

is otherwise known by the clerk. Any person, firm, or corporation having an interest in the property may be heard at the meeting as to any objection to the fixing of the costs or the amounts thereof. The fixing of the costs by the City Council shall constitute a special assessment against the lot or lots, parcel or parcels of land upon which the building or structure was located, and thus made and confirmed shall constitute a lien on the property for the amount of the assessment. A certified copy of the resolution shall also be filed in the office of the Judge of Probate of Hale or Tuscaloosa County.

4-10.4. *Payment.* Payment of the assessment shall be made in the manner and as provided for the payment of municipal improvement assessments in Section 11-48-48, Code of Alabama, as the same has heretofore or may hereafter be amended. Upon the property owner's failure to pay the assessment the officer designated by the city to collect the assessments shall proceed to collect the assessment as provided in Sections 11-48-49 to 11-48-60, Code of Alabama, inclusive. The city may, in the latter notice, elect to have the tax assessor collect the assessment by adding the assessment to the tax bill.

ARTICLE V. DISTRICT REGULATIONS

Sec. 5-1. RS-1, RS-2, RS-3, MHP single family residential, RR.

5-1.1. *Intent.* These districts are intended as single-family residential areas with low to medium population densities. Use regulations for the RS-1, RS-2, and RS-3 single-family districts are identical, but previous development patterns have established three classes of lot width and lot area, and these dimensional differences are intended to be preserved. Certain structures and uses required to serve governmental, educational, religious, noncommercial, recreational, and other needs of such areas are permitted outright within such districts or are permissible as special exceptions subject to restrictions and requirements intended to preserve and protect their single-family residential character.

5-1.2. *Permitted principal uses and structures.* The following principal uses and structures are permitted in the single-family residential districts:

- (1) Single-family detached dwellings located on individual lots.
- (2) Mobile homes in MHP zoning districts only. (See Section 6-4, page 73).

5-1.3. *Permitted accessory uses and structures.* Providing proper setback is given, the following accessory uses and structures are permitted in the single-family residential districts:

- (1) Noncommercial greenhouses and plant nurseries, private garages, garden sheds, tool houses, private swimming pools, and the like.
- (2) Other structures and uses which:
 - a. Are customary accessory and clearly incidental and subordinate to permitted principal uses and structures;
 - b. Do not involve the conduct of trade on the premises;
 - c. Are located on the same lot as the permitted principal use structure, or on a contiguous lot in the same ownership;
 - d. Are not likely to attract visitors in larger numbers than would be expected in the neighborhood; and
 - e. Do not involve operations not in keeping with the character of the area, or of a nature prohibited under Section 5-1.5 (page 21) "Prohibited uses and structures."

5-1.4. *Permitted special exceptions.* After public notice and hearing, and subject to appropriate conditions and safeguards, the Board of Adjustment may permit as special exceptions:

- (1) Parks, playgrounds, playfields;
- (2) Community service structures and uses such as community service centers, libraries, fire stations, civic, cultural, or recreational uses, provided that a specific determination is made by the board that such uses or structures are in keeping with the residential character of the district.
- (3) Churches and other places of worship, including educational buildings related thereto, provided that the Board of Adjustment shall find that the characteristics of such places of worship and related buildings and the site design thereof will be in keeping with the residential character of the district;
- (4) Elementary and high schools, provided that the board of Adjustment shall find that the characteristics of such facilities and the site design thereof will be in keeping with the residential character of the district;
- (5) Day nurseries and kindergartens, subject to the provisions of Section 6-6 (page 79).
- (6) Hospitals, sanitariums, rest homes, convalescent homes, homes for orphans, homes for the aged, foster homes, provided that no such facility shall have lot area of less than two acres, and that no building in connection with such facility shall be located closer than 25 feet to any lot line, Provided that the Board of Adjustment shall find that the characteristics of such facilities and the sight design thereof will be in keeping with the residential character of the district;
- (7) Utilities substations, provided that the Board of Adjustment shall impose appropriate conditions and safeguards regarding the

- placement or characteristics of use potentially incompatible with nearby uses;
- (8) Cemeteries;
- (9) Colleges and universities having minimum lot area of five acres, provided that the Board of Adjustment shall find that the characteristics of such institutions and the site design thereof will be in keeping with the residential character of the district;
- (10) Noncommercial structures and uses to serve governmental, educational, religious, and recreational needs, subject to conditions imposed by the Board of Adjustment intended to preserve and protect the character of the zoning district in which it is located;
- (11) Home occupations, subject to provisions of Section 6-5 (page 78).
- (12) Bed and breakfast inns subject to special requirements and restrictions listed in Section 6-14 (page 85) of this ordinance.

5-1.5. *Prohibited uses and structures.* The following uses and structures are prohibited in single-family districts:

- (1) Trade or service other than as provided under Section 5-1.2 (page 19) "Permitted principal uses and structures" or Section 5-1.3 (page 19) "Permitted accessory uses and structures" or as permitted by Section 5-1.4 (page 20) "Permitted special exceptions";
- (2) Manufacturing and industrial uses;
- (3) Storage in connection with trade, service, manufacturing or industrial activities outside the district;
- (4) Storage or long-term parking of commercial or industrial vehicles;
- (5) Storage of building materials except in connection with active construction activities on the premises;
- (6) Storage or use of mobile homes except in mobile home parks in the MHP district;
- (7) Signs, except as permitted under Article VII (page 91).

5-1.6. *Minimum lot area and width.* The following minimum lot areas and widths are required in the single-family residential districts:

(1) Single-family detached dwelling:		Lot area	Lot width
		(sq. ft)	(feet)
a.	RS-1	15,000	85
b.	RS-2	10,000	75
c.	RS-3	7,500	65
d.	MHP	4,000	50

5-1.7. *Minimum yard requirements.* The depth of front and rear yards, and the width of side yards, shall be as follows, for single-family detached

dwellings and for other permitted or permissible structures, unless otherwise specified:

(1) Front yards:

- a. RS-1: 35 feet
- b. RS-2: 30 feet
- c. RS-3: 25 feet
- d. MHP: 20 feet

(2) Side yards of interior lots and corner lots:

- a. RS-1: Combined side yards shall total 25 feet, provided, however, that no individual side yard shall be less than ten feet in width.
- b. RS-2: Combined side yards shall total 18 feet, provided, however, that no individual side yard shall be less than 9 feet in width.
- c. RS-3: Combined side yards shall total 14 feet or 20% of width of the lot (whichever is less), provided, however, that no individual side yard shall be less than five feet in width.
- d. MHP: Combined side yards shall total 25 feet with no side yard less than 10 feet.
- e. For permitted accessory structures, not less than five feet.

(3) Rear yards:

- a. RS-1: 35 feet
- b. RS-2: 35 feet
- c. RS-3: 25 feet
- d. MHP: 10 feet
- e. For permitted accessory structures: 5 feet. Provided, however, that in all lots in single-family residential districts, the minimum rear yard requirements where the rear yard will abut an arterial street, as designated by the Town Engineer, shall be 35 feet.

5-1.8. *Maximum lot coverage by all buildings.*

- (1) Residential units and their accessory buildings shall not exceed a total of 30% lot coverage.
- (2) Other permitted and permissible buildings and their accessory buildings shall not exceed a total of 25% lot coverage.

5-1.9. *Maximum height of structures.* No portion of any building shall exceed 30 feet in height. Accessory structures shall not exceed 15 feet in height.

5-1.10. *Signs.* Signs are permitted in the RS-1, RS-2, RS-3, and MHP zones only in accordance with the provisions of Article VII (page 91) "Regulation of Signs."