christine Anderson, Clerk of the city of University Heights, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the City; and that said instrument was acknowledged and sealed on behalf of the City, and that Louise From and Christine Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it and by them voluntarily executed.

Steven E. Ballard  
Notary Public in and for the State of Iowa

STATE OF IOWA )  
 ) SS:  
COUNTY OF JOHNSON )



I, Christine Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 17<sup>th</sup> day of December, 2009.

Christine M. Anderson  
Christine Anderson

Signed and sworn to before me on the 17<sup>th</sup> day of December, 2009, by Christine Anderson, Clerk of the City of University Heights.

Candace A. Erickson  
Notary Public in and for the State of Iowa

