

DAGGETT COUNTY  
ORDINANCE NO. 01-09

AN ORDINANCE TO ESTABLISH TEMPORARY ZONING REGULATIONS  
FOR DUTCH JOHN AND TO AMEND THE SIDEYARD AND BACKYARD  
REQUIREMENTS FOR DETACHED BUILDINGS

WHEREAS, the area commonly known as Dutch John was previously a Federal Government community not subject of the zoning regulations of Daggett County; and,

WHEREAS, because of the Federal Government ownership of Dutch John, Daggett County has not previously zoned the Dutch John area; and,

WHEREAS, as result of Federal Legislation, the Dutch John area has been privatized and much of the real property there conveyed to Daggett County; and,

WHEREAS, other parcels of real property have been conveyed by the Federal Government to private ownership; and,

WHEREAS, in order to promote the public health, safety, and welfare in the orderly growth and development of the community, zoning and planning ordinances and regulations are necessary; and,

WHEREAS, the Daggett County Commission finds that there is a compelling public interest to establish zoning regulations for the newly privatized area of Dutch John prior to the sale of land therein or development upon privately owned land; and,

WHEREAS, Section 17-27-404 UCA authorizes the County Legislative Body, without a public hearing, to enact an ordinance establishing a temporary zoning regulation; and,

WHEREAS, the interests of the residents of the County, the residents of the community of Dutch John and property owners may be serious and adversely affected if zoning regulations are not established immediately for the Dutch John area; and

WHEREAS, in order to promote the public health and safety and further to enhance the aesthetic values of the community and to protect neighboring property owners from encroachment and interference with the use and enjoyment of their properties, setback and side and backyard requirements are advisable and necessary for detached structures including garages, outbuildings, sheds, etc.; and,

WHEREAS, the protection of the values referred to above requires that setback and side yard requirements for detached structures be enacted without delay.

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF DAGGETT COUNTY ORDAINS THAT THE DAGGETT COUNTY ZONING ORDINANCE IS AMENDED AS FOLLOWS:

1. All of the area known as and referred to as Dutch John including specifically all of that land encompassed by the boundaries of the area privatized by that federal legislation known as Public Law 105-326, Dutch John Federal Property Disposition and Assistance Act of 1998, is hereby zoned as R-1-12.
2. The official zoning map of Daggett County is hereby amended to show that the Dutch John area is zoned as R-1-12 zone.
3. All of the rules and regulations of the Daggett County Zoning Ordinance, including specifically those relating to the R-1-12 zone, are applicable to and shall be enforced in the Dutch John area as referred to above and as shown on the amended official zoning map are necessary for the immediate preservation of the peace, health, or safety of the County and the County's inhabitants, and therefore this ordinance shall take place immediately upon posting at the Daggett County Courthouse door;
4. This ordinance shall remain in effect unless otherwise amended or repealed or superceded for a period of six (6) months.
5. In all zones except industrial and commercial zones, all detached buildings including garages, outbuildings, sheds, and other above ground structures shall have a set back from the front of the lot of not less than thirty (30) feet and shall be located on the side and back at least ten (10) feet any property line. Said ten (10) shall be measured from the point on the structure which extends furthest in the direction of the adjacent property line.

Enacted this 10<sup>th</sup> day of September, 2001.

Commissioner Briggs	<u>  X  </u>	Aye	<u>      </u>	Nay
Commissioner Walters	<u>  X  </u>	Aye	<u>      </u>	Nay
Commissioner Reed	<u>  X  </u>	Aye	<u>      </u>	Nay

James M. Briggs  
Chairman, Daggett County Commission

ATTEST:

Wesley M. Kee  
County Clerk

I certify that this ordinance was duly posted at 10:00 a.m. on the 11<sup>th</sup> day of September, 2001, on the front door of the Daggett County Courthouse in Manila, Utah.

Wesley M. Kee

I certify that this ordinance was posted in nine (9) public places within Daggett County on or before the 11<sup>th</sup> day of September, 2001.

Wesley M. Kee  
County Clerk