



CITY OF ESTHERVILLE

June 14, 2017

Debbie Mitchell
Closing Paralegal
Spirit Realty Capital, Inc.
2727 N. Harwood Street, Suite 300
Dallas, Texas 75201

RE: ZONING – 2702 CENTRAL AVENUE

Dear Ms. Mitchell:

The above mentioned property is zoned CM Commercial. This structure is currently vacant. I have enclosed the Commercial portion of our Zoning Code showing the permitted and conditional uses that apply to this property. The structure was constructed in compliance with the required setbacks for commercially zoned property.

In the event of a casualty, the structure could be rebuilt in its current form.

Retail use of this property requires 1 parking space for each 600 square feet of gross floor area. Other uses may require more or less parking.

A portion of this property was sold to Employees Credit Union. Additional property splits/sales would require compliance with the City's Subdivision Regulations.

The City of Estherville monitors building projects to insure zoning compliance only. The City does not issue Certificates of Occupancy.

The undersigned certifies that the above information contained herein is believed to be accurate and is based upon, or relates to the information supplied by the requestor. The Zoning Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

Sincerely,

Barb L. Mack
Community Development Director

Enclosures

2 North 7th Street
PO Box 417
Estherville, IA 51334

The Elements of a Good Life

(712) 362-7771
(712) 362-7773 fax
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ARTICLE 10. COMMERCIAL DISTRICT (CM)

Article 10: Commercial District

- Section 10.1. Intent
- Section 10.2. Principal Permitted Uses
- Section 10.3. Conditional Uses
- Section 10.4. Permitted Accessory Uses and Structures
- Section 10.5. Site Development Regulations
- Section 10.6. Off Street Parking
- Section 10.7. Sign Regulations
- Section 10.8. Additional District Regulations
- Section 10.9. Zoning Permit Required

SECTION 10.1. INTENT.

The intent of the (CM) Commercial District is to provide for commercial areas consisting of a variety of retail stores, service businesses and related activities to serve the general shopping needs of the trade area; and to permit those commercial, civic or limited industrial use that will strengthen local businesses and support the community's trade, commerce, community services, governmental and cultural activities.

SECTION 10.2. PRINCIPAL PERMITTED USES.

Within the (CM) Commercial District, unless otherwise provided, only the following uses and structures shall be permitted by right.

Commercial Uses		
Administrative/Business Office	Condominium/Business	Laundry, Self-Service
Automotive Repair Services	Storage	Liquor Sales
Automotive Sales and Rental	Consumer Repair Services	Maintenance/Service Facilities
Automotive Washing	Convenience Storage	Medical Clinics/Offices
Bed & Breakfast Inn	Convenience Store	Personal Improvement Services
Bar	Equipment Sales or Repair	Personal Services
Boarding or Lodging House	Hotel-Motel	Pet Services
Building Maintenance/Support	Indoor	Professional Office
Business or Trade School	Entertainment/Recreation	Restaurant
Campground	Financial Services	Service Station
Community Center	Funeral Services	Shopping Center
Commercial Garage	General Retail Sales	Veterinary Services
Commercial Off-Street	Golf Course	
Parking Lot	Health Recreation Facility	
	Hospital Services	

Civic Uses	
Charitable Institution	Government/Public Services
Club or Lodge	Local Utility Services
Cultural Services	Park and Recreation Services
Daycare Center	Public Assembly
Educational Facilities	Safety Services

SECTION 10.3. CONDITIONAL USES.

The following uses may be permitted in the (CM) Commercial District subject to specific conditions and requirements as outlined and approved by the board of adjustment intended to make them compatible with and acceptable to adjacent uses as provided for by Articles 22 and 24 of this ordinance.

Commercial Uses	Civic Uses	Residential Uses
Agricultural Sales and Services Commercial Auction Yard/Barn Communication Services <i>(See Section 15.11 for Additional regulations)</i> Construction Sales and Services Kennel, Commercial Outdoor Entertainment and Recreation Vehicle Storage	Major Utility Facilities Religious Assembly Treatment Services	Mobile/Manufactured Housing
		Industrial Uses
		Custom Manufacturing Warehousing & Distribution (Limited)

SECTION 10.4. PERMITTED ACCESSORY USES AND STRUCTURES.

Permitted accessory uses shall not be the principal structure on any lot, and are to remain incidental to the principal use.

1. Essential Services.
2. Private garage or carport.
3. Private parking lots.
4. Other commercial uses not listed as a permitted use in the same district and complies with the following criteria:
 - a. Operated primarily for convenience of employees, clients or customers of the principal use
 - b. Occupied less than 10 percent of the total floor area of the principal use.
 - c. Is located and operated as an integral part of the principal use; not a separate business use.
5. Temporary buildings for uses incidental to construction, in which buildings shall be removed upon completion or abandonment of construction, and in compliance with Section 15.3.
6. Accessory uses and structures normally incidental and subordinate to the permitted uses and structures, in compliance with Section 15.1.

SECTION 10.5. SITE DEVELOPMENT REGULATIONS.

The following minimum requirements shall be provided for light and open space around permitted and conditional uses and structures in the (CM) Commercial District.

Lot Area -	7,500 sq.ft.
Lot Width -	75 feet
Front Yard -	40 feet minimum required setback
Side Yard -	10 feet minimum required setback
Rear Yard -	20 feet minimum required setback
Street Side Yard -	40 feet minimum required setback (corner lot)
Maximum Height-	35 feet, provided no building or structure shall be permitted to extend into the approach zones, clear zones, or other restricted air space.

No minimum requirements for local utility facilities and essential services, except that buildings constructed in support of utilities or essential services must comply with minimum yard setbacks.

SECTION 10.6. OFF-STREET PARKING.

Off-street parking and loading requirements shall be required for activities in the (CM) Commercial District in accordance with the provisions of Article 16 of this ordinance.

SECTION 10.7. SIGN REGULATIONS.

Sign regulations shall be required for activities in the (CM) Commercial District in accordance with the provisions of Article 17 of this ordinance.

SECTION 10.8. SUPPLEMENTAL DISTRICT REGULATIONS.

Certain uses, buildings, or structures in the (CM) Commercial District may be subject to supplemental regulations identified in Article 14 of this ordinance.

SECTION 10.9. ZONING PERMITS REQUIRED.

Zoning permits shall be required in accordance with provisions of Section 19.3 of this ordinance.