

RESOLUTION NO. 403-97

WHEREAS, the Mitchell County Board of Supervisors has received the petition and report of the Mitchell County Planning and Zoning Commission for the enactment of certain amendments to the Mitchell County Zoning Ordinance, said amendments being attached hereto and by reference made a part of this resolution, and

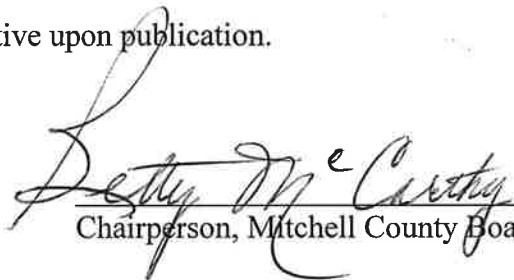
WHEREAS, notice of hearing on said amendments has been previously published and held as provided by law, and

WHEREAS, multiple considerations of the proposed amendments have been waived as provided by law.

NOW, THEREFORE, BE IT RESOLVED that the attached amendments to the Mitchell County Zoning Ordinance are hereby enacted.

The amendments shall be effective upon publication.

5-13-97
(Date)


Chairperson, Mitchell County Board of Supervisors

ATTEST:

Sandra Heckstein
Sandra Heckstein, Mitchell County Auditor

AMENDMENT TO THE MITCHELL COUNTY PLANNING AND
ZONING ORDINANCE (ORDINANCE NO. 2)

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ARTICLE V, DEFINITIONS:

REPEAL: 76. SUMMER COTTAGES

ARTICLE XX, EXCEPTIONS AND MODIFICATIONS:

REPEAL: Section 10.

ARTICLE VIIIA. PRINCIPAL PERMITTED USES

ENACT: 10. Mobile homes may be located in the "A" Agricultural district as long as setbacks, lot sizes and other restrictions for dwellings are satisfied except mobile homes qualified under ARTICLE XVII, A, 3 are excluded from the setback and lot size restrictions. Mobile homes in this district shall be fastened to a permanent foundation on continuous footings set below the frost line with any tongue, hitch or other towing device and axles and wheel removed from the mobile home.

ARTICLE XVII, A. LOCATION:

ENACT: 4. Mobile homes may be located in "A" Agricultural districts (see Article VIII, A, 10) without being located in a mobile home park. They may not be allowed in subdivisions unless specifically approved in the subdivision request. (See the Mitchell County Subdivision Regulations, Section 501.3A and 600.22).

ARTICLE XVII, E. ADDITIONS TO MOBILE HOMES:

REPEAL: The text of the section.

ENACT: No additions shall be built onto any mobile homes other than porch or entryway, which shall leave a clearance of not less than fifteen (15) clear feet between said appurtenance or porch and the next mobile home. This restriction shall apply only to mobile homes in mobile home parks and not to mobile homes permitted in other districts. Single mobile homes may have additions if approved by a zoning

permit and setbacks must meet the requirements of the district where the mobile home is to be located.

ARTICLE VII, 3. NON-CONFORMING USES:

REPEAL: The first full paragraph of text of the section.

ENACT: The lawful use of a building or land existing on the effective date of this ordinance may be continued, although such does not conform to the provisions hereof. If no structural alterations are made, the non-conforming use of a building may be changed to another non-conforming use of the same, or of a more restrictive classification. Whenever a non-conforming use has been changed to a less restrictive use, or to a conforming use, such use shall not thereafter be changed to a more restrictive use. The non-conforming use of a building may be hereafter extended throughout those parts of a building which were manifestly arranged or designed for such use at the time of the enactment of this ordinance. The lawful use of a building or land existing on the effective date of an amendment to this ordinance may be continued, in the same manner and subject to the same restrictions as set forth above relating to non-conforming uses on the effective date of the ordinance. However, there shall be no structural alterations made, either interior or exterior to any such non-conforming building or improvement following the date of such amendment.

ARTICLE XXIV. AMENDMENTS:

REPEAL: Article XXIV, A.1 and .2

ENACT: A. PETITION FOR CHANGE IN ORDINANCE:

1. The Board of Supervisors may from time to time by its own action or on petition, after public notice and hearings as provided in Iowa Code Section 331.305, and after report by the County Planning and Zoning Commission, amend, supplement or change the boundaries or regulations herein or subsequently established, and such amendment shall not become effective except by the favorable vote of a majority of all the members of the Board of Supervisors.
2. Prior to and in addition to above requirements, whenever any person, firm or corporation desires that any amendment or change be made in this ordinance as to any property in the County, there shall be presented to the County Planning and Zoning Commission a petition

requesting such change or amendment signed by the owners of at least fifty (50) percent of the area of all the real estate for which rezoning is requested, the existing zoning classification and the requested zoning classification. Within thirty (30) days after the filing of such petition, the County Planning and Zoning Commission, acting as a Commission or acting through its Chairman, Vice-Chairman or other authorized agent, shall fix a time, date and place of hearing on said petition which date shall be no more than sixty (60) days after the filing of such petition. The petitioner for such change or amendment shall thereafter cause a notice of hearing to be published in accordance with Iowa Code Section 331.305. Such notice shall be signed by the petitioner or petitioners.