

ORDINANCE NO. 2020-03-09

**AN ORDINANCE ESTABLISHING BUILDING SET-BACK
REQUIREMENTS FOR ALL CONSTRUCTION IN THE
CORPORATE LIMITS OF THE CITY OF ODENVILLE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ODENVILLE,
ALABAMA, as follows:**

ARTICLE I. Purpose

Section 1. Pursuant to the authority established by the Code of Alabama, 1975, et seq., this Ordinance is intended to serve the following purposes:

- 1.01** To establish and regulate the required minimum horizontal distance between the building line and the related front, side, or rear lot line for all residential and commercial construction or installation within the corporate limits of the City of Odenville
- 1.02** To insure that these regulations have been made with reasonable considerations to the character of the residential and commercial areas of the City of Odenville
- 1.03** To provide for methods of administration of this Ordinance and the penalties for the violation thereof

Section 2. This Ordinance shall apply to all areas within the corporate limits of the City of Odenville, Alabama.

ARTICLE II. Definitions

Section 1. Except as specified herein, all words used in this Ordinance shall have their customary dictionary definitions. For the purposes of this Ordinance, certain words or terms are to be interpreted as follows:

2.01 Building – A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, or chattels; and when supported by division walls from the ground up without ingress and egress provided between such divisions by suitable openings, each portion of such building so divided shall be deemed a separate building.

2.02 Building Area - That portion of a lot occupied by the main building, including porches, carports, accessory buildings and other structures.

2.03 Development – The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, alteration, relocation, or enlargement of a structure; any use or change in use of any building or land; any extension of any use of land or any clearing, grading or other movement of land, for which permission may be required under this Ordinance.

2.04 Dwelling – Any building or portion thereof which is designed or used exclusively for residential occupancy.

2.05 Dwelling, Attached - Two (2) or more dwelling units adjoining one another by a common roof, wall, or floor, such as a duplex, townhome, or apartment.

2.06 Dwelling, Detached – A dwelling designed for and occupied by not more than one (1) family and having no roof, wall or floor in common with any other dwelling until, such as a single-family residence or manufactured home.

2.07 Dwelling, Two Family – A building so designed and arranged to provide sleeping, cooking and kitchen accommodations and toilet facilities for occupancy of two families only, together with such domestic help as is deemed necessary to service and maintain the premises and their occupants.

2.08 Dwelling, Multiple – A building used or intended to be used as a dwelling by three or more families, or as an apartment house.

2.09 Lot – A plot or parcel of land devoted to common use or occupied by a building and its accessory buildings, or by a dwelling or group of dwellings and their accessory buildings, together with such open spaces as are required under the provisions of the Ordinance and having not less than the minimum area required by this Ordinance and having its principal frontage upon a public street or private way.

2.10 Lot, Corner – A lot abutting upon two or more streets at their intersection

2.11 Lot, Interior – A lot other than a corner lot

2.12 Lot Line - The lines bounding a lot as defined herein.

2.13 Lot Line, Front - The front lot line is that opposite the rear line. In case of a lot terminating at a point at the rear of the lot, or having a rear lot line less than ten feet (10') long, the rear lot line shall be considered a line parallel to the front lot line having a length not less than ten feet (10').

2.14 Lot Line, Rear - The rear lot line is that opposite the front line. In case of a lot terminating at a point at the rear of the lot, or having a rear lot line less than ten feet (10') long, the rear lot line shall be considered a line parallel to the front lot line having a length not less than ten feet (10').

2.15 Lot Line, Side - Any lot lines other than front lot line or rear lot line.

2.16 Lot Width - The width of the lot measured at the building set back line.

2.17 Manufactured Home - A structure, transportable in one or more section which, in the traveling mode, is eight feet (8') or more in width and thirty-six feet (36') or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, including the plumbing, heating, air conditioning, and electrical systems contained therein. Such term shall include any structure meeting all the requirements of this definition except the size requirements an with respect to which the manufacturer voluntarily files a certification required by the Secretary of the Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974.

2.18 Mobile Home - A detached one-family dwelling unit, manufactured prior to adoption of or otherwise not in conformance with the U.S. Department of Housing and Urban Development (HUD) Code, 1976, with the following characteristics:

- a. Designed for a long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.
- b. Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable wheels.
- c. Arising at the site where it is to be occupied as a complete dwelling ready for occupancy except for assembly operations, location on foundation supports, connection to utilities and the like.

2.19 Modular Home - A factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a permanent structure to be used for residential purposes and which bears a seal of compliance with regulations of the Alabama Manufacturing Housing Commission.

2.20 Parcel - A part or portion of land; a contiguous quantity of land in the possession of an owner. The words lot, parcel, property and tract can be used interchangeably.

2.21 Setback - The required minimum horizontal distance between the building line and the related front, side, or rear lot lines.

2.22 Single Family Dwelling - A building so designed and arranged to provide sleeping, cooking, and kitchen accommodations and toilet facilities for occupancy by one family only, together with such domestic help as are necessary to service and maintain the premises and their occupants.