

RESIDENCE 1 DISTRICT: 2

porches may encroach on the front yard setback by a maximum of five (5) feet. For the purposes of Residence 1 District regulations and restrictions, a “front porch” shall mean a roofed one-story open structure projecting from and structurally connected to the front of the residence. The front porch shall not be enclosed by glass, wood, siding, screening or other material.

10.2.5	Minimum required depth of rear yard:	45 feet
10.2.6	Minimum required width of each side yard:	15 feet
10.2.7	Maximum total building area:	35% of total lot area
10.2.8	Maximum stories:	2 1/2
10.2.9	Maximum height: (63-93, 86-522, 07-109, 12-583)	35 feet

10.3 - Off-Street Parking Requirements

Required off-street parking spaces shall be provided as set forth in Article 70 hereof. (63-93)

10.4 - Private Streets - Private Subdivisions

Developments may be approved abutting upon private streets provided the following standards are observed:

- 10.4.1 Private streets and private subdivisions must be designed and constructed prior to final approval to the same standards required for design and construction of public streets and public subdivisions, and must provide adequate access to the public authority for police and fire protection, public utilities, and other public services.
- 10.4.2 Density: Dwelling units shall not exceed requirements for development with public streets.
- 10.4.3 Adequate provision must be made, as shown on the approved plan, for maintenance of private streets, private access ways and common areas to the standard practiced in the city for maintenance of public streets and areas by use of a homeowners association or other agreement approved by the City Attorney.
- 10.4.4 Adequate provision must be made, noted upon the approved plan, and recorded in the office of Judge of Probate, for the dedication of any private streets which in the determination of the governing body of the city may in the future be required to provide adequate public access for adjacent or other property. Each private

subdivision shall exhibit a self-contained street pattern with no more than two ways in or out.

10.4.5 No private street shall be permitted if such street is shown on the Major Street Plan of the City of Huntsville Planning Commission.

10.4.6 No development shall be permitted and no permit shall be issued therefor for development abutting upon a private street or streets except in accordance with a plan approved by the Huntsville Planning Commission and the governing body of the city, the approval by each to be preceded by a public hearing similar in all respects to public hearings required for public subdivisions, and in accordance with such conditions as may be required by the Huntsville Planning Commission and the governing body of the city to insure that the purpose, intent, and spirit of the city plan is observed.

10.4.7 The above regulations governing development along private streets and in private subdivisions shall be permitted for single family detached development within Residence 1, 1-A, 1-B, 1-C, 2, 2-A, 2-B and 2-C districts and for single family attached developments within Residence 2 and 2-A districts. (81-358, 82-92, 91-105, 99-206, 07-460)

10.5 - Signs Permitted

Signs shall be permitted in accordance with the provisions of Article 72 - Sign Control Regulations. (87-177, 21-46)

10.6 – Second Kitchens

10.6.1 A property owner shall be permitted to construct a second kitchen in a single family detached dwelling if the property is, and will be, in compliance with the zoning regulations and does not require a variance for installation of the second kitchen.

10.6.2 A second kitchen shall be located within the dwelling and shall share at least one common interior wall with and be directly accessible from the living areas of the dwelling and shall not be separated from the living areas by an exterior connection or by a non-habitable space such as a garage or breezeway.

10.6.3 No kitchen shall be permitted in a detached accessory structure on a single family lot nor in a structure physically attached to the dwelling but separated from it by a garage, breezeway, porch or any other non-habitable space.

10.6.4 A second kitchen shall not be permitted in a single family dwelling having roomers or boarders as regulated by Section 73.1.1.

RESIDENCE 1 DISTRICT: 4

- 10.6.5 Users of the second kitchen must be family members or temporary guests of the property owner, and the property owner must occupy the dwelling as his/her legal residence. A family member in the context of this section shall include only individuals related by blood, marriage or law. A temporary guest is one who maintains a legal residence elsewhere. The property owner shall not receive any rent or other remuneration from temporary guests.
- 10.6.6 A second kitchen shall be served by the dwelling's utility connections; there shall be no separate meters.
- 10.6.7 A single family dwelling having two kitchens shall not be permitted to operate a home occupation that is in any way dependent upon the presence of the second kitchen.
- 10.6.8 A single family dwelling having two kitchens shall not give evidence of such by having two mail boxes or two addresses.
- 10.6.9 A single family dwelling having two kitchens in a single family zoning district shall not be used as rental property, and it shall be the responsibility of the owner, when selling such property, to inform any prospective purchaser of this attached condition. If the property is to be used as rental property, then all facilities accommodating the second kitchen shall be removed prior to rental. If a property is found to be operating in violation of this section, then the second kitchen shall be immediately dismantled at the owners' expense.
- 10.6.10 The Zoning Administrator shall maintain a record of all single family dwellings having two kitchens in a single family zone. (07-460)
- 10.6.11 These regulations governing the installation of second kitchens in single family detached dwellings shall apply in Residence 1, 1-A, 1-B and 1-C districts. (01-732)

10.7 - Conditions on Uses

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers. (15-758)

*63-93, 81-358, 82-92, 86-522, 87-177, 91-105, 99-206, 01-732, 07-109, 07-460, 08-429, 09-1053, 12-583, 15-758, 21-46