SECTION 1.02

GENERAL PROVISIONS

1.02.01 - APPLICATION OF DISTRICT REGULATIONS

1.02.02 - ESTABLISHMENT OF DISTRICTS: PROVISIONS FOR OFFICIAL ZONING MAP

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1.02.01 - APPLICATION OF DISTRICT REGULATIONS

 The Regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

1. No building, structure, or land shall hereafter be used or occupied, no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.
2. Whenever the requirements of this Ordinance are a variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

1.02.02 - ESTABLISHMENT OF DISTRICTS: PROVISIONS FOR OFFICIAL ZONING MAP

1. Official Zoning Map. The City shall be divided into districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon shall be adopted by Ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City, under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 1.02.02 of Ordinance No. 127 of the City of Garwin, Iowa", together with the date of adoption.

If, in accordance with the provisions of this Ordinance and Chapter 414, Code of Iowa, changes are made in district boundaries or other matter portrayed on the Official Zoning Map promptly after the amendment has been approved by the City Council, with an entry on the Official Zoning Map as follows: "By official action of the City Council, the following changes were made in the Official Zoning Map." (Indicating the changes by Ordinance Numbers and date of publication.)

No amendment of this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under Section 1.09.03.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the City Clerk shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the City.

1. Replacement of the Official Zoning Map. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature of number of changes and additions, the City Council may by Ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk, and bearing the Seal of the City under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted as part of Ordinance No. 127 of the City of Garwin, Iowa."

Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

1.02.03 - RULES INTERPRETATION OF DISTRICT BOUNDARIES

 Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Where a district line is shown as approximately following the centerline of a street or highway, as street line or highway right-of-way, this centerline, street line or right-of-way line shall be construed to be such boundary. The boundary line shall be changed automatically whenever the said centerline, street line or highway right-of-way line is changed, provided that the change does not exceed fifty (50) feet.
2. Where a district line is shown as following a lot line, such lot line shall be construed to be the boundary of the district.
3. Boundaries indicated as approximately following City Limits shall be construed as following such City Limits;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shoreline shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as parallel to or extensions of features indicated in Subsections A through C above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Subsection A through F above, the Board of Adjustment shall interpret the district boundaries.
8. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Board of Adjustment may permit, as a special exception, the extension of the regulations for either portion of the lit not to exceed 30 feet beyond the district line into the remaining portion of the lot.
9. Whenever the Council vacates and disposes of a Street or Alley, adjacent districts shall extend to the center line of the vacation.
10. Whenever a variance exists between the Zoning Map and the legal description on an amendment to this Ordinance, the legal description applies.