

PUBLICATION NO. 7582

ORDINANCE NO. 07-0459

AN ORDINANCE AMENDING SECTIONS 154.004, 154.026, 154.056, 154.057, 154.058 and 154.059 OF THE HUTCHINSON MUNICIPAL CODE TO AMEND DEFINITIONS, SPECIFYING ACCESSORY BUILDING REQUIREMENTS, AND PROHIBIT SECONDARY ACCESS DRIVES ON DOUBLE FRONTAGE LOTS.

THE CITY COUNCIL OF THE CITY OF HUTCHINSON, MINNESOTA ORDAINS:

Section 1. Notice of hearing was duly given and publication of said hearing was duly made and was made to appear to the satisfaction of the City Council that it would be in the best interests of the City to amend the City Code to specify accessory building requirements and prohibit secondary access drives on double frontage lots:

§ 154.004 DEFINITIONS.

LOT FRONT. The portion of a lot abutting a public street. If a lot abuts two public streets, the LOT FRONT is the narrower of the two lot edges. On double frontage lots with equal lot edges, the lot front shall be the lot edge at the front of the house.

YARD, REAR. A yard extending across the entire rear of a lot and measured between the rear lot line and the rear of the building, or any projection thereof other than steps, balconies, paved terraces, porches or bay windows. On corner lots, the REAR shall be considered as parallel to the street upon which the lot has its least dimension. On double frontage lots with equal lot edges, the rear yard shall be the lot edge at the rear of the house which is opposite the lot front.

§ 154.026 ACCESSORY BUILDINGS.

(A) No accessory buildings shall be erected or located within any required side yard setback, except as provided in §§ 154.056 and 154.057 of this code, for R-1 and R-2 districts.

(B) Utility buildings in residential districts shall not exceed 12 feet by 16 feet and shall be six feet or more from all lot lines of adjoining lots, and shall not be located within a utility easement.

(C) No accessory building or garage per single-family homes shall occupy more than 25% of a rear yard, nor exceed 1,000 square feet of floor area. Garages which exceed the aforementioned maximum may be allowed with a conditional use permit.

(D) No permit shall be issued for the construction of more than one accessory detached private garage structure for each dwelling.

(E) No accessory building or use shall be constructed or developed on a lot prior to the time of construction of the principal building to which it is accessory, except by conditional use permit.

(F) Accessory buildings in all districts shall be located to the rear of the principal building.

(G) No accessory building in a commercial or industry district shall exceed the height of the principal building except by conditional use permit.

(H) Utility sheds in residential districts which have floor areas greater than ten feet by 12 feet shall have a floating concrete slab. Only one utility shed per home is permitted.

(I) Pole buildings shall be permitted only if siding and roofing in building materials are similar to the principal structure. Pole buildings are allowed only by conditional use permit.

(J) Unattached garages require direct access by public way or in cases of interior lots, a side yard drive setback dimension no less than ten feet between the property line and the principal structure. Direct access to the public right of way is not permitted through the rear or side yard of double-frontage lots located on any collectors or arterial roadways, except for properties platted prior to 1988.

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Section 154.056

(2) *Setbacks, yards and heights.*

(a) *Structures.*

<i>R-1 Use</i>	Front Setback	Inter. Side	Corner Side	Rear Yard	Building Height
Accessory structures, including detached garages. *	30 feet	6 feet	30 feet	6 feet; <u>25 feet on double frontage lots</u>	16 feet
Single-family house	30 feet	8 feet	30 feet	30 feet; 15 feet for corner lots	35 feet

* Reference Section 154.026

Section 154.057

(2) *Setbacks, yards and heights.*

<i>R-2 Use</i>	Front Setback	Inter. Side	Corner Side	Rear Yard	Building Height
Accessory structures, including detached garages.*	25 feet	6 feet	25 feet	6 feet; <u>25 feet on double frontage lots</u>	16 feet
Single-family house or two-family dwelling	25 feet	8 feet; 6 feet platted prior to 1988	25 feet	25 feet; 15 feet for corner lot	35 feet

* Reference Section 154.026

Section 154.058

(2) (a) *Setbacks and heights.*

<i>R-3 Use</i>	Front Setback	Corner Side	Interior Side	Rear	Height
Accessory buildings.**	30 feet	25 feet	6 feet	6 feet; <u>25 feet on double frontage lots</u>	16 feet
Single-family	25 feet	25 feet	8 feet	25 feet	35 feet
Two-family	25 feet	25 feet	10 feet	25 feet	35 feet
Three- to eight-family	30 feet	25 feet	20 feet*	40 feet	35 feet

Notes: * Add six inches for each foot the average height of the building exceeds 20 feet. ** Reference Section 154.026

Section 154.059

(2) (a) *Setbacks and heights.*

<i>R-4 Use</i>	Front Setback	Corner Side	Interior Side	Rear	Height
Accessory structures,**	30 feet	25 feet	6 feet	6 feet; <u>25 feet on double frontage lots</u>	16 feet
Apartments	No less than 35 feet or the average height of the building, whichever is greater				35 feet
Three- to eight-family building	30 feet	25 feet	20 feet*	40 feet	35 feet

Notes:

* Add 6 inches for each foot the average height of the building exceeds 20 feet.

** Reference Section 154.026

EFFECTIVE DATE OF ORDINANCE. This ordinance shall take effect upon is adoption and publication.

Adopted by the City Council this 13th day of March, 2007.

Attest:

 Gary D. Plotz
 City Administrator

 Steven W. Cook
 Mayor