

## Ordinance 2017-5

### Amendment to include Section 6.100 and 6.103 and to replace Section 6.21 in Chapter VI in Zoning Ordinance for the City of Boonville, Indiana Dated July 28, 1994

#### 6.100 INTENT

It is the intent of this chapter to encourage provision of alternative modest income housing in general residential areas by permitting the use of certain manufactured 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.

#### 6.103 DEFINITIONS

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

##### EXPANDO ROOM

An expandable manufactured housing unit.

##### MANUFACTURED HOME

A dwelling unit fabricated on or after January 1, 1981, in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it is built in compliance with the federal Manufactured Housing Construction and Safety Standards Code or IC 22-12-1-1 et seq. as promulgated by the Indiana Fire Prevention and Building Safety Commission.

##### MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS CODE

Title IV of the 1974 Housing and Community Development Act (42 U.S.C. 5401 et seq.), as amended (previously known as the federal Mobile Home Construction and Safety Act), rules and regulations adopted thereunder, which include H.U.D. approved information supplied by the home manufacturer, and regulations and interpretations of the code by the Indiana Administrative Building Council.

##### MOBILE HOME

A transportable structure built prior to June 15, 1976, the effective date for the federal Mobile Home Construction and Safety Act of 1974, larger than 320 square feet, and designed to be used as a year-round residential dwelling.

ONE- AND TWO-FAMILY DWELLING CODE, INDIANA

The mandatory statewide building code adopted by the Indiana Administrative Building Council for one- and two-family residential dwellings.

PUBLIC LAW 360, ACTS OF 1971

Enabling legislation requiring the Indiana Administrative Building Council to adopt rules and regulations for the construction, repair, or maintenance of factory-constructed one- or two-family residential dwellings.

6.21 SPECIAL EXCEPTION PERMIT

A device for permitting a use within a district other than a principally permitted use.

PERMITTED PLACEMENT; PERMIT REQUIRED

A) Permitted placement

- 1) The establishment, location, and use of manufactured homes as scattered-site residences shall be permitted as follows.

		Manufactured Housing Described in <u>Ordinance</u>	Other Manufactured <u>Housing</u>
R-1	one-family - low density	By special exception	Not permitted
R-2	one-family - high density	By special exception	Not permitted
R-3	multiple-family – high density	By special exception	Not permitted
C-1	commercial industrial	Not permitted	Not permitted
C-2	community service	Not permitted	Not permitted
I-1	industrial	Not permitted	Not permitted
I-2	heavy industrial	Not permitted	Not permitted

- 2) Placement shall be subject to requirements and limitations applying generally to such residential use in the district and provided the homes shall meet the following requirements and limitations.

- a) The home shall meet all requirements applicable to single-family dwellings and possess all necessary improvement location, building, and occupancy permits and other certifications required by the code.

- b) The home shall be larger than 950 square feet of occupied space and must be at least 23 feet in width.
- c) The home shall be attached and anchored to a permanent foundation in conformance with the regulations in the Indiana One- and Two-Family Dwelling Code and with manufacturer's installation specifications.
- d) The home shall be covered with an exterior material customarily used on site built residential dwellings, and the material shall extend over the top of the foundation (or meet the community's site built residential dwelling home standards).
- e) The home shall have a roof composed of a material customarily used on site built residential dwellings, which shall be installed onto a surface appropriately pitched for the materials used.
- f) The home shall have been constructed after January 1, 1981.

B) Permit required

Manufactured homes and mobile homes shall be permitted within the city only after receiving a special exception permit from the Board of Zoning Appeals.


STRUCTURAL ALTERATION APPROVAL REQUIRED

Due to its integral design, any structural alteration or modification of a manufactured or mobile home after it is placed on the site must be approved by the Building Commissioner (or other designee) of the city.

APPEAL

An action to review any order, requirement, decision, or determination made by an administrative official or board charged with enforcement of the zoning ordinance shall be pursuant to IC 36-7-4-919.

ADOPTED this 12<sup>th</sup> day of April 2017.

  
Charles R. Wyatt, Mayor  
Presiding Officer City Council

ATTEST:

  
Tammy Boruff  
Clerk-Treasurer