

**HUNTSVILLE TOWN
ORDINANCE 2019-3-28**

SIDE YARD REGULATIONS

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15.6.7 SIDE YARD REGULATIONS.

RECITALS

- A. **WHEREAS**, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. **WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;
- C. **WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on March 28, 2019 to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on March 28, 2019;
- D. **WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on April 18, 2019 and desires to act on this Ordinance;

ORDINANCE

NOW, THEREFORE, be it ordained by the Town Council of Huntsville, Utah as follows:

Section 1: Repealer. Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. The Huntsville Municipal Code is hereby amended to read as follows:

15.6.7 Side Yard Regulations

A. The minimum side yard for any dwelling, private garage or accessory building shall be ten (10) feet. Measurement of the side yard shall be the distance between the wall of a structure (above or below ground) and the side property line. If the wall is built straight up from the foundation, the measurement can be made from the foundation wall. The only portion of the structure allowed to violate the ten (10) foot setback is a roof eave extending out 18 inches or less.

B. Where the rear of a residential lot abuts the side of an adjoining residential lot, the minimum side yard for any dwelling shall be ten (10) feet. The minimum side yard for a private garage or accessory building shall not be less than ten (10) feet.

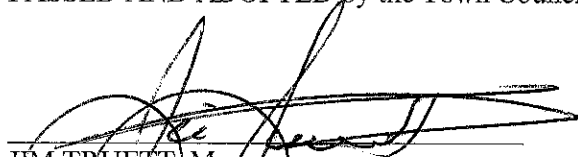
C. Where the side of a residential lot abuts an alley, the minimum side yard for any residence will be ten (10) feet from the alley boundary. The minimum side yard for a garage or accessory building that abuts an alley will be one (1) foot measured from the alley boundary.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall take effect immediately upon mayoral approval and posting.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett	X			
CM Max Ferre'	X			
CM McKay	X			
CM Bill Wangsgard	X			

PASSED AND ADOPTED by the Town Council on this 18 day of April 2019.



JIM TRUETT, Mayor

ATTEST


BECKKI ENDICOTT, Recorder



RECORDED this 18 day of April 2019