

**SUBJECT:** Proposed text amendment for §1421-21. Front Yard Modifications of the Cincinnati Zoning Code.

**PURPOSE:**

To add language to the Zoning code that would modify the front yard setback requirement through averaging in situations where the existing front yard setbacks do not equal the minimum required front yard setback for the district.

**REVISED PROPOSED TEXT AMENDMENT:**

**§ 1421-21 Front Yard Modifications.**

The front yard requirements specified for principal buildings will ~~may~~ be modified subject to the following:

- (a) **Required Front Yard.** Principal buildings must have a front yard that:
- (1) If abutted on both sides by the improved lots whose front yards do not conform with the district regulations, may adjust to equals the average depth of those abutting front yards; or
  - (2) If abutted on one side by an unimproved lot or a side street of a corner lot and on the other side by an improved lot whose front yard does not conform to the district regulations, may adjust to equals the average of the depth of the front yard of the improved lot and the front yard setback requirement of the district; or
  - (3) If abutted on both sides by the improved lots excluding pan handle lots, whose front yards exceed the district regulations, will adjust to equal the average depth of those abutting front yards; or
  - (4) If abutted on one side by an unimproved lot or a side street of a corner lot and on the other side by an improved lot whose front yard exceeds the district regulations, will adjust to equal the depth of the front yard of the improved lot.

**[Note: Must add illustrations to FIGURE 1421-21 showing 3 and 4.]**

**JUSTIFICATION**

At the staff conference held on May 10, 2007, the neighborhoods in attendance were concerned with averaging the properties within 400 feet. They felt that the 400-foot requirement would create a "sawtooth" effect that would not be desirable. Additionally, the neighborhood representatives felt that in neighborhoods with established setbacks greater than required by code, the averaging should be mandatory.

Respectfully submitted by:

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