

ORDINANCE NO. 07-03

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
PAUL M. CHRISTENSEN <i>Councilmember</i>	X	
GLENN A. JAMES <i>Councilmember</i>	X	
ROY L. JOHNS <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Huff

I SECOND the foregoing motion: Councilmember Kelepolo

ORDINANCE 07-03

AN ORDINANCE AMENDING THE REBUILD REQUIREMENTS FOR A LEGAL NONCONFORMING ACCESSORY BUILDING

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

WHEREAS, the Zoning Ordinance is amended from time to time, thus creating a situation over a period of years where there are various legal nonconforming buildings; and

WHEREAS, in order to encourage maintenance of buildings throughout the City, protect property values and recognize a basic fairness issue for residents of the City it is appropriate to address nonconforming buildings, and determine under what circumstances they should continue; and

WHEREAS, Spanish Fork City has adopted in a section of the Municipal Code within the

Comprehensive Zoning Ordinance which deals with nonconforming buildings; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on the 2nd day of July, 2003 whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 5th day of August, 2003, whereat additional public comment was received; and

WHEREAS, in order to protect the health, safety and welfare of the residents of the city it is appropriate to make changes in the Comprehensive Zoning Ordinance from time to time;

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

I.

Spanish Fork City Municipal Code Section 17.04.050(a)(1) is hereby amended to read as follows:

Section 17.04.050. Nonconforming Buildings, Uses and Lots.

(A)(1) A nonconforming building may not be reconstructed or structurally altered during its life to an extent in the aggregate of 50% of the fair market value of the building, with the exception of accessory buildings which are nonconforming based on set backs, which accessory buildings can be reconstructed or structurally altered in its original location so long as the nonconforming portion is not enlarged.

II.

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

DATED this 5th of August, 2003.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH, this 5th day of August, 2003.



DALE R. BARNEY, Mayor

ATTEST:



KENT R. CLARK, City Recorder

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