

ORDINANCE NO. 2001-31

AMENDING ZONING ORDINANCE - MOBILE HOMES

WHEREAS, the County of Kendall has adopted ordinances, regulations, and codes which regulate construction; and

WHEREAS, the Zoning Ordinance currently regulates the placement and maintenance of mobile homes in agricultural districts; and

WHEREAS, the County has found that several of these mobile homes are not temporary, but have become essentially a permanent structure since they have been renewed for over 20 years; and

WHEREAS, other mobile homes for temporary living quarters or for the care of the elderly should have a shorter and simpler approval process due to the immediate needs these mobile homes require; and

WHEREAS, the Regional Planning Commission reviewed the proposed amendments on August 22, and September 26, 2001, and recommended approval of them by a unanimous vote; and

WHEREAS, the Zoning Board of Appeals conducted a public hearing on the proposed changes on October 30, 2001, and subsequently voted 6 to 1 in favor of the proposed amendments; and

WHEREAS, the County Board feels that it is in the best interests of the County to amend the Zoning Ordinance to more adequately address the unique circumstances required by certain types of these uses on a temporary basis within the unincorporated areas of the County.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL THAT:

The Kendall County Zoning Ordinance, as originally adopted on January 16, 1940, is hereby amended as follows (New text is underlined, deleted text is ~~strikeout~~):

1. Amend Section 4.08-B-3-b(1) to add the following underlined text: "Require the medical care or assistance of the occupant of the primary residence (or assisted person occupies the primary residence and the caregiver occupies the mobile home) on the same zoning lot, or"
2. Amend Section 4.08-B-3-b(3) to delete the following sentence: "~~If the mobile home is on a zoning lot of 5 acres or larger then it is exempt from all zoning regulations and fees except the setback standards of the district shall apply.~~"
3. Delete Section 4.08-D-3 in its entirety, and insert a new Section 4.08-D-3 as follows:

3. Permits and annual renewals may be approved by the Planning, Building and Zoning Director as follows:

- a. Medical care or assistance: Permits may be renewed annually provided a doctor's certification is provided indicating assistance is still required.
- b. New home construction or repair: Permits may be issued for a period of up

to one (1) year, and may be extended by the Planning, Building and Zoning Director by six (6) months if the applicant shows adequate progress in construction.

3. Delete Section 4.08-D-4 in its entirety, and insert a new Section 4.08-D-4 as follows:

"4. Agricultural employee permits and renewals may be approved by the Planning, Building and Zoning Committee. These permits shall only be renewed a total of five (5) times. Any renewals beyond this number will require the property owner to physically remove the mobile home from the property during the time when occupants are not actively engaged in agricultural activities. This period where the trailer shall be removed shall be at least three (3) months out of each calendar year."

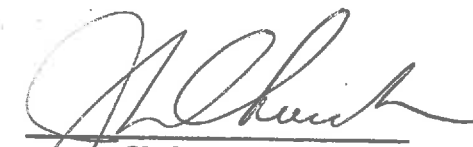
4. Amend Section 4.08-D-7 by adding the following text as underlined: "Permits for a temporary mobile home must be renewed annually or as stated above. The Planning, Building and Zoning Committee may extend permits beyond the one (1) year and six (6) month limit as stated in Section 4.08-D-3-b. When the permit expires..."
5. Amend Section 4.08-E-5 by adding the following text: "Statement that a change in usage, name or number of occupants, location, will be reported to the Planning, Building and Zoning Office immediately."

This Ordinance shall be effective immediately upon approval.

APPROVED THIS 20th DAY OF November, 2001.

ATTEST:


Clerk


Chairman