

**HUNTSVILLE TOWN
ORDINANCE NO. 2023-2-23**

AMENDMENTS TO TITLE 15.17.3 C, 15.6.2 A AND 15.10.5 A

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING THE HUNTSVILLE MUNICIPAL CODE DEFINING THE ATTACHED STRUCTURES AND BREEZEWAYS.

WHEREAS, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah.

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the Town to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the Town;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;

WHEREAS, Huntsville Town Code 15.6.2.A only allows one single-family dwelling on one lot;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on March 23, 2023, to take public comment on this Ordinance, and subsequently gave its recommendation to adopt this Ordinance on March 23rd, 2023;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on March 23,2023, and desires to act on this Ordinance;

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

Section 1: Repealer. Any code, chapter, or section in conflict with this Ordinance is hereby repealed in its entirety and referenced thereto vacated.

Section 2: Adoption. Section 15.17.3.C, 15.6.2.A and 15.10.5.A, of the Huntsville Municipal Code are hereby reenacted to read as follows:

15.17.3.C:

A non-complying dwelling unit located in a residential zone shall not be added to or enlarged if the addition or enlargement is a separate dwelling attached to the existing single-family dwelling with a breezeway or extension of the roof. Such additions or enlargements shall be considered to be separate dwellings and are prohibited. Nothing in this ordinance shall be construed to allow two dwelling units to be built on a single residential lot regardless of whether the structures are attached by a breezeway, roof extension or other attachment except as allowed in 15.8.5.

15.6.2.A:

A. Single family dwellings.

1. Only one single-family dwelling is allowed on an approved R-1 building lot.

- a. A single-family dwelling shall not be added to or enlarged if the addition or enlargement is a separate dwelling attached to the existing single-family dwelling with a breezeway or extension of the roof. Such additions or enlargements shall be considered to be separate dwellings and are prohibited. Nothing in this ordinance shall be construed to allow two dwelling units to be built on a single residential lot regardless of whether the structures are attached by a breezeway, roof extension or other attachment except as allowed in 15.8.5.

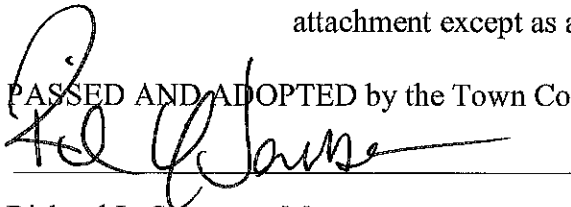
15.10.5:

A. Use Regulations for Single Family Dwellings

- 1. Only one single-family dwelling is allowed on an approved A-3 building lot.

- a. A single-family dwelling shall not be added to or enlarged if the addition or enlargement is a separate dwelling attached to the existing single-family dwelling with a breezeway or extension of the roof. Such additions or enlargements shall be considered to be separate dwellings and are prohibited. Nothing in this ordinance shall be construed to allow two dwelling units to be built on a single residential lot regardless of whether the structures are attached by a breezeway, roof extension or other attachment except as allowed in 15.8.5.

PASSED AND ADOPTED by the Town Council on this 2 day of May, 2023.



Richard L. Sorensen, Mayor

ATTEST:



Town Clerk



RECORDED this 2 day of May, 2023.

PUBLISHED OR POSTED this 2 day of May, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) Town Hall, 2) www.huntsvilletown.com and 3) the Utah Public Noticing Website.

Beckki Endicott DATE: 5-2-2023

Beckki Endicott

Huntsville Town Clerk