

ORDINANCE NO. 103

ORDINANCE NO. 103 AMENDING ORDINANCE NO. 36, AS AMENDED, THE BLACK HAWK COUNTY, IOWA, AGRICULTURAL PRESERVATION ZONING ORDINANCE ADOPTED FEBRUARY 2, 1999.

Be it ordained by the Board of Supervisors of Black Hawk County, State of Iowa, that the Black Hawk County Agricultural Preservation and Zoning Ordinance No. 36 is amended as set out herein, repealing those sections that the minutes indicate are being replaced and setting forth the amendment or replacement sections, and further amending the Ordinance by adding amendments as set out herein. Said Ordinance, as amended, shall apply to all lands lying outside the corporate city limits of any City within the boundaries of Black Hawk County, Iowa. Said Ordinance shall become effective upon adoption by the Board of Supervisors.

Be it ordained by the Board of Supervisors of Black Hawk County, State of Iowa:

SECTION XXI: REQUIREMENTS FOR LOCATION OF MOBILE HOMES AND MOBILE HOME PARKS, SUB SECTION C (5):

Create in its entirety a new Section XXI (C)(5):

5. A mobile home may be used by public authorities in emergencies.

Be it ordained by the Board of Supervisors of Black Hawk County, State of Iowa:

SECTION XXI: REQUIREMENTS FOR LOCATION OF MOBILE HOMES AND MOBILE HOME PARKS, SUB SECTION C (6):

Create in its entirety a new Section XXI (C)(6):

6. In emergency situations, a mobile or manufactured home may be used as on-lot temporary housing for an owner whose residence has been damaged due to a natural disaster subject to the following requirements:
 - a. Prior written approval is required by the Zoning Administrator or designee.
 - b. The on-lot temporary location of the mobile home or manufactured home is necessary because the owner's residence is being reconstructed for occupancy. A building permit for the reconstruction of the owner's primary residence must be obtained within thirty (30) days of the approval of the placement of the temporary home on the private lot.
 - c. The owner shall provide a site plan showing the location of the proposed temporary home in relation to the property lines and the existing primary residence.
 - d. The provisions for all utility services, such as water, sewer and electric service, shall be to the satisfaction of Black Hawk County. The temporary home shall be fully licensed and ready for highway use. Ready for highway use shall mean that the temporary home is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.
 - e. The temporary home shall be removed by the owner within two weeks of issuance of the occupancy approval for the reconstructed primary residence. In no case shall the temporary home remain on the property in excess of eighteen (18) months.

Such a temporary home placed under the authority of this provision shall not be

subject to the requirements of Section XVII, Use Regulations for “E-S” Environmentally Sensitive Overlay District, including the restrictions prohibiting mobile homes, or the restrictions requiring conditional use approval, elevation above the one hundred (100) year flood level, or a permanent foundation.

Proposed Black Hawk County Zoning Ordinance Amendment
Mobile or Manufactured Homes to be Used as On-lot Temporary Housing for an
Owner Whose Residence has been Damaged Due to a Natural Disaster

SYNOPSIS

The amendment would create a provision to allow for a mobile home to be used by public authorities in emergencies. The amendment would also create a provision to allow for property owners to place a mobile or manufactured home on their property to be used as temporary housing if the owner’s residence has been damaged by a natural disaster if the owner’s residence is being reconstructed for occupancy. Prior approval of the Zoning Administrator is required, and a building permit for the reconstruction must be obtained within thirty (30) days of the placement of the mobile home, and the temporary home shall not remain on the property in excess of eighteen (18) months. A temporary home placed under the authority of this provision shall not be subject to the requirements of Section XVII, Use Regulations for “E-S” Environmentally Sensitive Overlay District.

PASSED AND ADOPTED by the Black Hawk County Board of Supervisors this 28th day of October, 2008

CERTIFICATION

The Black Hawk County Auditor shall certify to the adoption of this Ordinance.

VOTING FOR PASSAGE

John Miller, Chair

Tom Little

Scott Jordan

Craig White

Frank Magsamen

Attest: Grant Veeder, County Auditor

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