

ORDINANCE NO. 135-206

**AN ORDINANCE TO AMEND APPENDIX "A", ARTICLE X, SECTIONS 5 AND 9
OF THE CODE OF ORDINANCES OF THE CITY OF PELHAM
GARDEN HOMES**

WHEREAS, the City of Pelham has determined that it is in the best interest of the City to amend Appendix "A", Article X, Section 5 and 9 of the Code of Ordinances, City of Pelham, Alabama, which is contained within and is a part of Ordinance No. 135-182, as herein provided, to amend said Ordinance to change the required setback distances and garage or accessory building or structure requirements for Garden Homes thereto as hereinafter set out:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA THAT ARTICLE X, SECTIONS 5 AND 9 SHALL BE AND ARE HEREBY AMENDED TO READ AS FOLLOWS:

Section 1: Article X, Sections 5 and 9, of the Pelham Zoning Ordinance, are amended to read as follows:

SECTION 5. Area and Dimensional Regulations. Except as provided in Article XXIV – "Supplementary Regulations and Modifications" and XXVII – "Board of Adjustment" the area and dimensional regulations set forth in the following table shall be observed.

Maximum Height of Structures		Minimum Yards (Feet)				*Minimum Lot Area Per Family	Minimum Lot Width
Stories	Feet	Front	Rear	Sides	Both Sides	Square Feet	Feet
2 ½	35	20	25	10 & 5	15	7,000	70

*Maximum Density – 6 Dwellings per Acre

SECTION 9. Additional Regulations (when applicable)

1. No residence in this zoning shall be located closer than ten (10) feet to any lot beside it measured from the closest outside wall, with the exception of garages accessed via a driveway from the front of the residence. These garages are further addressed below.
2. All residences in this zoning shall have a garage for the storage of a minimum of one vehicle. Garages accessed from the front of the residence must be at least fifty (50) feet from the front right-of-way line and must be accessed via a suitable hard bituminous or concrete surface driveway that runs from the street beside the residence to the garage. These garages shall have a minimum five (5) foot side setback. Garages must be at least fifteen (15) feet from any existing permanent structure or planned permanent structure (as shown on the final plat for any proposed RG subdivision) on an adjoining parcel measured from the closest outside wall to closest outside wall.
3. A storage facility consisting of not less than forty-eight square feet of floor area shall be included and enclosed within all garage spaces.
4. There shall be a minimum of two parking spaces per garden home outside of the right-of-way line. Garages accessed from the rear of the residence must be at least twenty-five (25) feet from the back right-of-way line.
5. If garages are provided in the rear of the residence via an alley, then an unobstructed fifteen-foot ingress and egress easement for a driveway paved with a suitable hard bituminous or concrete surface shall be provided to access the rear of each residence.
6. Accessory buildings and structures including garages may be built in a rear yard, but such accessory buildings and structures shall not occupy more than thirty percent of the required rear yard. All accessory buildings and structures other than garages shall adhere to all the minimum yard setbacks as described in Section 5 and shall not be closer than ten (10) feet from any property line.
7. All utilities shall be under existing public street rights-of-way or easements.
8. A screened storage area may be provided at the developer's discretion on a separate lot or common area with a suitable paved bituminous or concrete surface for parking boats, trailers, campers, recreational vehicles, and similar items to contain a minimum of one space per unit, if no garage space is provided for these items within the residence. None of the vehicles listed above can be parked in the front yard of a residence or in the portion of the driveway to the front of the residence. Any screening used in R-G Garden Home Residential District Zoning shall be in accordance with the requirements for specific uses set forth in Article XXIV, Section 13 – "Supplementary Regulations and Modifications – Screening".

Section 2: Each of the provisions of this ordinance is severable; and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.

Section 3: All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

Section 4: This ordinance shall become effective on May 9, 2015.

THEREUPON, Maurice Mercer, a council member moved and Beth McMillan, a council member seconded the motion that Ordinance No. 135-206 be given vote. The roll call vote on said motion was as follows:

Rick Hayes
Council President yes

Ron Scott
Council Member yes

Beth McMillan
Council Member yes

Maurice Mercer
Council Member yes

Karyl Rice
Council Member

Ordinance No. 135-206 passed by majority vote of the Council and the Council President declared the same passed.

ADOPTED this 4th day of May 2015.


Rick Hayes, Council President

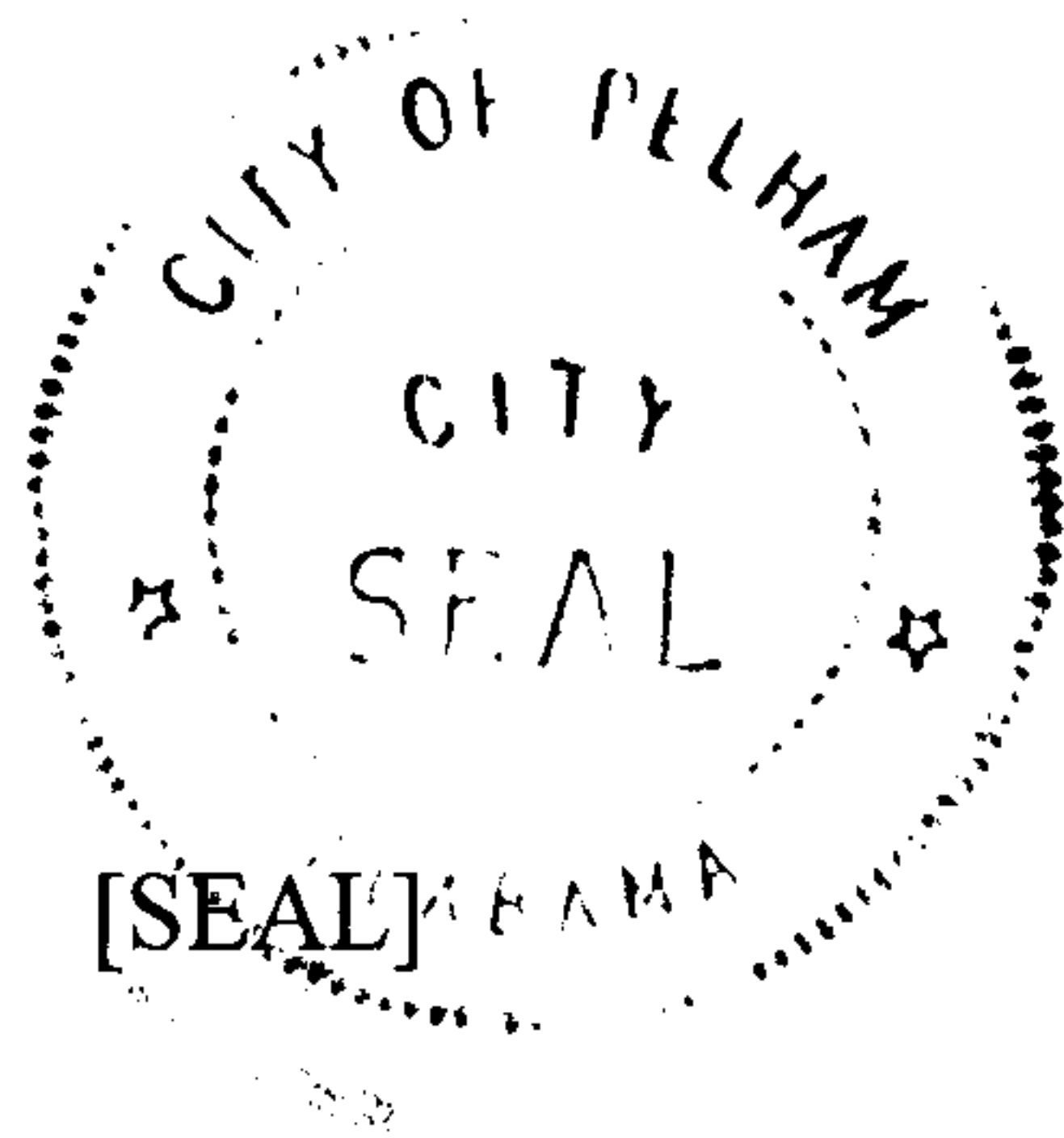
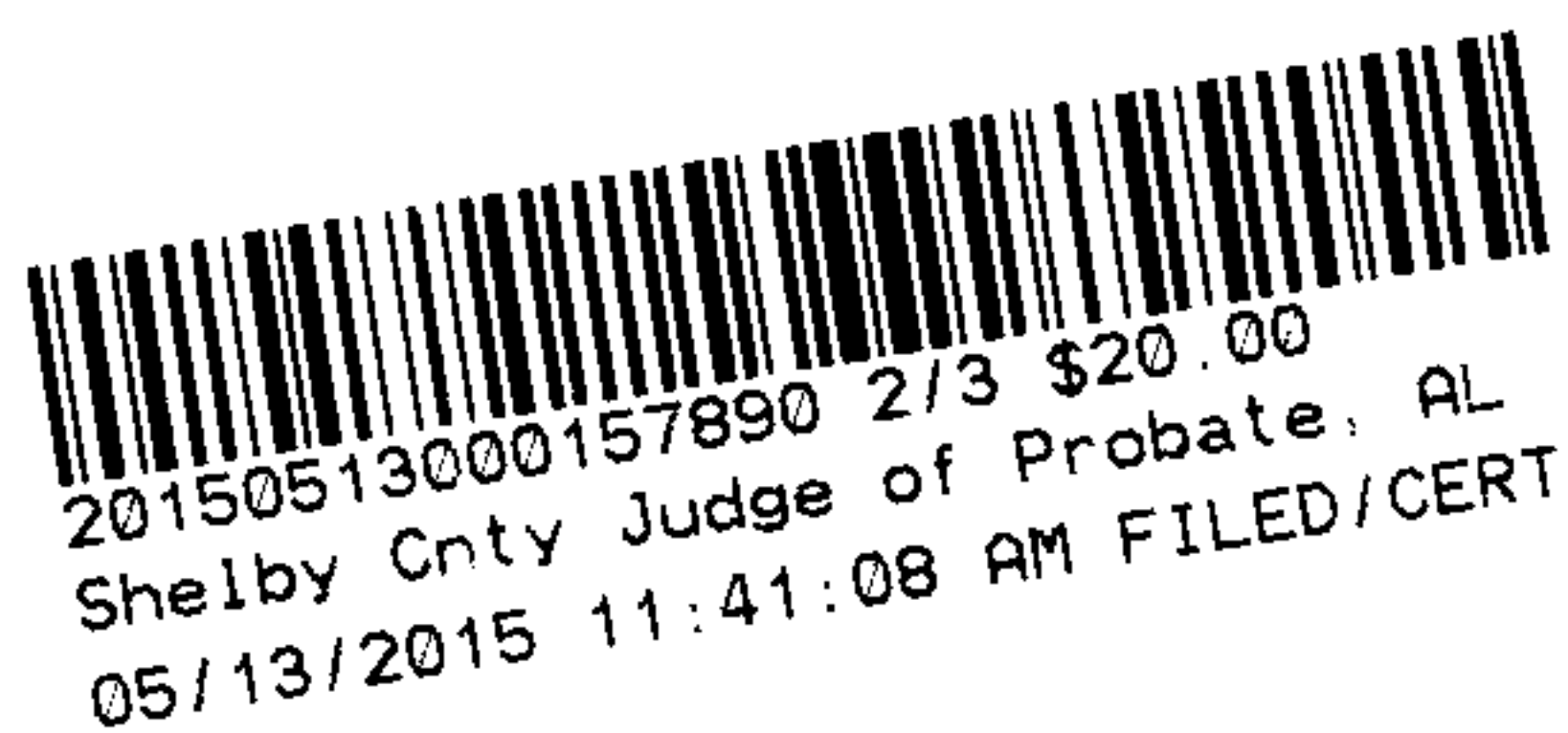


Ron Scott, Council Member

Beth McMillan
Beth McMillan, Council Member


Maurice Mercer
Maurice Mercer, Council Member

Karyl Rice, Council Member



ATTEST:


Marsha Yates
Marsha Yates, OMC, City Clerk




Gary Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE No. 135-206 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 4th day of May 2015, and duly published by posting an exact copy thereof on the 5th day of May 2015, at four public places within the City of Pelham, Alabama, including the Mayor's Office at City Hall, City Park, Library, Water Works and www.pelhamonline.com. I further certify that said ordinance is on file in the office of the City Clerk and a copy of the full ordinance may be obtained from the office of the city Clerk during normal business hours.


Marsha Yates, QMC, City Clerk




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Shelby Cnty Judge of Probate, AL
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