

**TOWN OF OAK GROVE, ALABAMA  
ORDINANCE NO. 008 O**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND MAP OF THE TOWN OF OAK GROVE, ALABAMA AND ORDINANCE NO. 8, AND AMENDMENTS "A" THROUGH "N" ENTITLED, "TOWN OF OAK GROVE ZONING ORDINANCE," ENACTED PURSUANT TO THE AUTHORITY GRANTED BY TITLE 11-52-70 THROUGH 84, INCLUSIVE OF THE CODE OF ALABAMA, 1975, AS AMENDED.**

WHEREAS, the Town of Oak Grove Planning Commission has considered an amendment for the Oak Grove Zoning Ordinance and rezoning of property, upon which a public hearing was duly conducted, and has submitted to the Town Council of the Town of Oak Grove a formal written report and recommendation for action regarding said amendment;

WHEREAS, the Town Council of the Town of Oak Grove has received a formal written report and recommendation from the Town of Oak Grove Planning Commission regarding an amendment to the Oak Grove Zoning Ordinance, and;

WHEREAS, all applicable requirements of the Oak Grove Zoning Ordinance and Title 11-52-77 of the Code of Alabama, 1975, as amended, have been satisfied;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF OAK GROVE, ALABAMA, AS FOLLOWS;

1. Amendment of the zoning ordinance to allow for Garden Homes to be designated as zoning district R-GH as described on Exhibit "A" attached hereto.
2. Amendment for rezoning Spring Creek Trailer Park from mobile home area to Spring Creek Residential Subdivision Garden Home District R-GH as described on Exhibit "B" attached hereto.
3. Amendment of the zoning map: The official zoning map of the Town of Oak Grove, Alabama, established by and under the authority of the Town of Oak Grove Zoning Ordinance No. 008 and amendments A through N is hereby amended to include the property rezoning described on Exhibit "B" attached hereto as exhibit "C".
4. All ordinances or parts of ordinances heretofore adopted by the Town Council of the Town of Oak Grove, Alabama which are inconsistent with the provisions of this ordinance are hereby expressly repealed.

5. If any part, section, or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

6. This ordinance shall become effective immediately upon its adoption, approval and publication as provided by law.

ADOPTED AND APPROVED this the 21<sup>st</sup> day of November 2005.



Clemmie E. Lewis, Mayor



Charles R. Merkel

**ABSENT**

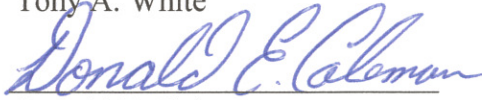
James C. Armstrong

**ABSENT**

Tony A. White

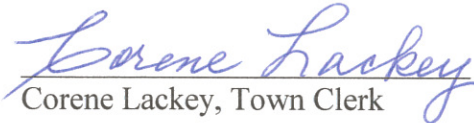


James M. Landers



Donald E. Coleman

ATTEST:

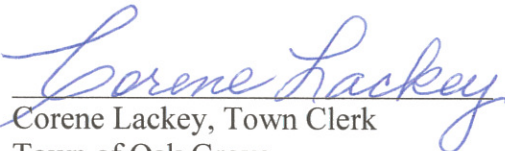


Corene Lackey, Town Clerk

CERTIFICATION:

I, Corene Lackey , Town Clerk of the Town of Oak Grove, Alabama, do hereby certify that the foregoing Ordinance No. 008 O, was duly adopted by the Town Council of the Town of Oak Grove, Alabama, in special session, November 21, 2005; that the same was published by the posting of copies thereof in three public places within the said Town of Oak Grove, Alabama, on the 22<sup>nd</sup> day of November, 2005; one such public place being the Town Hall Bulletin Board within the said Town.

IN WITNESS WHEREOF, I have hereunto set my hand this the 22<sup>nd</sup> day of November 2005.

  
Corene Lackey, Town Clerk  
Town of Oak Grove



## Exhibit "A" Ordinance No. 008 O

### Section 714. *R-GH Garden Home Residential District*

Section 715. *Garden Home Subdivisions.* For the purposes of this Ordinance, a Garden Home shall be defined as a single family detached dwelling unit (excluding manufactured homes) designed and sited on a lot to maximize rear yard or rear and side yard access and utility, through the construction of an exterior patio or first floor deck, rear patio doors, large rear and/or side windows, and the incorporation of intensive ornamental landscaping (which may include ornamental fencing) surrounding the exterior patio/deck to enhance rear/side yard privacy and visual appeal. Garden homes are designed to create a high value single family residential environment in a high density setting. All garden home developments shall comply with the following requirements:

- 715.1 *Residential dwelling types permitted.* Single family dwellings, excluding manufactured homes.
- 715.2 *Infrastructure requirements.* All garden homes shall be served by municipal water and sewer.
- 715.3 *Siting.* Garden home structures shall be sited as close as possible to the front setback line and one of the side yard setback lines to maximize utility of the remaining rear and opposing side yard for patio/garden development. Such units may be designed as a zero lot line development in accordance with the provisions of Article IV, Section 409 of this Ordinance.
- 715.4 *Accessory structures.* No accessory structures shall be permitted on a garden home lot. Garages must be attached to the dwelling unit. Exterior storage units must match the home in covering and style.
- 715.5 *Landscaping.* Intensive ornamental landscaping shall be provided in the rear and side yard of all garden homes to ensure visual privacy within the enlarged side and rear yards and to create an attractive garden environment. Ornamental walls constructed of wood, brick, or stone not taller than six (6) feet in height and terraces may be incorporated into the landscaping scheme to provide additional privacy and visual interest.
- 715.6 *Windows.* Windows within garden homes shall be designed to favor (in terms of size, number, or both) views of the landscaped rear and/or side yards of the property. Exterior windows facing the closest side yard lot line to the dwelling shall be minimal in size and number (with skylights favored over windows) to promote a sense of privacy on the adjoining lot.

715.7 *Dimensional Requirements.*

- 715 (a) *Minimum Lot Size:* Seven thousand, two hundred (7,200) square feet for each single family dwelling unit. Lots not served by municipal sewer shall contain not less than the minimum required, plus any additional area deemed necessary by the Talladega County Health Department for proper siting and installation of on-site sewage disposal facilities.
- 715 (b) *Minimum Lot Width:* Sixty (60) feet for each single family lot.
- 715 (c) *Minimum Front Yard Setback:* Twenty (20) feet from the edge of a major street right-of-way line or easement and Twenty (20) feet from the edge of a minor street right-of-way or easement line for any single family lot.
- 715 (d) *Minimum Rear Yard Setback:* Twenty-five (25) feet for any single family lot.
- 715 (e) *Buffers.* A landscaped (vegetated) buffer not less than fifteen (15) feet in width shall be established along all exterior boundaries of the subdivision site that adjoin properties zoned R-1.
- 715 (f) *Maximum Percentage of Lot Covered by Impervious Surfaces:* Twenty-eight (28) percent.
- 715 (h) *Maximum Structure Height:* Forty-five (45) feet or two-and-one-half (2.5) stories for all structures that are not exempt from height requirements, as specified in Article III, Section 304 of this Ordinance.
- 715 (j) *Required Off-Street Parking:* Two spaces.

***Section 409 - Zero Lot Line Developments***

A zero lot line development is a single family subdivision within which the standard side yard setback requirements are modified to allow the individual dwelling units to be sited along one side yard lot line with a corresponding increase in the opposing side yard. The modified setback requirements authorized by this Section of the Zoning Ordinance must be approved by the Planning Commission as part of a preliminary subdivision plan for the proposed zero lot line development. The Zero Lot Line concept may be applied to



any residential subdivision in the R-GH residential zoning districts. All zero lot line developments shall comply with the following requirements:

- 409.1 *Zero lot line zoning modifications allowed only for subdivisions.* The zoning modifications stipulated in this Section for zero lot line developments shall be approved only for a subdivision that satisfies all special requirements for zero lot line developments. No zero lot line zoning modifications shall be authorized for an individual dwelling building lot that is not part of a zero lot line subdivision plat approved by the Planning Commission.
- 409.2 *Infrastructure requirements.* All dwelling units in a zero lot line development shall be served by municipal water.
- 409.3 *Residential dwelling types permitted.* Any single family dwelling, including garden homes, but excluding manufactured homes, shall be permitted within a zero lot line development, as long as the proposed units satisfy all applicable dimensional requirements of this zoning district.
- 409.4 *Minimum size of a zero lot line development site.* All zero lot line development sites shall contain not less than three (3) acres. At least eighty (80) percent of the development site shall consist of developable land area.
- 409.5 *Side yard setback modification.* Within any zero lot line subdivision approved by the Planning Commission, the minimum side yard setback on one side of each lot shall be reduced to one (1) foot, resulting in a corresponding increase in the minimum side yard setback requirement for the opposing side yard on the lot. In no instance shall a reduced side yard on one lot abut a reduced side yard on an adjoining lot. One exterior wall of each dwelling unit constructed on a zero lot line property shall be sited along the reduced side yard setback.
- 409.6 *Maintenance easement required.* For each zero lot line property, a permanently dedicated four (4) foot wide maintenance easement shall be imposed on the side yard of the adjoining property that abuts a zero side yard, to allow the zero lot line property owner adequate access to the neighboring property to maintain the exterior wall of the dwelling along the zero lot line. The easement shall prohibit the construction of any fence, landscaping, or other access obstruction with the required maintenance easement.
- 409.7 *No windows or doors allowed along the zero side yard.* No exterior windows or doors shall be permitted along any dwelling wall that is located along a zero side yard. Skylights along the interior ceiling line of

each floor may be permitted by the Planning Commission, provided that they are designed to ensure the privacy of the neighboring yard.

409.8 *Consistency within blocks.* Side yard setbacks shall not be modified for an individual lot, unless it is part of a block within the development in which all lots will possess zero side yards. No reduced side yard within a Zero Lot Line Development shall abut a standard lot adjacent to the development.

409.9 *Common open space and recreation improvements.* All commonly owned lands shall be subject to the Common Open Space Requirements specified in Article III, Section 305 of this Ordinance. All zero lot line developments containing fifty (50) or more dwelling units shall provide one or more improved outdoor recreational area(s) for the tenants of the development utilizing not less than ten (10) percent of the gross development site area. At least half of the land dedicated to such recreational improvements shall be developable land area, and the recreational area or areas must be afforded public access from every dwelling unit in the development. Recreational improvements shall be designed to serve the specific recreational needs of the target population for the development (if the development has been designed to serve a specific market segment of the population), and may include:

- A hard surface walking trail with exercise stations.
- A swimming pool facility.
- Tennis/basketball courts.
- Athletic fields (but no bleachers or stands).
- A playground with playground equipment.
- A recreational lake with at least one of the following facilities: a community boat launch, fishing pier, and/or a beach. The improvement of an existing water amenity adjacent to or within the development shall satisfy this recreational option.
- A community picnic area with picnic tables, barbecue stations, and/or pavilions.
- A skateboard track.
- A perpetually maintained ornamental garden with walking paths and a gazebo.

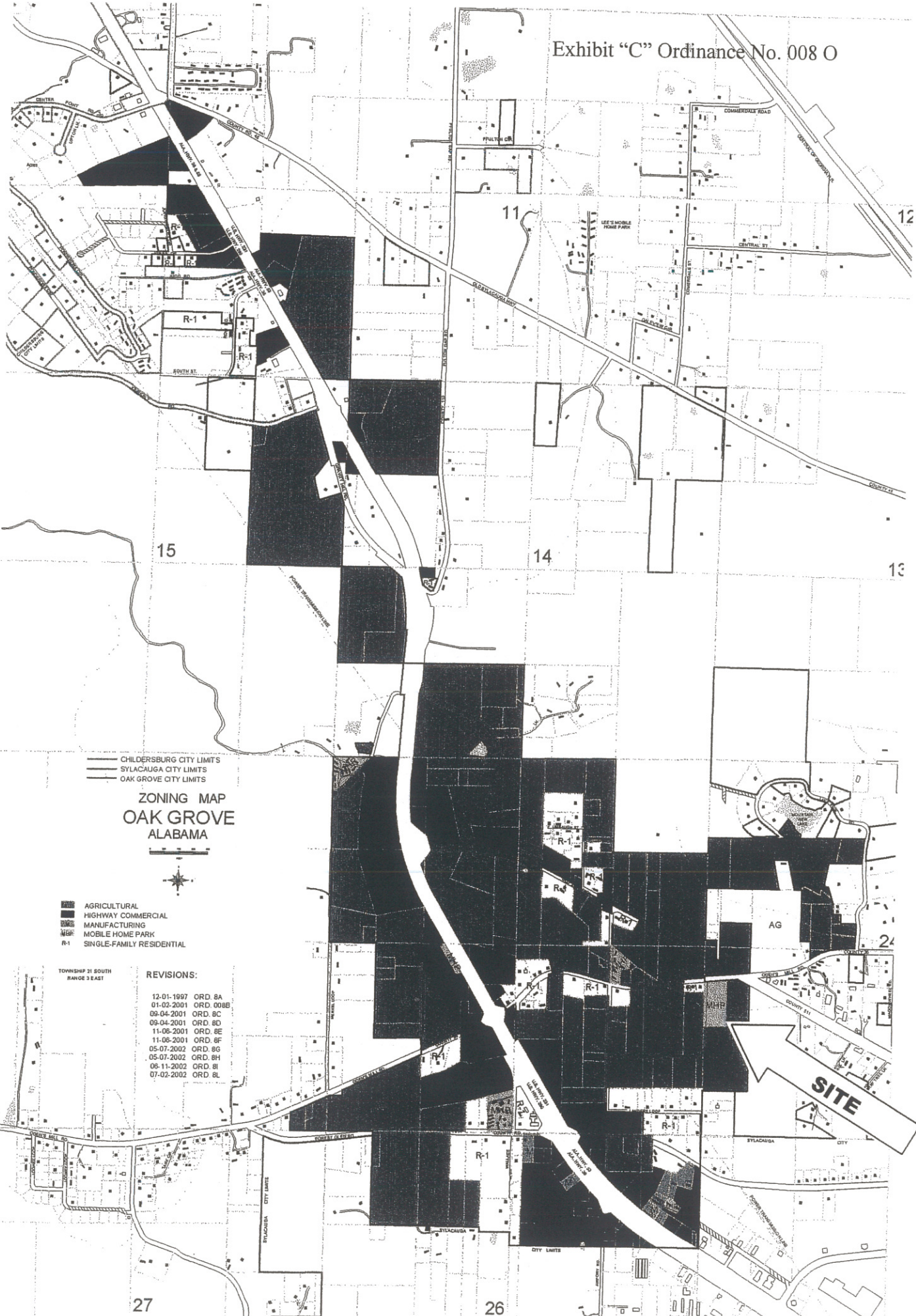
- Golf putting greens or a miniature golf course.

409.10 *Buffer requirements.* A landscaped and perpetually maintained buffer shall be provided along any property line of a zero lot line development that adjoins a property zoned R-1 and along any road classified as an arterial or collector highway in the Oak Grove Comprehensive Plan.



4.53 ACRE TRACT: Commence at the Southwest corner of Section 24, Township 21 South, Range 3 East, Talladega County, Alabama; thence proceed North 00° 20' 55" East along the West boundary of said Section 24 for a distance of 1535.24 feet to the point of beginning. From this beginning point proceed North 00° 20' 55" East along the West boundary of said section for a distance of 627.03 feet to a ½" rebar in place, said point being located on the Southerly right-of-way of Talladega County Road No. 36; thence proceed North 85° 44' 07" East along the Southerly right-of-way of Talladega County Road No. 36 for a distance of 316.02 feet; thence proceed South 00° 20' 55" West for a distance of 627.03 feet; thence proceed South 85° 44' 07" West for a distance of 316.02 feet to the point of beginning.

The above described land is located in the Southwest one-fourth of Section 24, Township 21 South, Range 3 East, Talladega County, Alabama, and contains 4.53 acres.



CHILDERSBURG CITY LIMITS  
 SYLACAUGA CITY LIMITS  
 OAK GROVE CITY LIMITS

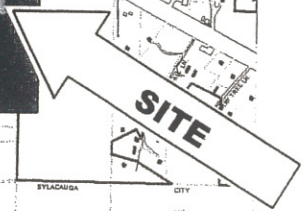
**ZONING MAP  
 OAK GROVE  
 ALABAMA**



- AGRICULTURAL
- HIGHWAY COMMERCIAL
- MANUFACTURING
- MOBILE HOME PARK
- R-1 SINGLE-FAMILY RESIDENTIAL

TOWNSHIP 31 SOUTH  
 RANGE 3 EAST

- REVISIONS:**
- 12-01-1997 ORD. 8A
  - 01-02-2001 ORD. 008B
  - 09-04-2001 ORD. 8C
  - 09-04-2001 ORD. 8D
  - 11-06-2001 ORD. 8E
  - 11-06-2001 ORD. 8F
  - 05-07-2002 ORD. 8G
  - 05-07-2002 ORD. 8H
  - 06-11-2002 ORD. 8I
  - 07-02-2002 ORD. 8L



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**SITE**