

## ORDINANCE NO. 2010-13

AN ORDINANCE **AMENDING** SECTION 18.83.050 OF THE HEBER CITY MUNICIPAL CODE, *YARD REGULATIONS, OF THE NEIGHBORHOOD INFILL OVERLAY DISTRICT.*

BE IT ORDAINED by the City Council of Heber City, Utah, that Section 18.83.050 of the Heber City Municipal Code is **amended**, as follows:

### Section 18.83.050 **Yard Regulations of the Neighborhood Infill Overlay District.**

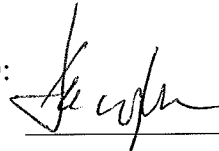
- A. Lot Coverage: All buildings, including accessory buildings, shall not cover more than thirty percent (30 %) of the area of the lot.
- B. Neighborhood Infill Homes shall be setback from property lines as follows:
  1. **Front yard setbacks.** The front setback requirements of the underlying zone shall apply to infill homes. The front setback from the street for any dwelling situated between two existing dwellings (a) on the same side of the street, (b) located within 150 feet of each other, and (c) located less than thirty feet from the front property line may be reduced twenty (20') feet or the same as the average for said two existing dwellings, whichever is the greater setback distance. Attached garages shall be setback a minimum of ten (10') feet from the front main wall of the dwelling.
  2. **Side yard setbacks.** Neighborhood Infill dwellings with a detached rear yard garage are required to have a minimum twelve (12') foot side yard from the side property line, to accommodate a driveway to the required rear parking. The opposite side yard setback is a minimum of six (6) feet. Rear yard detached garages shall be set back a minimum of three (3') feet from the side property line. Side yard attached garages shall be setback no less than six (6) feet from the side property line. Neighborhood Infill corner dwellings shall have a minimum of twenty (20') foot side yard setback from the street property line to the house or detached garage.
  3. **Rear yard setback.** All dwellings shall be located at least 20 feet from the rear property line. All dwellings shall be located at least 20 feet from the door face of any detached garage, with no other point of the garage located closer than 12 feet to the dwelling. Detached garages shall be located at least 3 feet from the rear property line.
  4. For the purposes of this Chapter, any garage located closer than twelve (12') feet to the main building shall be considered as part of the main building for determining setback requirements.
  5. Setbacks for Neighborhood Infill shall be measured from the foundation of the building, with the exception of interior side yard setbacks which will be measured from any cantilever or bay window, etc., which extends past the foundation of the building.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the 21 day of October, 2010.

ADOPTED and PASSED by the City Council of Heber City, Utah this 21 day of October, 2010, by the following vote:

	AYE	NAY
Councilman Eric Straddeck	<u>  x  </u>	<u>      </u>
Councilman Nile D. Horner	<u>  x  </u>	<u>      </u>
Councilman Robert L. Patterson	<u>  x  </u>	<u>      </u>
Councilman Benny Mergist	<u>  x  </u>	<u>      </u>
Councilman Alan W. McDonald	<u>  x  </u>	<u>      </u>

APPROVED:



Mayor David R. Phillips

ATTEST:



RECORDER

Date of First Publishing:

January 12, 2011