

ZONING ORDINANCE

ARTICLE 9

MANUFACTURED AND MOBILE HOMES

900 INTENT

It is the intent of this Article to encourage provision of alternative, modest housing in general residential areas by permitting the use of certain manufactured homes and certified mobile homes, as defined herein, in all districts in which similar dwellings constructed on site are permitted, subject to the requirements set forth herein to assure acceptable similarity in exterior appearance between such manufactured homes and dwellings that have been or might be constructed under these and other lawful regulations on adjacent or nearby lots in the same district.

910 CERTIFIED MOBILE HOMES PERMITTED

Certified mobile homes shall be allowed only as provided in Article 6 and in this Article, with the following exceptions:

1. In an A-1 district, certified mobile homes used as dwellings units by farm owners, members of the farm owner's immediate family or full-time employees of the farm owner, provided that prior approval of the sanitary waste disposal system is granted by the Morgan County Health Department, and provided that the "setback" requirements of the zoning district can be met. Placement of more than two certified mobile homes as permitted herein shall require application and approval of the West Liberty Planning Commission. Provided further, in no event shall the certified mobile home and dwelling unit density exceed one (1) certified mobile home and one (1) dwelling unit per five (5) acres.
2. Certified mobile homes used as temporary offices of construction companies on or near a construction site.
3. All certified mobile homes used as dwellings are to be placed on fixed foundations with the wheels or mobile parts removed, and they are to be considered as real estate in accordance with Kentucky Revised Statutes 132.750.

920 CLASSIFICATION OF MANUFACTURED/CERTIFIED MOBILE HOMES

Manufactured and certified mobile homes shall be classified by type as to acceptable compatibility or similarity in appearance with site constructed residences:

1. Type I Manufactured Homes Shall

Type I Manufactured Homes shall:

- A. Have more than nine hundred and fifty (950) square feet of occupied space in a double or larger multi-section unit;
- B. Be placed on a permanent foundation;
- C. Utilize a permanent perimeter enclosure in accordance with approved installation standards, as specified in Section 940(1);
- D. Be anchored to the ground, in accordance with the One and Two Family Dwelling Code and to the manufacturer's specifications;
- E. Have wheels, axles and hitch mechanisms removed;
- F. Have utilities connected, in accordance with the One and Two Family Dwelling Code and manufacturer's specifications;
- G. Have siding material of a type customarily used on site-constructed residences. The list of approved siding materials shall be adopted and revised by Planning Commission action only; and
- H. Have roofing materials of a type customarily used on site-constructed residences. The list of approved roofing materials shall be adopted and revised by Planning Commission action only.

2. Type 2 Manufactured Homes

Type 2 Manufactured Homes shall:

- A. Have more than three hundred and twenty (320) square feet of occupied space in a single, double, expanded, or multi-section unit (including hose with add-a-room units);
- B. Be placed onto a support system, in accordance with approved Installation Standards, as specified in Section 940(1)
- C. Be enclosed with foundation siding/skirting, in accordance with approved Installation Standards, as specified in Section 940(2);

- D. Be anchored to the ground, in accordance with manufacturer's specifications or the ANSI/NFPA 501 A Installation Standards;
- E. Have utilities connected in accordance with manufacturer's specifications or the ANSI/NFPA 501 A Installation Standards;
- F. Have siding material of a type customarily used on site-constructed residences; and
- G. Have roofing material of a type customarily used on site-constructed residences.

3. Type 3 Manufactured Homes

Type 3 Manufactured Homes shall:

- A. Have more than three hundred and twenty (320) square feet of occupied space in a single, double, expando, or multi-section units (including those with add-a-room units);
- B. Be constructed after the 1976 Federal Mobile Home Construction and Safety Act went into effect;
- C. Be placed onto a support system, in accordance with approved Installation specified in Section 940(1);
- D. Be enclosed with foundation siding/skirting, in accordance with approved Installation Standards, as specified in Section 940(2);
- E. Be anchored to the ground, in accordance with manufacturer's specifications or the ANSI/NFPA 501A Installation Standards; and
- F. Have utilities connected, in accordance with manufacturer's specifications or the ANSI/NFPA 501A Installation Standards.

4. Certified Mobile Homes

For purposes of determining appropriateness for placement, certified mobile homes shall:

- A. Have more than three hundred and twenty (320) square feet of occupied space;

- B. Be placed onto support system, in accordance with approved Installation Standards, as specified in Section 940(1); and
- C. Be built prior to the 1976 Federal Mobile Home Construction and Safety Act and be upgraded to be able to receive a “B” seal certifying that the unit has been inspected and in compliance with standards set forth in the HUD Code.

930 SCHEDULE OF USES

Manufactured or certified mobile homes are permitted for permanent residences as follows:

	TYPE 1 MH	TYPE 2 MH	TYPE 3 MH	CERTIFIED MOBILE HOME
A-1	P	P	P	P
R-1	C	X	X	X
R-2	P	C	C	X
B-1	C	X	X	X
B-2	C	X	X	X
I-1	C*	C*	C*	X

P-Permitted

C-Conditional

X-Not Permitted

C* Conditional-B. of Adjustment can permit Types 1,2,3 for industrial related purposes only.

940 MANUFACTURED MOBILE HOME INSTALLATION REQUIREMENTS

1. Installation Standards

- a. Permanent Perimeter Enclosure: Those manufactured homes designated in the Zoning Ordinance as requiring a permanent perimeter enclosure must be set onto an excavated area, with foundations, footings and crawl spaces or basement walls

constructed with permanent perimeter enclosure (except for required openings).

- b. Foundation Siding/Skirting (for temporary structures): All manufactured or certified mobile homes without a permanent perimeter enclosure shall have an approved foundation siding/skirting enclosing the entire perimeter of the home. Foundation siding/skirting and back-up framing shall be weather-resistant, noncombustible or self-extinguishing materials, which blend with the exterior siding of the home. Below grade level and for a minimum distance of six (6) inches above finish grade, the materials shall be unaffected by decay or oxidation. The siding shall be installed in accordance with manufacturer's recommendations or approved equal standards.

2. Support System

- a. Type 1 Manufactured Homes: All HUD-Code TYPE 1 Manufactured Home load-bearing foundations shall be installed in conformance with the regulations in the One and Two Family Dwelling Code and with the manufacturer's installation specifications.
- b. Type 2 and 3 Manufactured Homes and Certified Mobile Homes: All HUD-Code TYPE 2 and 3 Manufactured Homes and all Certified Mobile Homes not placed on a permanent foundation, shall be installed on a support system in conformance with the manufacturer's installation specifications or with the Support System regulations in the ANSI/NFPA 501 A 1997 Installation Standards.

950 TEMPORARY USE OF MANUFACTURED OR CERTIFIED MOBILE HOMES

1. Circumstances for Permit Issuance

Subject to conditions, fees, and standards otherwise required by this ordinance, a temporary use permit shall be issued.

- a. To an applicant in the process of building a conventional dwelling to locate a manufactured or certified mobile home on a building lot during the course of construction of the dwelling; such permit

shall not be issued until after a building permit for the dwelling has been issued;

- b. To an applicant to use a manufactured or certified mobile home as a caretaker's quarters or construction office at a job site; and
- c. To an applicant whose own health or another necessitates care, and where the facts show that an unnecessary hardship would occur if not permitted to locate a manufactured home adjacent to the residence of one who is able to provide such care or in need of such care.

2. Length of Permit

A temporary use permit may be issued, at the discretion of the Planning Commission's designated administrator, for a period not to exceed two (2) years. The temporary permit may be renewed for additional one (1) year periods upon showing good cause, and with permission to do so. However, at the discretion of the Planning Commission's designated administrator, a temporary use permit may be issued to an applicant for a health or age related circumstance for a period of cotertninous with the health or age related circumstance.

3. Permit Expiration

At the time the temporary permit expires, the manufactured or certified mobile home and all appurtenances shall be removed from the property within ninety (90) days.

4. Utility Requirements

Manufactured or certified mobile homes used for temporary uses shall have an approved water supply, sewage disposal system, and utility connections, where appropriate, and at the discretion of the Planning Commission's designated administrator.

5. Permit Fee

A temporary use permit shall be issued by the Planning Commission's designated administrator. The fee shall be twenty-five dollars (\$25.00) and is in addition to all other required permits for utilities and sewage disposal systems.

960 PENALTY FOR VIOLATION

1. Failure to Comply

Each day of noncompliance with the provisions of this ordinance constitutes a separate and distinct ordinance violation. Judgement of up to five hundred dollars (\$500) per day may be entered for a violation of this ordinance.

2. Subject to Removal

A home, sited upon property in violation of this ordinance, shall be subject to removal from such property into compliance before action for removal can be taken. If action finally is taken by the appropriate authority to bring into compliance, the expenses involved may be made a lien against the property.

3. Removal Method

The Planning Commission's designated administrator may institute a suit in an appropriate court for injunctive relief to cause such violation to be prevented, abated or removed.

970 TRANSIENT RECREATIONAL VEHICLES

Transient recreational vehicles may be parked on any lot in a residential district for a maximum of 14 days without a permit. If the recreational vehicle will be in the residential district for more than 14 days, a permit must be obtained from the Administrative/Enforcement Officer for a maximum of 30 additional days. There shall be no permanent attachment to water, sewer, gas and electric or phone by any such recreational vehicle. All sewage must be disposed of in an appropriate manner.

980 MOBILE HOME SUBDIVISION/PARK

Establishment of mobile home subdivisions (owner occupied) and parks (rented) is prohibited within the limits of West Liberty except as an approved conditional use in the A-1 zone.

