ORDINANCE NO. 09-96

ROLL CALL

VOTING	YES	NO
MAYOR MARIE W. HUFF *(votes only in case of tie)*		
SHERMAN E. HUFF *Councilmember*	absent	
MATTHEW D. BARBER *Councilmember*	X	
THORA L. SHAW *Councilmember*	X	
CLYDE A. SWENSON *Councilmember*	X	
REX WOODHOUSE *Councilmember*	absent	

I MOVE this ordinance be adopted: Councilmember Shaw
I SECOND the foregoing motion: Councilmember Swenson

ORDINANCE 09-96

AN ORDINANCE
MODIFYING THE MORATORIUM
ON ACCESSORY BUILDINGS

WHEREAS, Spanish Fork City has enacted an ordinance dated the 27th day of March 1996 whereby a moratorium on accessory buildings was implemented; and

WHEREAS, a number of residents are desirous of constructing accessory buildings during the summer construction period; and

WHEREAS, a number of the proposed accessory buildings would be consistent with the initial drafts of the revised zoning ordinance as contemplated by the Planning Commission prior to

scheduled public hearings and would also be consistent with the current zoning ordinance; and

WHEREAS, the Council find that modifying the moratorium to allow accessory building which would be consistent with the proposed zoning ordinance and also in compliance with the current zoning ordinance would be in the best interest of the residents of the City in order to allow those with the need to take advantage of the summer construction season;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

1. The moratorium placed by ordinance number 05-96 on the 27th day of March 1996 is hereby modified to allow the uses said forth herein.

2. Buildings, structures, or satellite earth stations over seven (7) feet in height or over 120 square feet in area must maintain a minimum of three (3) feet to a side or rear property line, with two (2) feet of additional setback for each additional foot for that portion of the building wall over seven (7) feet in height. The maximum required setback is ten (10) feet.

3. The maximum height of any accessory building shall be 35 feet in the RA-1 and RA-5 zones and 15 feet in all other residential zones.

4. All detached accessory buildings combined cannot exceed five percent of the total lot area.

5. Except as modified herein, the moratorium established by ordinance 05-96 on the 27th day of March 1996 shall remain in full force and effect.

6. This ordinance shall take effect immediately.

7. This moratorium shall be in effect for a period of 120 days or until the general plan and zoning ordinances are implemented, which ever period of time is shorter.

8. This ordinance shall not be part of the Spanish Fork City municipal code.

Section II:

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 3rd day of July, 1996.

DATED this 3rd day of July, 1996.

Marie Huff
MARIE HUFF as Mayor

ATTEST:

Kent R. Clark
KENT CLARK, City Recorder

CORPORATE SEAL OF SPANISH FORK CITY
UTAH

STATE OF UTAH :
}ss.
COUNTY OF UTAH :

KENT R. CLARK, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of Spanish Fork City, County of Utah, State of Utah; that as part of his duties to keep the minutes, resolutions, and ordinances of Spanish Fork City, that the attached ordinance is the same as the ordinance passed on the 3rd day of July, 1996, by the Spanish Fork City Council.

Kent R. Clark
KENT CLARK, City Recorder

Subscribed and sworn to before me this 3rd day of July 1996.

Heather Frost
NOTARY PUBLIC

F:\ORDBOOK\ORD09.96

NOTARY PUBLIC
HEATHER FROST
40 South Main
Spanish Fork, UT 84660
My Commission Expires 5-1-99
State of Utah

Proof of Publication

J. ... being first duly sworn according to law, disposes and says that he is the *Pub-*
lis... NISH FORK PRESS, a weekly newspaper, printed and published at Spanish
For... Utah, and of general circulation therein; that the Notice, a copy of which is hereto
atta... and published in said paper:

ORDINANCE 09-96
AN ORDINANCE MODIFYING THE MORATORIUM ON ACCESSORY BUILDINGS

WHEREAS, Spanish Fork City has enacted an ordinance dated the 27th day of March 1996 whereby a moratorium on accessory buildings was implemented; and

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WHEREAS, a number of the proposed accessory buildings would be consistent with the initial drafts of the revised zoning ordinance as contemplated by the Planning Commission prior to scheduled public hearings and would also be consistent with the current zoning ordinance; and

WHEREAS, the Council find that modifying the moratorium to allow accessory building which would be consistent with the proposed zoning ordinance and also in compliance with the current zoning ordinance would be in the best interest of the residents of the City in order to allow those with the need to take advantage of the summer construction season;

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DATED this 3rd day of July, 1996.

Published in the Spanish Fork Press July 11, 1996

for 1 consecutive weeks,

the first publication on the 11 day

of July 1996

and the last on the 11 day of

July 1996

J. Lane Hawkins

Su... n

11 day of July 19 96

Clark Swenson

Notary Public

Residing at Spanish F...

My Commission expi... 19

NOTARY PUBLIC
CLARK M. SWENSON
290 No. Main
Spanish Fork, Utah 84660
My Commission Expires: 7-15-96
State of Utah