

Ordinance 615-19

AN ORDINANCE TO AMEND ZONING ORDINANCE 191-00 ARTICLE VI, SECTION 602 AND 603 USES PERMITTED ON APPEAL

THE TOWN COUNCIL OF THE TOWN OF SUMMERDALE, ALABAMA finds as follows:

1. Proposed amendments to the Summerdale Zoning Ordinance were considered by the Summerdale Planning Commission.
2. The Planning Commission has recommended to the Town Council that the amendment be approved.
3. The Town Council has received the recommendation of the Planning Commission and held a public hearing on that same after giving notice as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUMMERDALE, ALABAMA, AS FOLLOWS:

**SECTION 1.** Article IV, Section 602 and 603 Uses Permitted on Appeal by removing "bed and breakfast" to read as follows:

**Section 602. R-1 Residential District.**

This district exists for the development of residential areas. The use of land and buildings within such areas is therefore limited to single-family detached dwellings and such non-residential uses as generally support and harmonize with such low-density districts.

**Use Regulations**

- Uses Permitted: Single-family dwellings; accessory structures; gardens, public buildings, including schools and libraries. Agricultural use is limited to row crop operations only and on parcels containing one acre or more of land.
- R-1 (Continued)
- Uses Permitted on Appeal: Public parks and playgrounds; churches; public utilities; and customary home occupations. *Customary Home Occupations may be approved by Town Staff under the conditions no signage is permitted and no traffic is generated from said home occupation.*
- Uses Prohibited: Mobile homes, mobile home parks; commercial or industrial uses, including parking lots or parking areas in connection with the uses.

**Space and Height Regulations**

- Minimum Lot Size: 15,000 square feet; 10,000 square feet if served by a public sewer system. Minimum required lot width at building line (setback line): 80 feet.
- Minimum Yard Size: Front 35 feet; rear 35; interior side yard 10 feet; street side yard 25 feet; accessory structures - 5 feet side yard; 5 feet rear yard
- Maximum Height: Thirty-Five (35) feet or 2-1/2 stories.
- Off-Street Parking: Two spaces for each dwelling (see Section 902).

**Section 603. R-2 Residential District.**

This district exists for the protection of areas that have been and are being developed predominantly for medium density single-family dwellings, but in which two-family dwellings are also found. Accordingly, the use of land and buildings within such areas is limited to single family detached dwellings and medium density two-family dwellings, and to such non-residential uses as generally support and harmonize with a medium density residential area.

**Use Regulations**

- Uses Permitted: Single-family dwellings; two family dwellings, accessory structures; gardens; playgrounds; parks; churches; public buildings; including public schools and libraries. Agricultural use is limited to row crop operations only and on parcels containing one acre or more of land.
- R-2 (Continued)
- Uses Permitted on Appeal: Customary home occupations; public utilities; semi-public

buildings; golf courses; municipal, county or federal uses; private institutions such as kindergarten and day nurseries. *Customary Home Occupations may be approved by Town Staff under the conditions no signage is permitted and no traffic is generated from said home occupation.*

Uses Prohibited:

Mobile homes, mobile home parks, commercial and industrial uses, including parking lots or parking areas in connection with these uses, not specifically permitted.

**Space and Height Regulations**

Minimum Lot Size:

15,000 square feet; 10,000 square feet if sewer is provided; 7,500 square feet per family for two-family structures. Minimum lot width at building line (setback line): 75 feet.

Minimum Yard Size:

Front 35 feet; rear 35; interior side yard 10 feet; street side yard 25 feet; accessory structures - 5 feet side yard; 5 feet rear yard; 50 feet front yard.

Maximum Height:

Thirty-five (35) feet or 2-1/2 stories.

Off-Street Parking:

Two (2) spaces per dwelling unit (see Section 902).

**Section II.** That all other Articles and Sections thereof said Zoning Ordinance remain in full force as originally adopted or subsequently duly amended.

**SECTION III.** That this Ordinance shall become effective following the posting as required by law.

**FURTHER,** it is recommended that the Zoning Ordinance be amended so that the Table of Contents reflects any changes to the zoning text.

**APPROVED** and **ADOPTED** this the 10<sup>th</sup> day of June, 2019.

  
Mayor David Wilson

ATTESTED BY:

  
Clerk