

**Laketown, Utah  
ORDINANCE 2019-06**

**AN ORDINANCE OF LAKETOWN AMENDING THE ZONING ORDINANCE OF LAKETOWN TITLE 10 CHAPTER 6 ARTICLE A SECTION 5 TO ADJUST THE HEIGHT REQUIREMENTS OF RESIDENTIAL-AGRICULTURAL ZONES BUILDING AND ACCESSORY BUILDING AND TO ESTABLISH HEIGHT EXCEPTIONS AND A FLAG POLE MAXIMUM HEIGHT**

**Commented [c1]:** 11/20/2019 Herm asked "What about HVAC, cupolas, or wind vanes? Does the 35 feet include these or exclude these? Does the roofline need to be 32 feet to allow for a 3-foot HVAC system or cupolas or are they extra in addition to the 35 feet? Can they go beyond that 35 feet? We may need to add words if it is not already stated such as "including/excluding HVAC, cupolas, lightening rods."

**WHEREAS;** The Town is committed to provide for the health, safety, morals, convenience, order, prosperity and welfare, of present and future residents, and

**WHEREAS;** The Town has zoning regulations, and

**WHEREAS;** The Town desires to maintain visibility for adjacent homes and create uniformity in the heights of buildings and flag poles, and

**WHEREAS;** The Laketown Planning and Zoning Commission recommends this amendment and the Town Council conducted a public hearing on the amendment.

**NOW THEREFORE, BE IT ORDAINED** by the Laketown Town Council that the Laketown Code zoning ordinance 10-6A-5 Height Regulations be amended to adjust the height requirements of Residential-Agricultural Zones building and accessory building and by adding height exceptions and a flag pole maximum height.

**SECTION 1:** Language to be deleted.

~~10-6A-5 HEIGHT REGULATIONS: No building shall be erected to a height greater than thirty feet (30') or two and one-half (2 ½) stories. No accessory building shall be erected to a height greater than twenty feet (20') or one story. (Ord. A-1, 5-21-1981; amd. 2001 code)~~

**SECTION 2:** Language to be added.

10-6A-5 HEIGHT REGULATIONS:

A. No building shall be erected to a height greater than thirty feet (35'),

B. The building height shall not include belfries, chimneys, cupolas, domes, flues, spires, air conditioning units, solar panel, nor apply to similar structures and mechanical appurtenances placed on roofs, provided that no such structure shall

be used for human occupancy, nor exceed five feet above the peak of the roof unless approval is given by the Planning and Zoning Commission.

C. No accessory building shall be erected to a height greater than twenty-five feet (25) feet.

D. Flag pole maximum height on a residential lot shall be no greater than thirty-five (35) feet.

**SECTION 3:** This ordinance shall take effect upon adoption.

**PASSED and ADOPTED THIS 15<sup>th</sup> day of January 2020.**

**Town of Laketown:**

\_\_\_\_\_  
**Burdette W. Weston**  
**Laketown Mayor**

**TOWN COUNCIL VOTE AS RECORDED:**

	<b>Aye</b>	<b>Nay</b>
<b>Council Member Clark:</b>	_____	_____
<b>Council Member Ogilvie:</b>	_____	_____
<b>Council Member Robinson:</b>	_____	_____
<b>Council Member Wight:</b>	_____	_____
<b>(In event of a tie vote of the Council):</b>		
<b>Mayor Burdette W. Weston</b>	_____	_____

**ATTEST:**

\_\_\_\_\_  
**Amber Droesbeke**  
**Clerk**