

**CITY OF PROSPECT  
ORDINANCE NO. 648, SERIES 2025**

**AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION OF CHAPTER 150:  
BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF PROSPECT**

**WHEREAS**, Chapter 150 establishes a code of building regulations for the City of Prospect; and

**WHEREAS**, it is the responsibility of the City Council to review ordinances on a periodic basis and amend them as appropriate, and

**WHEREAS**, it has been determined that modifications, corrections, additions, and clarifications are necessary to reflect the intent of the City Council,

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

**Section 1.** Chapter 150 is hereby amended and modified as hereinafter set forth with old language struck through, changes, and new language being underlined and reading as follows:

**Chapter 150.02 RESIDENTIAL BUILDINGS AND LOTS; RESTRICTIONS**

**(A) Floor area.**

(1) On all residential subdivided lots within the city, except those platted and of record as of November 19, 1984, the first floor area of a one-story house shall be a minimum of 2,500 square feet; the first floor area of a two-or- more story house shall be a minimum of 1,600 square feet and minimum square footage of a two-or-more story house shall be 3,000 square feet; the first floor area of any other designed house shall be a minimum of 2,250 square feet and in no case shall square footage of any multi-story house on a subdivided residential lot within the city be less than 3,000 square feet.

(2) On all residential subdivided lots platted and of record as of November 19, 1984, the first floor area of a one-story house shall be a minimum of 1,850 square feet and the first floor area of a two-story house shall be a minimum of 1,100 square feet and minimum total square footage in a two-story house shall be 2,200 feet and the first floor area of a one-and-a-half story house shall be a minimum of 1,500 square feet. In no case shall total square footage of any house on such subdivided residential lots be less than 1,850 square feet.

**(B) Stories; square footage requirements.** The number of stories shall be counted from the front (street) elevation, beginning with the first story completely above ground from the front elevation, and all square footage requirements within this section disregard basement square footage. Square footage requirements to be heated living areas only. Open porches and attached garages are not to be included in computing square footage area.

**(C) Approval of plans.** The plans of residence and/or garage showing the plan, type, shape, height, material, color scheme, and location of same, and a completed application for building

permit in the form prescribed by the Mayor, shall be submitted to and approved in writing by the Mayor or any other official of the city to whom the power of approval has been delegated by the Mayor.

(D) Dwellings to be suitable to site and surroundings. No residence shall be constructed on any lot that does not compare favorably in character, design, and construction with others in the city and unless the residence shall be suitable to the site and in harmony with the other homes and surroundings.

(E) Garages. All residences must provide for at least two car attached garages, unless the subdivision lot is one acre or more in size in which event detached garages are allowed. In no case shall any garage door face the street in front of the residential dwelling, nor shall any garage door face the street to the side of the residence where the residence is located on a corner lot. For this purpose a lot is a corner lot where each of two sides of the lot faces one or the other of two intersecting streets and there are no other subdivided lots between either those sides and the street it faces. Where lots are irregularly shaped and/or a residence is situated on a lot at an angle, the garage door(s) may neither face either street nor be located at less than a 30 degree angle to any street. No carports are permitted and garages must be similar in design, character, and construction as residences.

(F) Lawngrades, fences, house elevations, and location of house. Lawngrades, fences, house elevations, and location of the house are to be approved in the same manner as the residence plans. (See division (C) above.)

(G) Sewer or foul water. No owner of any property in any subdivision within the city shall allow sewer water or any other foul water to stand or flow upon the surface of the property, nor flow into or onto any adjoining property.

(H) No residential lot within the city which totals two acres or less shall be subdivided.

(I) An "outbuilding" is defined in § 150.56(A)(1)(a) and (b). No outbuilding shall be allowed on any lot within a residential zoned area of the city unless the following criteria are met:

(1) Outbuildings are only permitted on lots of three acres or more. Outbuildings must be similar to the residence in design, character and construction and shall not be a prefabricated or manufactured structure;

(2) The outbuilding shall be at least 12 feet from any lot line;

(3) The outbuilding shall not be used as a garage;

(4) The square footage of any outbuilding built after the effective date hereof shall not exceed 10% of the square footage of the main building on said residential lot; provided, however, any existing outbuilding destroyed by fire or other cause may be rebuilt up to the square footage it was prior to such destruction;

(5) The outbuilding shall not unreasonably interfere with the quiet enjoyment of neighboring properties;

(6) The outbuilding shall be buffered from adjoining properties by a minimum evergreen opaqueness of 50% with a minimum six feet in height at the time of planting and shall be maintained at all times as approved; and

(7) The outbuilding shall have received a building permit issued in accordance with § 150.55 hereof.

(J) Notwithstanding the restrictions in division (I) above, a children's playhouse may be constructed on any residential lot so long as such structure contains only items suitable for children at play and is at least eight feet from any lot line.

(K) Notwithstanding the restrictions in division (I) above, a gazebo may be constructed on any residential lot for recreational purposes only as a lawn or garden decoration, to sit and enjoy the open space and beauty of the landscape in accordance with the following criteria:

(1) The gazebo shall have a maximum square footage of 144 square feet;

(2) The maximum size of columns supporting the roof of the gazebo shall be no larger than six inches across if it is a flat surface and eight inches in diameter if it is a curved surface;

(3) The gazebo shall be open on all sides with nothing between the columns supporting the roof other than rails with spindles at the bottom and/or ornate woodwork at the top;

(4) The gazebo shall be constructed of wood, wood substitute, wrought iron or wrought iron substitute;

(5) The roof of the gazebo shall consist of wood shingles or shall match the roof of the home on the lot on which the gazebo is constructed, and the roof of the gazebo shall match the shape of the gazebo;

(6) The maximum height of the gazebo, including any copula, if used, but excluding any weather vane, spindle or other type of approved decoration on top of the gazebo, shall be 15 feet measured from ground level, and the pitch of the roof of the gazebo shall rise a minimum of six inches every 12 inches (45 degrees); and

(7) A complete set of the plans and specifications for the gazebo shall be submitted pursuant to § 150.56(B).

(L) Notwithstanding the restrictions in division (I) above, a pool-house may be constructed on any residential lot of one-half (1/2) acres or more, that is used to support and provide amenities for an adjacent swimming pool and may include changing rooms, bathrooms, storage areas, and recreational spaces, in accordance with the following criteria:

(1) The square footage of a pool-house shall not exceed 240 square feet.

(2) A pool-house shall not exceed a maximum height of 1 story.

(3) A pool-house shall have a minimum setback of 15 feet from any building setback line.

(4) A pool-house's construction style and materials must be similar in design, character, and construction as the residential dwelling.

(5) All utilities run to pool-house shall be placed underground.

(6) Any pool-house that is to be erected within a deed-restricted community shall have the prior written approval of the homeowner's association before the issuance of any building permit.

(7) A pool-house is a non-residential structure and shall not be used for human habitation.

(8) All pool equipment, such as pumps, filters, heaters, chlorinators, UV or ozone systems, automation systems, and pool vacuum systems, shall be screened and placed at least ten feet from the nearest property line. (see §154.06).

~~(L)~~ (M) Only one outbuilding (exclusive of a single detached garage) will be permitted on any one residential lot.

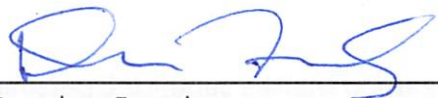
**Section 2.** This Ordinance shall take effect from and after its passage, signing, and publication as required by law.

First Reading this 17th day of March 2025.

Passed on Second Reading this 21st day of April 2025.


By a vote of 6 aye to 0 nays of the City Council.

APPROVED:



Douglass Farnsley  
Mayor, City of Prospect

ATTEST:



John S. Carter  
City Clerk