

ORDINANCE 15-04

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits; and

WHEREAS, Hyrum City has recently decreased the minimum lot size for residential lots from 12,000 to 9,900 square feet, and reduced the side yard requirements from ten to eight feet in all zones; and

WHEREAS, Hyrum City's Residential and Commercial Zones have current setback requirements of 30' for all structures; and

WHEREAS, a reduction of rear and front setbacks would allow developers and builders more options for the placement and design of houses.

NOW, THEREFORE, upon recommendation of the Planning Commission and following a public hearing as required by Section 17.08.150, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING SECTIONS 17.24.040, 17.24.050, 17.28.030, 17.28.040, 17.30.030, 17.30.040, 17.38.030, 17.38.040, 17.44.150, 17.44.160, 17.45.250 AND 17.45.260 OF TITLE 17 OF THE HYRUM CITY MUNICIPAL CODE TO REDUCE THE FRONT SETBACKS ON RESIDENTIAL LOTS TO 25 FEET.

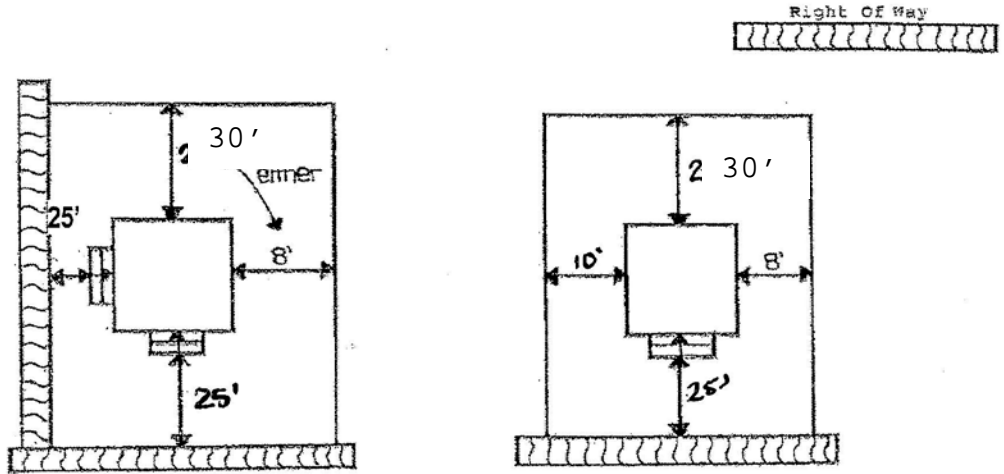
1. Section 17.24.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.24.040 Frontage regulations.**

- A. The setback line from the property line for all main buildings shall not be less than twenty-five (25) feet.
- B. New annexations and new subdivisions shall have a minimum lot width of eighty-two and one half (82 ½) feet.
- C. Establishing setback for lots with concave or convex front property lines: It is intended that the nearest portion of the building to the street be setback at least twenty-five (25) feet from the front property line, and that the width of the property be not less than eighty-two and one half (82 ½) feet at that point (see illustration). The property may not be narrower

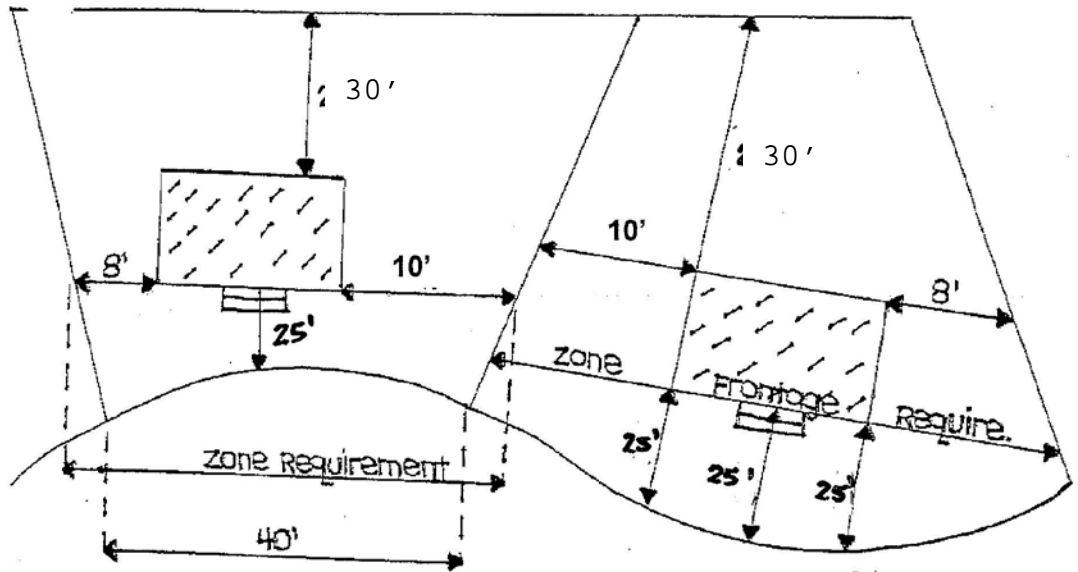
than forty feet at the front property line.

Minimum Residential Setbacks



Corner Lot House  
Facing short or long  
side of yard.

Non Corner Lot House  
The 8' and 10' side setbacks  
can be on either side.



Concave Property Line

Convex Property Line

The 8' and 10' side setbacks can be on either side.

2. Section 17.24.050 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.24.050 Yard regulations.**

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
  - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be

- made to the closest column.
2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
  3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
  2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see figure 17.24.050).

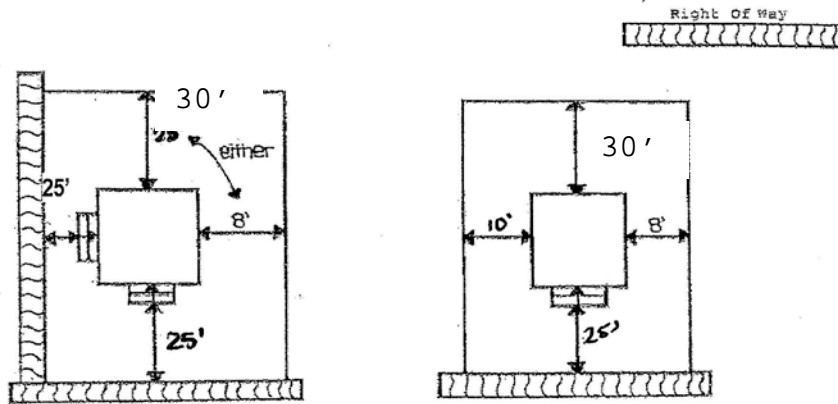
3. Section 17.28.030 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.28.030 Frontage regulations.**

- A. The setback line from the property line for all main buildings shall not be less than twenty-five (25) feet.
- B. New annexations and new subdivisions shall have a minimum lot width of eighty-two and one half (82 ½) feet.
- C. Establishing setback for lots with concave or convex front property lines: It is intended that the nearest

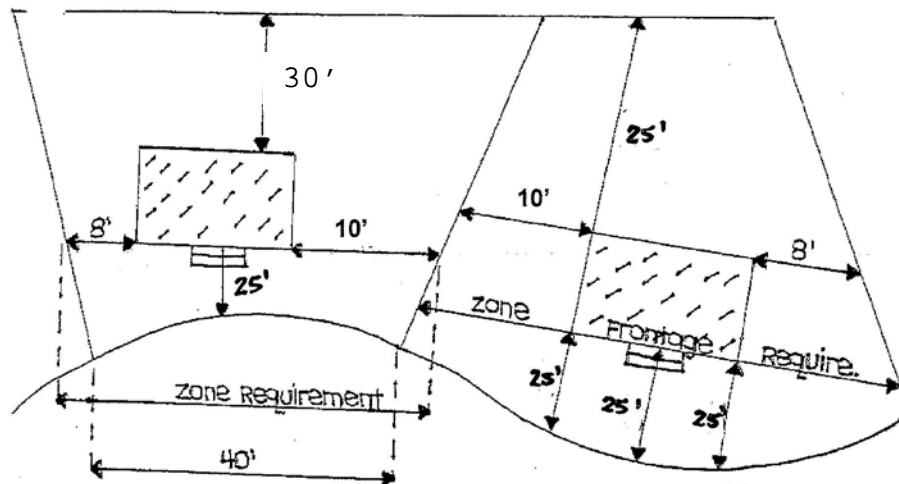
portion of the building to the street be setback at least twenty-five (25) feet from the front property line, and that the width of the property be not less than eighty-two and one half (82 ½) feet at that point (see illustration). The property may not be narrower than forty feet at the front property line.

Minimum Residential Setbacks



Corner Lot House  
Facing short or long  
side of yard.

Non Corner Lot House  
The 8' and 10' side setbacks  
can be on either side.



Concave Property Line      Convex Property Line  
The 8' and 10' side setbacks can be on either side.

4. Section 17.28.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.28.040 Yard regulations.**

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
  - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be

- made to the closest column.
2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
  3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
  2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see figure 17.28.050).

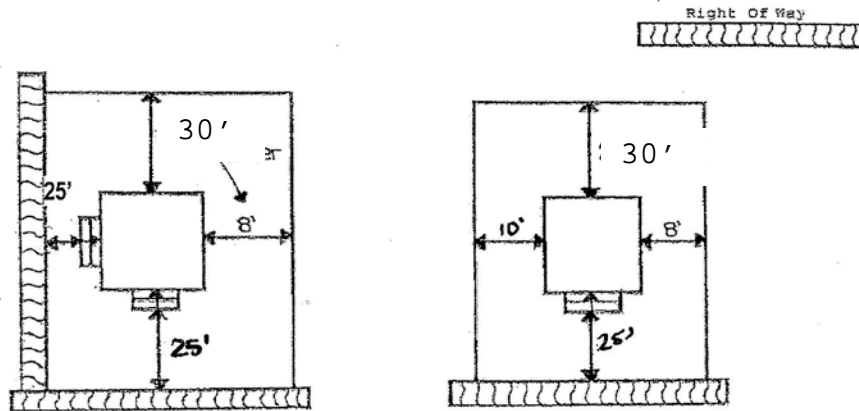
5. Section 17.30.030 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.30.030 Frontage regulations.**

- A. The setback line from the property line for all main buildings shall not be less than twenty-five (25) feet.
- B. New annexations and new subdivisions shall have a minimum lot width of eighty-two and one half (82 ½) feet.
- C. Establishing setback for lots with concave or convex front property lines: It is intended that the nearest

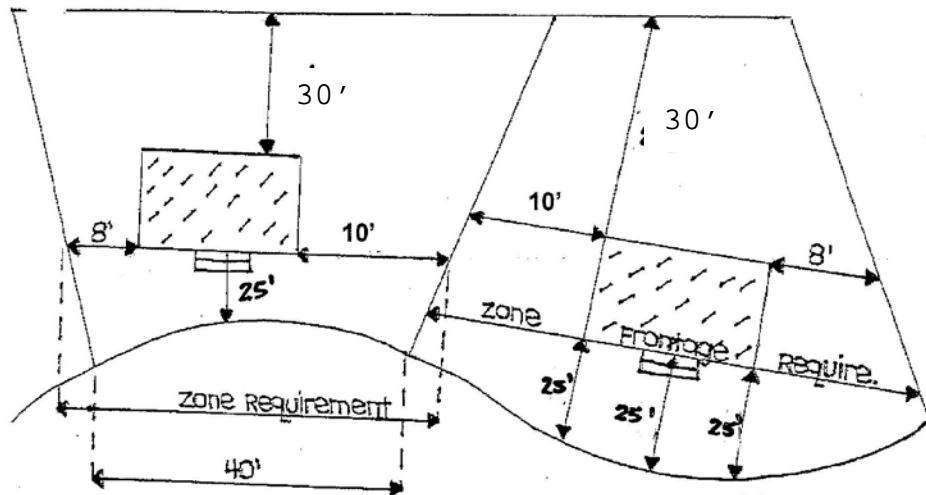
portion of the building to the street be setback at least twenty-five (25) feet from the front property line, and that the width of the property be not less than eighty-two and one half (82 ½) feet at that point (see illustration). The property may not be narrower than forty feet at the front property line.

Minimum Residential Setbacks



Corner Lot House  
Facing short or long  
side of yard.

Non Corner Lot House  
The 8' and 10' side setbacks  
can be on either side.



Concave Property Line      Convex Property Line  
The 8' and 10' side setbacks can be on either side.

- D. Lots on which multi-family units are to be emplaced will have a minimum frontage at both the street and setback line of one hundred feet (100') for a duplex, one hundred fifteen feet (115') for a triplex, and one hundred thirty feet (130') for a fourplex.

6. Section 17.30.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.30.040 Yard regulations.**

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to 30' x yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
  - 1. When a porch extends toward the street having a

- roof supported by columns. The measurement will be made to the closest column.
2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
  3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
  2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see figure 17.30.040).

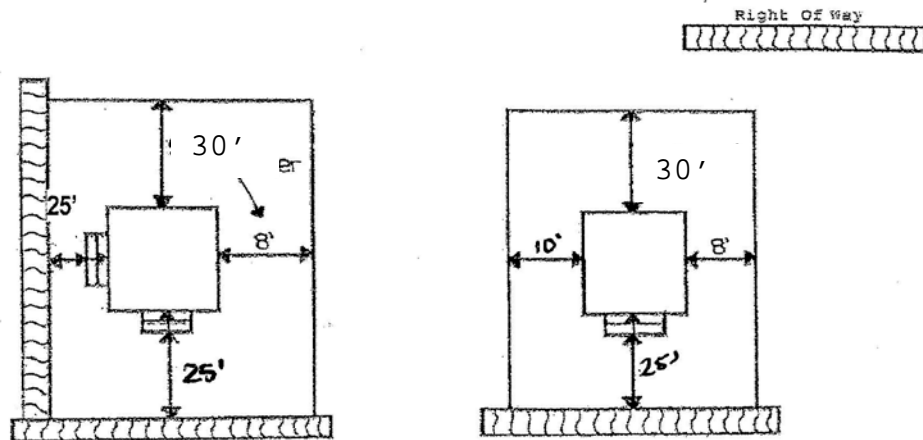
7. Section 17.38.030 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.38.030 Frontage regulations.**

- A. The setback line from the property line for all main buildings shall not be less than twenty-five (25) feet.
- B. New annexations and new mini-subdivisions shall have a minimum lot width of eighty-two and one half (82 ½) feet.
- C. Establishing setback for lots with concave or convex

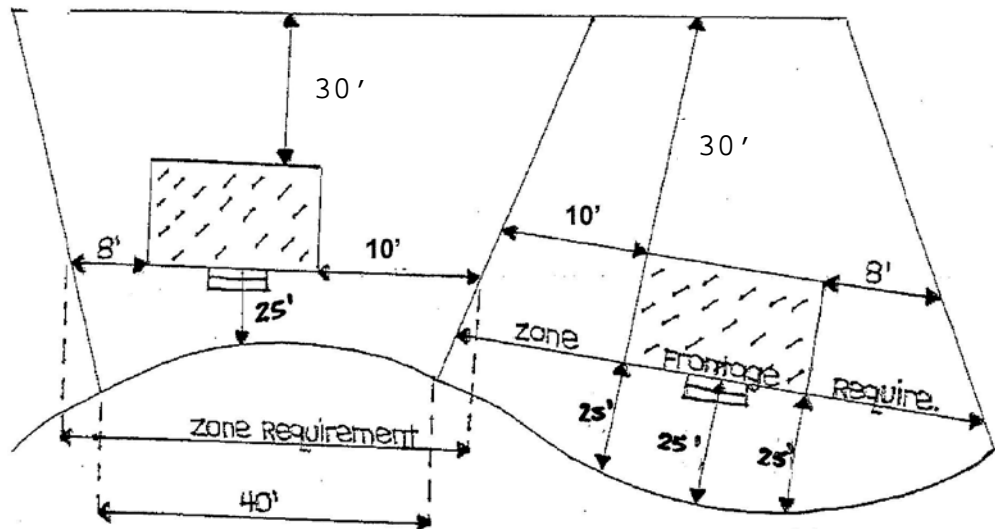
front property lines: It is intended that the nearest portion of the building to the street be setback at least twenty-five (25) feet from the front property line, and that the width of the property be not less than eighty-two and one half (82 ½) feet at that point (see illustration). The property may not be narrower than forty feet at the front property line.

Minimum Residential Setbacks



Corner Lot House  
Facing short or long  
side of yard.

Non Corner Lot House  
The 8' and 10' side setbacks  
can be on either side.



Concave Property Line      Convex Property Line  
The 8' and 10' side setbacks can be on either side.

8. Section 17.38.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.38.040 Yard regulations.**

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
  - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be

- made to the closest column.
2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
  3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
  2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see figure 17.38.040).

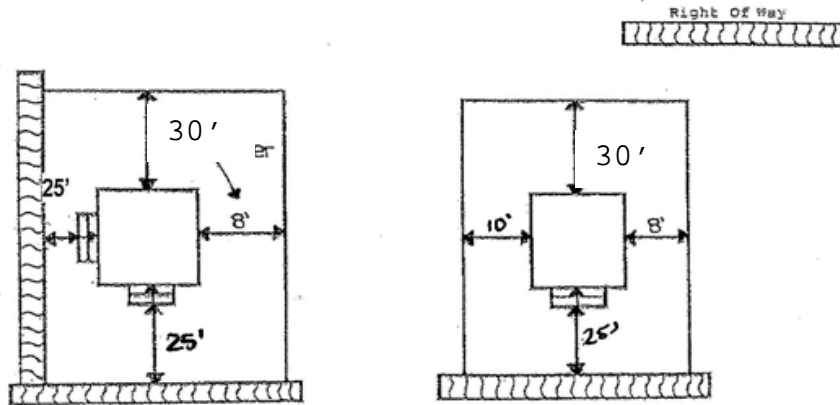
9. Section 17.44.150 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.44.150 Frontage regulations - Residential Use.**

- A. The setback line from the property line for all main buildings shall not be less than twenty-five (25) feet.
- B. New annexations and new subdivisions shall have a minimum lot width of eighty-two and one half (82 ½) feet.
- C. Establishing setback for lots with concave or convex front property lines: It is intended that the nearest

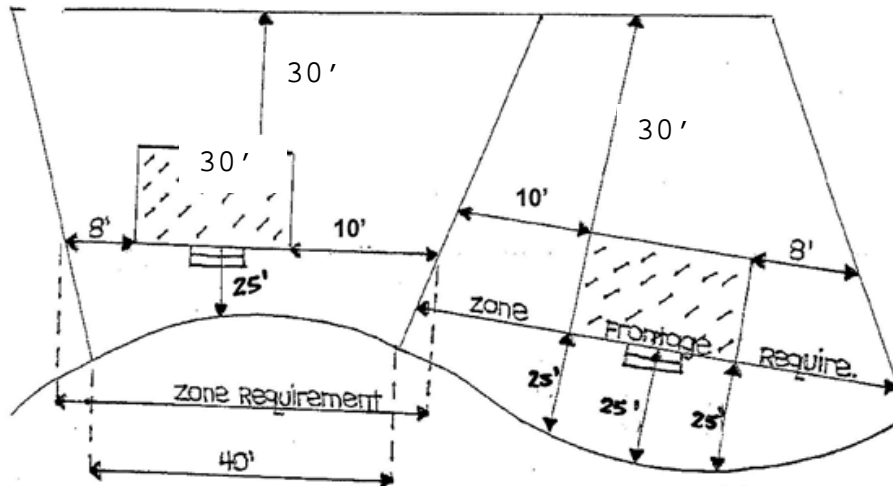
portion of the building to the street be setback at least thirty (30) feet from the front property line, and that the width of the property be not less than eighty-two and one half (82 ½) feet at that point (see illustration). The property may not be narrower than forty feet at the front property line.

Minimum Residential Setbacks



Corner Lot House  
Facing short or long  
side of yard.

Non Corner Lot House  
The 8' and 10' side setbacks  
can be on either side.



Concave Property Line      Convex Property Line  
The 8' and 10' side setbacks can be on either side.

10. Section 17.44.160 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.44.160 Yard regulations.**

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back twenty-five (25) foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30).
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
  - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be

- made to the closest column.
2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
  3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
  2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see figure 17.44.160).

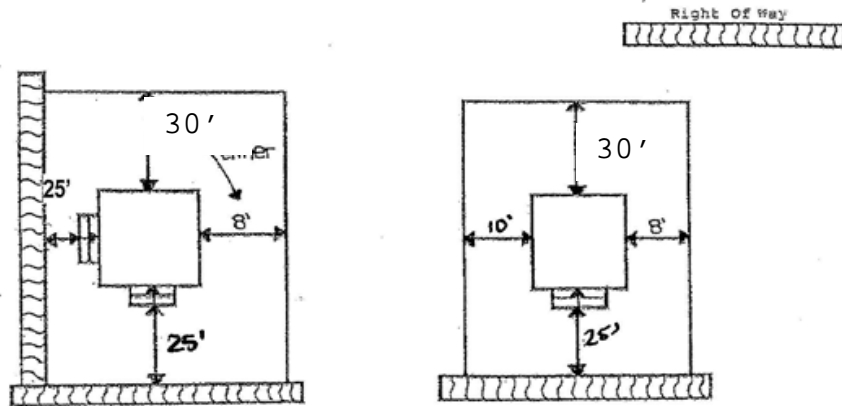
11. Section 17.45.250 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.45.250 Frontage regulations - Residential Use.**

- A. The setback line from the property line for all main buildings shall not be less than twenty-five (25) feet.
- B. New annexations and new subdivisions shall have a minimum lot width of eighty-two and one half (82 ½) feet.
- C. Establishing setback for lots with concave or convex front property lines: It is intended that the nearest

portion of the building to the street be setback at least twenty-five (25) feet from the front property line, and that the width of the property be not less than eighty-two and one half (82 ½) feet at that point (see illustration). The property may not be narrower than forty feet at the front property line.

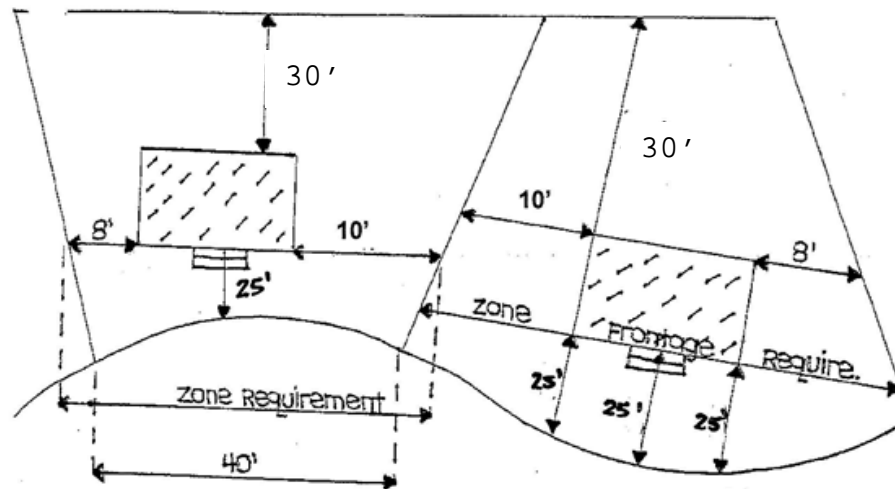
Minimum Residential Setbacks



12.

Corner Lot House  
Facing short or long  
side of yard.

Non Corner Lot House  
The 8' and 10' side setbacks  
can be on either side.



Concave Property Line      Convex Property Line  
The 8' and 10' side setbacks can be on either side.

Section 17.45.260 of the Hyrum City Municipal Code is hereby amended to read as follows:

**17.45.260 Yard regulations.**

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular

access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.

- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
  - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
  - 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.

3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
    1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
    2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
  - J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
    1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
  - K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see figure 17.45.260).

REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the

regulations contained therein, are hereby declared to be severable.

EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 21<sup>st</sup> day of May, 2015.

HYRUM CITY

BY: \_\_\_\_\_  
Stephanie Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Posted: May 27, 2015