

ORDINANCE NO. 05-99

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
LILLIAN J. SHEPHERD <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Shaw

I SECOND the foregoing motion: Councilmember Huff

ORDINANCE 05-99

AN ORDINANCE AMENDING THE ACCESSORY BUILDING REQUIREMENTS OF THE ZONING ORDINANCE

WHEREAS, Spanish Fork City has adopted a Comprehensive Zoning Ordinance; and

WHEREAS, as part of the comprehensive zoning ordinance, the City regulates the size and location of accessory buildings on a lots in a residential zones; and

WHEREAS, it is necessary to amend the accessory building requirements in order to treat fairly those individuals owning large lots while maintaining the intent of the overall ordinance to protect property values and enhance the quality of life in the City; and

WHEREAS, the matter was reviewed by the Planning Commission on the 3rd day of February 1999; and

WHEREAS, a public hearing was held before the City Council on the 6th day of April, 1999 wherein public comment was received;

SECTION I

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

Section 17.28.040 (A) (3) of the Spanish Fork Municipal Code is hereby amended to read as follows:

The combined square footage of all detached accessory buildings, structures, and satellite earth stations shall not exceed 500 square feet, or ten percent (10%) of the total lot area, whichever is greater.

This ordinance shall take effect 20 days after passage and publication.

SECTION II

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 6th day of April, 1999.


DALE R. BARNEY, Mayor

ATTEST:


KENT R. CLARK, City Recorder



DATE: April 6, 1999
TO: Mayor and City Council
FROM: Greg Comstock, City Planner *GC*
SUBJECT: Change in Accessory Building Regulations

BACKGROUND: The Accessory Buildings Section of the City's zoning ordinance contains regulations regarding the size and location of buildings in residential districts. These regulations restrict the maximum size of detached accessory buildings to 500 square feet or 5% of the lot area, whichever is greater. Since this ordinance provision was enacted in 1996, there have been numerous requests for buildings which exceed this standard. Most of the applicants modified their plans to meet the requirements, but several also requested variances to the standard.

Based in part upon a current pending application and the frequency of requests to vary this standard, we believe that a modification should be made to this standard to increase the allowable area of detached accessory buildings. At their February 3, 1999 meeting the Planning Commission provided direction that staff should prepare an ordinance amendment to accomplish this.

We have reviewed several possible ways of accomplishing this and believe that the following ordinance amendment is a relatively simple change which should virtually eliminate future requests for variances. We would like to amend the ordinance as follows:

Chapter 17.28.040.A.3. The combined square footage of all detached accessory buildings, structures, and satellite earth stations shall not exceed 500 square feet, or ~~five percent (5%)~~ *ten percent (10%)* of the total lot area, whichever is greater.

PLANNING COMMISSION ACTION: At their March 3, 1999 meeting, the Planning Commission conducted a public hearing and recommended approval of the above ordinance amendment.

RECOMMENDATION: Conduct a public hearing and approve this Zoning Ordinance amendment regarding detached accessory buildings.

Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the Publisher of *THE SPANISH FORK PRESS*, a weekly newspaper printed and published at Spanish Fork, Utah County, Utah and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper.

ORDINANCE 05-99

**AMENDING THE
ACCESSORY
BUILDING
REQUIREMENTS OF
THE ZONING
ORDINANCE**

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

Section 17.28.040(A)(3) of the Spanish Fork Municipal Code is hereby amended to read as follows:

The combined square footage of all detached accessory buildings, structures, and satellite earth stations shall not exceed 500 square feet, or ten percent (10%) of the total lot area, whichever is greater.

This ordinance shall take effect 20 days after passage and publication.

**PASSED AND
ORDERED PUBLISHED BY
THE CITY COUNCIL OF
SPANISH FORK, UTAH,
this 6th day of April, 1999.**

Published in the Spanish Fork Press April 22, 1999.

for consecutive One weeks,

the first publication on the 22 day

of April 1999

and the last on the 22 day of

April 1999

J. Lane Henderson

Subscribed and sworn to before me this 22nd day of April 1999

Thora L. Shaw

Notary Public



THORA L. SHAW
NOTARY PUBLIC • STATE of UTAH
40 NO. 400 EAST
SPANISH FORK, UT 84660
COMM. EXP. 4/1/2000

Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the Publisher of **THE SPANISH FORK PRESS**, a weekly newspaper printed and published at Spanish Fork, Utah County, Utah and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper.

ORDINANCE 205-99
The Western Park Zone
Change (AR Mitchell)

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

The following described property is hereby zoned to Medium Residential (R-1-8): Commencing at a point which is located West 118.57 feet and North 229.54 feet from the South 1/4 corner of Section 13, Township 8 South, Range 2 East, Salt Lake Base & Meridian; thence North 89° 36' 09" West 307.12 feet; thence North 00° 05' 14" West 159.20 feet; thence North 88° 33' 26" West 402.78 feet; thence North 44° 37' 16" East 571.76 feet; thence North 46° 42' 20" East 106.39 feet; thence South 43° 18' 00" East 115.05 feet; thence South 45° 00' 04" East 61.32 feet; thence South 70° 27' 02" East 109.89 feet; thence South 09° 51' 35" West 67.23 feet; thence South 00° 05' 14" East 264.01 feet; thence South 16° 08' 32" East 58.40 feet; thence South 101.18 feet to the point of beginning.

An area containing 5.79 acres. (The above constitutes Western Part Plat H in its entirety.)

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 6th day of July, 1999.

Published in the Spanish Fork Press November 25, 1999.

for consecutive One weeks,

the first publication on the 25th day

of November 1999

and the last on the 25th day of

November 1999

Jane Henderson

Subscribed and sworn to before me this 30th day of November 1999

Sara Worthington
Notary Public



SARA WORTHINGTON
NOTARY PUBLIC • STATE of UTAH
6705 SOUTH 4000 WEST
SP. FORK, UT 84660
COMM. EXP. 3-14-2003