

Date: \_\_\_\_\_

**City of Sabula  
Building Permit**

**OFFICE USE ONLY**

Date: \_\_\_\_\_ Paid: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Not Paid: \_\_\_\_\_

Cash: \_\_\_\_\_ Check: \_\_\_\_\_ Check#: \_\_\_\_\_

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Regular Building Permit: \_\_\_\_\_

Special Building Permit: \_\_\_\_\_

LP Gas Tank Permit: \_\_\_\_\_

Tank Size: \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Email \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

A permit is required before any structure is erected, reconstructed, altered, or added to. Failure to obtain a building permit before approval could result in a civil infraction (\$750.00 for the first offense and \$1000.00 for the second offense).

**Fees Are:**

- REGULAR PERMIT: \$20.00
- SPECIAL PERMIT: \$50.00 (any variance to the building code now in effect, will require a special permit)
- LP PERMIT: \$40.00

**Applications must include:**

- Maps and Specifications
- Use of Building
- Lot Measurements and Show where the building will be with setback shown (front, side and rear setbacks must be shown on the drawing).
- A lot plan, giving a complete description of the real estate involved and showing the location of the building on the real estate and its relation to the lot lines and any existing structures on the lot must also accompany the application.

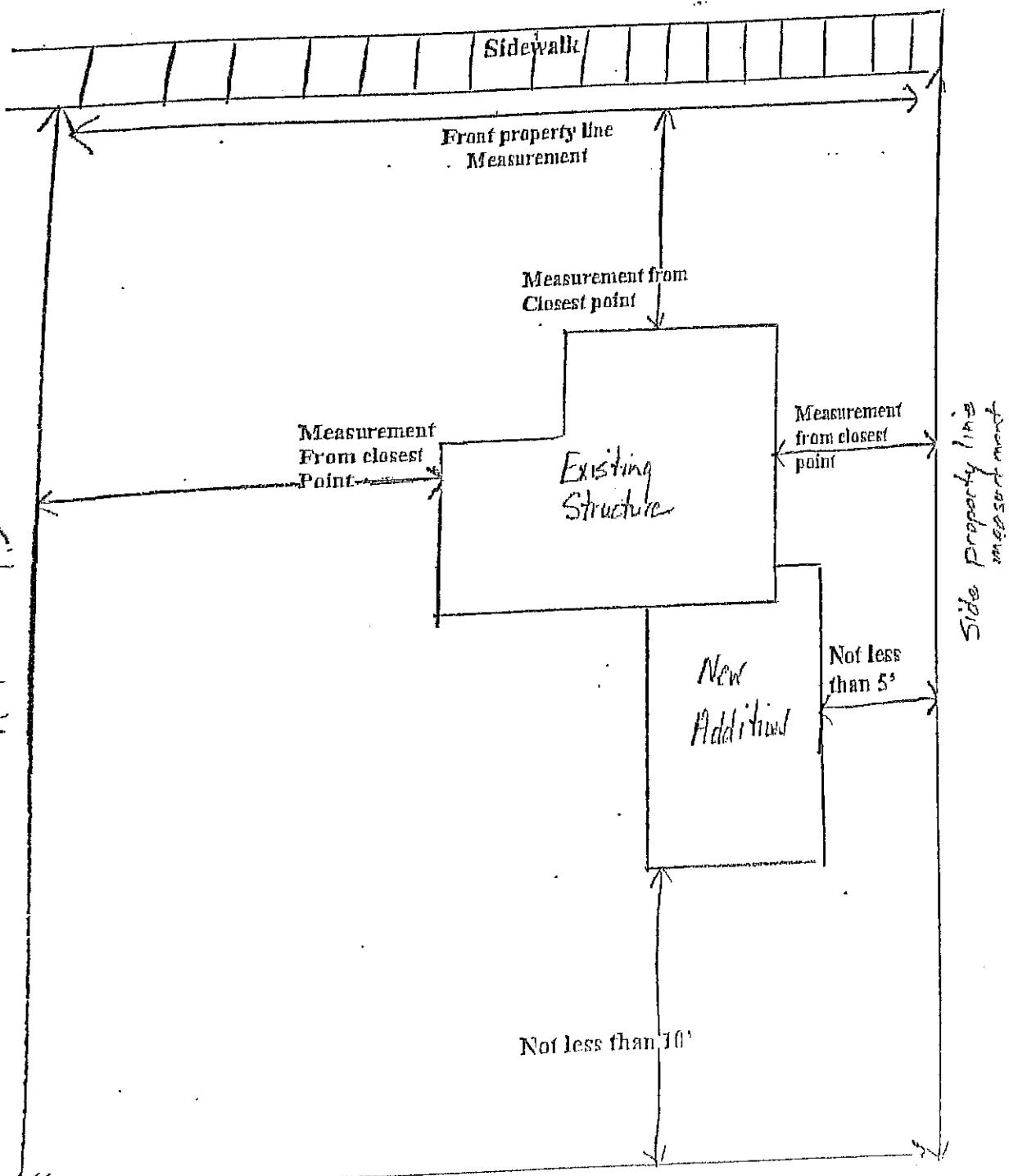
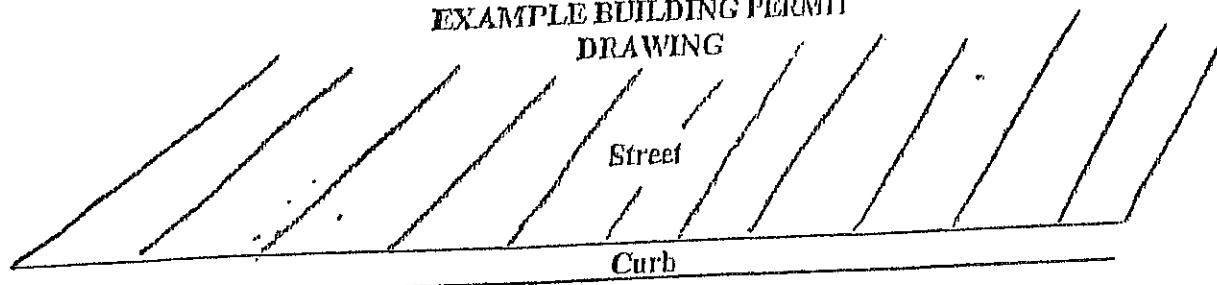
Special permits shall be made to the City Clerk at least fourteen (14) days prior to the City Council meeting, at which City Council action is taken. The City Clerk will mail a copy of the application, with attachments to immediately adjacent and abutting property owners at least (7) days prior to the City Council meeting. The City Clerk shall further provide notice of the application by posting at least four (4) days prior to the meeting at which final action will be taken to grant or deny the permit. Grant of a permit shall require a three-fourths (3/4) vote of all members of the City Council.

Any applicant for a special permit shall, at the time of filing the application with the City Clerk, pay a filing fee of \$50.00 to cover postage and related expenses. Any building or structure erected, reconstructed, altered or repaired in violation of the provisions of this ordinance shall be deemed unlawful as a nuisance and it shall be abated by action in the District Court and prosecuted in the name of the municipality.

**Building Permit Drawing**

**Address:** \_\_\_\_\_

EXAMPLE BUILDING PERMIT  
DRAWING



## **TITLE III COMMUNITY PROTECTION**

### **CHAPTER 12 - BUILDING PERMITS**

3-12-1	Purpose	3-12-9	Restrictions
3-12-2	Permit Required	3-12-10	Authority of City Council
3-12-3	Fees	3-12-11	Action to Abate
3-12-4	Plans Required	3-12-12	Permit Void
3-12-5	Plot Plan Filed	3-12-13	Certifying Ordinances
3-12-6	Front Yard Requirements	3-12-14	Permits Issued
3-12-7	Side Yard Requirements	3-12-15	Fences
3-12-8	Rear Yard Requirements		

**3-12-1 PURPOSE.** The purpose of this Chapter is to provide the City Council notice of the type of building, the kind of construction, the location of any building to be erected or added within the City and to provide reasonable rules for the erection, reconstruction, altering and repair of all kinds of buildings.

**3-12-2 PERMIT REQUIRED.** No buildings or other structures shall be hereafter erected, reconstructed, altered or added to without first securing from the City Council a permit therefor.

**3-12-3 FEES.** There shall be a permit fee of \$20.00 for the following:

Deck, Balcony and Porch Permits  
Fence or Continuous Planting  
Garage of Accessory Building  
Permanent Structure (single family, multi-family)

(Ord. 9-2002, Passed August 13, 2002)

(Amended during 2015 codification)

(Amended during 2020 codification)

**3-12-4 PLANS REQUIRED.** Plans and specifications of any proposed building shall be filed with the application for the permit.

**3-12-5 PLOT PLAN FILED.** A complete description of the real estate involved and a plot plan showing the location of the building on the real estate and its relation to lot lines and any existing structures on the lot shall be filed with the application for the permit.

**3-12-6 FRONT YARD REQUIREMENTS.** There shall be a front yard of not less than twenty (20) feet, except as follows:

1. **Between Existing Building.** Where a building is to be erected on a parcel of land that is within one hundred (100) feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the closest front corners of the adjacent buildings on the two sides, or

2. **Adjacent to Existing Building.** Where a building is to be erected on a parcel of land that is within one hundred (100) feet of an existing building on one side only within the same block, such may be erected as close to the street as a line drawn from the closest front corner of that building to a point twenty (20) feet back from the front lot line measured at the center of the lot on which the proposed building is to be erected.

3. **Double Frontage.** Where lots have a double frontage, the front yard as required herein shall be provided on both streets.

4. **Business District.** No front yard shall be required in the business district described as follows:

Properties adjacent to and fronting upon Pearl Street in the 400 and 500 Blocks thereof.

**3-12-7 SIDE YARD REQUIREMENTS.** No building shall be erected with exterior wall closer than five (5) feet and no overhang closer than three (3) feet to either side lot except in the business district where no side yard is required.

(Ord. 2-94, Passed March 7, 1994)

**3-12-8 REAR YARD REQUIREMENTS.** There shall be a rear yard provided for each building of not less than ten (10) feet except in the business district where no rear yard is required.

(Ord. 2-94, Passed March 7, 1994)

**3-12-9 RESTRICTIONS.** No permit for the erection, alteration, use or occupancy of a building or similar structure, except residences, school houses, churches and other similar structures, shall be granted in areas other than within the business district as defined in 3-12-6(4) unless it definitely appears that such erection, alteration, repair, use or occupancy shall not cause or be the source of the following:

(Code of Iowa, 1999, Chapter 414)

1. **Noise.** Any undue noise.
2. **Electrical Interference.** Any undue radio or television interference.
3. **Odors.** Any offensive odors.
4. **Refuse.** Any offensive or unsightly refuse.
5. **Smoke.** Any offensive or undue smoke.
6. **Fire Hazard.** Any fire hazard.
7. **Appearance.** Any unsightliness due to the appearance of any building or structure on the premises.

8. Congestion. Any undue gathering, congregating, parking of cars, or undue congestion of people or traffic.

9. Other. Any effect which will be obnoxious, offensive, dangerous or injurious to the health, welfare and safety of citizens.

**3-12-10 AUTHORITY OF CITY COUNCIL.** The City Council shall have full authority to accept or reject any plans and specification submitted.

**3-12-11 ACTION TO ABATE.** Any building or structure erected, constructed altered or repaired in violation of the provisions of this Chapter shall be deemed unlawful and a nuisance and it shall be abated as described in Section 3-2 of this Code.

(Code of Iowa, 1999, Chapter. 414)

**3-12-12 PERMIT VOID.** In the event that construction covered by a permit is not initiated and ~~underway within a year from the date of issuance of a permit~~, such permit shall be deemed void and of no effect.

**3-12-13 CERTIFYING ORDINANCES.** Within fifteen (15) days of the effective date of the adoption of any amendment establishing or altering set back or yard requirements the City Clerk shall certify such amendment to the County Recorder.

**3-12-14 PERMITS ISSUED.** Permits shall be issued by the City Clerk in triplicate, one copy for the applicant, one copy for the County Assessor, and one copy to be retained in the City records.

**3-12-15 FENCES.**

Specifications

1. Fences must be erected so that the posts and all other supporting members face to the owner's side. The rough part of the frame shall face the owner's property.

a. Fences shall be oriented in such a manner that the finished side faces the public right of way and adjacent property.

2. The following materials are prohibited for use as a fence: barbed wire, chicken wire, welded wire, woven wire, snow fence, plastic snow fence, plastic safety or barrier fence, and any materials added to an existing fence which would extend the height of the existing fence.

3. Any and all repairs or replacement of existing fences shall comply with the requirements.

4. It is the homeowner's responsibility to contact the utility companies and the city of Sabula to locate possible underground lines and cables. The property owner assumes all responsibility for any damage that may occur as a result of construction or placement of the fence. Call Iowa One Call for a location before digging.

(Ord. 3-2015, Passed October 26, 2015)

## **TITLE VI PHYSICAL ENVIRONMENT**

### **CHAPTER 17 - RESTRICTED RESIDENCE DISTRICT**

6-17-1	Purpose	6-17-8	Special Permits
6-17-2	Definitions	6-17-9	Protest
6-17-3	District Described	6-17-10	Fees
6-17-4	Buildings Permitted	6-17-11	Action to Abate
6-17-5	Rules and Regulations	6-17-12	Certifying Ordinance
6-17-6	Set Back		
6-17-7	Buildings Requiring Special Permits to Locate Within Restricted Districts		

**6-17-1 PURPOSE.** The purpose of this Ordinance is to establish a restricted residence district in the City of Sabula, Iowa, and to provide reasonable rules and regulations for the erection, reconstruction, altering, and repairing of buildings of all kinds, and to provide that there shall be no use in such district except for residences, schoolhouses, churches, and other similar structures, except when a special permit is granted in accordance with this Ordinance.

(Code of Iowa, Sec. 414.1 and 414.24)

**6-17-2 DEFINITIONS.** For use in this Ordinance, the following terms are defined:

1. "Residence" is a building used exclusively for a dwelling. No business or occupation shall be conducted therein or in conjunction therewith whereby sales or services are made in a manner that the public served enters upon the residential property. The following are exceptions: a beauty shop, conducted solely by the occupant and one person not resident on the property; music or art teacher, a rooming or boarding house with no more than two guests; and for which uses no external or internal alterations of the structure are made and no more than one sign indicating such occupation shall be displayed (but the sign may be double faced) nor shall the sign have a single face area of over one square foot.

2. "School" is a building used for educational purposes, public or private, that is regulated by the state department of public instruction as to curriculum.

3. "Garage" is a structure of no more than 1,024 square feet which is used for sheltering motor vehicles or household equipment and/or effects. Structures used for the purpose of sheltering motor vehicles or household equipment and/or effects in excess of 1,024 square feet of floor area shall not be considered a residential accessory use, and shall be built only upon approval of a special permit as set forth below, and such structures shall be considered warehouses pursuant to this ordinance.

4. "Residential accessory use" is a building or structure customarily used in conjunction with a dwelling, a garage, a tool or "summer" house not exceeding 100 square feet floor area, or a private

swimming pool.

Any other building on residential property shall not be deemed a residential accessory use if not incidental to a residential purpose, nor if it is used in conjunction with or for the business of selling goods or rendering services.

(Res. 1027, Passed and Approved July 28, 2014)

5. "Church", or "church school" is a building used for public worship, or connected with a building so used, for instruction in religious beliefs, or for the conduct of activities related to church affairs.

**6-17-3 DISTRICT DESCRIBED.** The following restricted residence district is hereby designated and established.

The Sabula Restricted Residence District consists of all land area lying within the corporate limits of the City of Sabula.

**6-17-4 BUILDINGS PERMITTED.** No buildings or other structures, except residences, schoolhouses, churches, and other similar structures shall be hereafter erected, reconstructed, altered, repaired, or occupied within such district without first securing from the City Council a special permit therefor after obtaining building permit as provided in Chapter 3-12 of the Sabula Municipal Code.

**6-17-5 RULES AND REGULATIONS.** As permitted under Section 414.24 of the Code of Iowa, there are hereby adopted the following rules and regulations for the erection, reconstruction, altering, and repairing of buildings of all kinds within restricted residential districts established by this Ordinance for the use and occupancy of such buildings, and for the granting of special permits to erect, reconstruct, alter, or repair any structure other than a residence, residential accessory use, school, church, or church school within said district.

**6-17-6 SET BACK.** No residential building or residential accessory use building shall be erected hereafter on a lot closer to the street property line on which it fronts than the set back of the nearest adjacent existing building except that no new construction shall be made closer than twenty feet, nor shall any construction be required to be built with its front further than thirty (30) feet from said front line. There shall be a rear yard provided for each building of not less than ten (10) feet, except in the business district where no rear yard is required.

(Ord. 1-1994, Passed March 7, 1994)

No residence or other building exempted from the special permit shall be located in the restricted district closer than five (5) feet to the side lot lines, and no accessory building closer than five (5) feet to said side of the compliance of the main foundation with this set back rule. However, residence, other building, or accessory building currently located closer than five (5) feet to the side lot lines, may be extended or altered in conformance with lot set back lines. In no case may the residence, other building, or accessory building be located closer to the side lot line than it is currently located.

Any other building granted a permit by the City Council shall be placed at least as far from side lot lines adjacent residential, school, and church-related buildings. All set backs shall be measured from the main foundation line.

**6-17-7 BUILDINGS REQUIRING SPECIAL PERMITS TO LOCATE WITHIN RESTRICTED DISTRICTS.** Construction of clinics, offices, hospitals, utility buildings and substations, any type of commercial stores and warehouses, plant nurseries, farm buildings, and industrial buildings and structures may be authorized by special permit to locate within the restricted residential district only if it appears that said use and the type of building will be compatible with the residential character of the district. Further, the construction and/or placement of a building or structure requiring a special permit that would otherwise violate Section 6-17-6 may be authorized by special permit if it appears that such deviation from set back requirements of that section would alleviate a substantial hardship for the permit applicant, be compatible with the character of the neighborhood and not create a substantial hardship for neighboring property owners.

**6-17-8 SPECIAL PERMITS.** A written special permit shall be required for the erection, reconstruction, alteration, or repair of any building and for its occupancy and use within the restricted residential district of this City except for buildings for residences, residential accessory use, schools, churches, and church schools. Further, a written special permit shall be required to authorize the construction and/or placement of any building or structure contrary to the requirements of Section 6-17-6. Any such permit shall be applied for in writing, accompanied by plans and specifications sufficient to determine compliance with applicable Ordinances of the City and/or the extent to which proposed construction deviates from the requirements of Section 6-17-6. Said application shall be made to the City Clerk at least seven (7) days before the City Council meeting at which City Council action is taken. No permit shall or will be granted until notice of the application has been posted at least four (4) days prior to the meeting at which final action is taken to grant or deny the permit. Such permit shall require a three-fourths (3/4) vote of all the members of the City Council.

**6-17-9 PROTEST.** No permit shall be granted when sixty (60) percent of the resident real estate owners in said district within two hundred (200) feet of the proposed building and occupancy object thereto, except by a unanimous vote of all the members of the City Council.

(Ord. 5-94, Passed June 6, 1994)

**6-17-10 FEES.** There shall be no fee required for a special permit under this Ordinance.

**6-17-11 ACTION TO ABATE.** Any building or structure erected, reconstructed, altered, or repaired in violation of the provisions of this Ordinance shall be deemed unlawful and a nuisance and it shall be abated by action in the district court. Such action for abatement shall be prosecuted in the name of the municipality.

**6-17-12 CERTIFYING ORDINANCE.** Within fifteen (15) days after this Ordinance becomes effective the City Clerk shall prepare or have prepared a plat of the restricted residence district as established by this Ordinance and certify such Ordinance and plat to the County Recorder.

(Ord. 3-93, Passed August 2, 1993)

(Ord. 5-2015, Passed November 23, 2015)