UNIFIED ZONING ORDINANCE AMENDMENT #78

Nonconforming Mobile Homes in Clarks Hill

STAFF REPORT
September 12, 2013

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Currently the zoning ordinance does not permit mobile homes which are nonconforming uses (for example, located in an R1 zone) to be replaced with a larger mobile home. This basically holds true for all nonconformities: the use can be made smaller, but cannot be increased in cubic content.

The Town Board of Clarks Hill would like to amend this section of the UZO. There are no zoning districts in the town which permit mobile homes by right; therefore every mobile home within the town's boundaries is nonconforming. The amendment would allow these mobile homes which are currently located in Clarks Hill, to be replaced with a larger mobile home. The amendment, presented by Clarks Hill, would allow a bigger replacement "as long as the replacement mobile home is approved by a majority of the members of the Town Council prior to issuance of an Improvement Location Permit."

The Ordinance Committee, at its meeting on August 7th, voted to approve this amendment, but only for nonconforming mobile homes within Clarks Hill's jurisdiction.

RECOMMENDATION:
Approval

ORDINANCE NO._____

AN ORDINANCE AMENDING CHAPTER 3 OF ORDINANCE NO._____ BEING THE UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY.

Be it ordained by the (County Commissioners of Tippecanoe County, Indiana; the Common Council of the City of Lafayette, Indiana; the Common Council of the City of West Lafayette, Indiana; the Town Council of the Town of Battle Ground, Indiana; the Town Council of the Town of Dayton, Indiana; and the Town Council of Clarks Hill, Indiana), that Ordinance No._____, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

Section 1: Amend **UZO Section 5-1-3** ***Nonconforming Mobile Homes*** by adding the underlined to Subsection (b) (1) as shown below:

(b) An otherwise lawful ***mobile home*** made a ***nonconforming mobile home*** by this ordinance or an amendment to it, may be continued so long as it remains otherwise lawful, if:

(1) the land area of the ***use*** and/or the dimensions of the ***mobile home*** are not increased beyond what they were at the time this ordinance or its amendment became effective; <u>however, within the incorporated limits of the Town of Clarks Hill, the owner of a ***nonconforming mobile home*** may replace said ***nonconforming mobile home*** with a larger ***mobile home***, as long as the replacement ***mobile home*** is approved by a majority of the members of the Town Council prior to issuance of an Improvement Location Permit;</u>

This ordinance shall be in full force and effect from and after its passage.