

ORDINANCE NO. 2004-10

**AN ORDINANCE AMENDING
THE VILLAGE OF BISMARCK
ZONING ORDINANCE**

WHEREAS, the Village of Bismarck Planning Commission has reviewed certain proposed amendments to the Village of Bismarck Zoning Ordinance adopted September 18, 2001, for the purpose of regulating the location and use of individual mobile/manufactured homes and/or parks; and,

WHEREAS, the Village of Bismarck Planning Commission conducted a public hearing pursuant to notice on August 19, 2004, in accordance with 65 ILCS 5/11-13-14, and has submitted its report to the Village Board recommending the proposed amendments; and,

WHEREAS, the Board is in agreement that the proposed amendments should be adopted;

NOW, THEREFORE BE IT ORDAINED by the President and the Board of Trustees of the Village of Bismarck, Vermilion County, Illinois, as follows:

Section 1: The Village of Bismarck Zoning Ordinance adopted September 18, 2001, as amended, is hereby further amended by adopting proposed Article 19.4 Mobile/Manufactured Homes regulating the location and use of individual mobile/manufactured homes and/or parks, a copy of which is attached hereto and incorporated by reference.

Section 2: The Zoning Ordinance is otherwise amended in the following particulars to integrate the amendments of Article 19.4 into the zoning code:

Page 19 Light Agricultural
Section 4.3 Item 7
Refer to Mobile/Manufactured Homes, Section 19.4

Page 22
Section 5.3 Item 9
Refer to Mobile/Manufactured Homes, Section 19.4

Page 23 Low Density
Section 6.2 Item 6
Refer to Mobile/Manufactured Homes, Section 19.4

Page 25 Medium Residential
Section 7.2 Item 6
Refer to Mobile/Manufactured Homes, Section 19.4

MOBILE/MANUFACTURED HOMES

The purpose of this Article is to regulate the location and use of individual mobile/manufactured homes and/or parks.

In any district where mobile/manufactured home designated areas are permitted, notwithstanding anything to the contrary in other sections of this chapter, the following requirements shall be applied to all mobile/manufactured home areas and to improvements or extensions of existing areas or parks. See zoning map for designated areas.

All reference to mobile homes shall mean mobile/manufactured homes.
All reference to Mobile Home Park shall mean designated areas for one or more homes.
Any camper, motor home or trailer used as a residence is prohibited.

DEFINITIONS

Manufactured Home

Manufactured Home means a structure transportable in one or more sections, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, hot water, heating, air conditioning, and electrical systems contained therein. Manufactured homes are identified by a red emblem at the end of each unit.

Mobile Home

A structure, transportable in one or more sections, in travel mode. Is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 310 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, hot water, heating, air conditioning and electrical systems contained therein. Mobile structures are units defined in the Illinois Manufactured Housing and Mobile Home Safety Act as "mobile homes".

Modular Home

The modular home is a factory-fabricated home built in one or more sections. Unlike a manufactured home, which must adhere to a national code for construction. The modular home is regulated by the Illinois department of Public Health. These units must be placed on a permanent foundation which extends below the frost depth. A yellow seal in the shape of the State of Illinois must be placed on the electrical panel box of each unit. For units produced in Indiana under the reciprocal agreement, the Indiana seal satisfies this requirement.

Attachment

Anything under roof or not under roof against or fastened to any part of a mobile/manufactured home. (Passed 09-21-04 Bismarck Village Board)

- (A) No part of any mobile home park shall be used for nonresidential purposes, except uses that are required for the direct servicing and well being of park residents and for the maintenance of the park. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile stand and connected to the pertinent utilities.
- (B) Conditions of soil, ground water level, drainage, and topography shall not create hazards to the property, health, or safety of the occupants, or residences or businesses adjacent thereto. The sit shall not be exposed to objectionable smoke, dust, noise, odors, or other adverse influence, which would expose persons or property to hazards to health or safety.
- (C) Density and yard regulations: the maximum density of mobile homes shall be regulated by separation requirements, occupied lot area ratios, and recreation area requirements as set forth herein. Density will vary considerably in accommodating different sizes of mobile home units with accessory structures used in the locality and the type of layout proposed.
- (1) A mobile home park shall be located on a tract of land not less than ten acres in area, with a minimum width and depth dimension of 200 feet.
 - (2) Each home shall be separated from other homes by a side yard of not less than 20 feet nor closer than 15 feet to the back property line. However, no mobile home lot shall have width of less than 80 feet or depth of 125 feet.
 - (3) Mobile home shall not occupy an area in excess of one-fourth of the respective lot area. The accumulated occupied area of the mobile home and its accessory structures on a lot shall not exceed 35% of the lot. Parking space and driveway shall not exceed one-half of the respective lot area. No more than two attachments to the home shall be allowed.
 - (4) All mobile homes shall be located at least 40 feet from the exterior property boundary line of the mobile home park. All mobile homes or other structures shall have a front and rear yard of at least 25 feet from right-of-way of any internal public or private street.
- (D) No building or structure shall exceed the height of 35 feet.
- (E) Not less than 8% of the gross site area of a mobile home park shall be devoted to recreational facilities, generally provided in a central location. However, this requirement shall not be less than one-half acre for each 100 lots, and the minimum area of any recreational development shall not be less than one-half acre. In larger developments, recreation facilities can be decentralized with at least one area large enough for a small park (one-acre). Recreation areas may include space for community buildings and community use facilities such as indoor recreation areas, swimming pools, hobby and repair shops, and service buildings.

- (F) Entrance to mobile home parks shall have direct access to a public street, and shall be designed to allow free movement on adjacent public streets. No parking shall be permitted on the entrance street for a distance of 100 feet from the public street.
- (G) Pavement widths and other street design standards shall conform to those provided in the Subdivision Manual.
- (H) Each mobile home stand shall be located with 100 feet of a public or internal street, and shall have free and unobstructed access to the street.
- (I) A common walk system shall be provided and maintained between locations where Pedestrian traffic is concentrated. Common walks shall have a minimum width of three and one-half feet.
- (J) All mobile home stands shall be connected to common walks, to streets, to driveways, or, to parking spaces with individual walkways. Such individual walks shall have a minimum width of two and one-half feet hard surface.
- (K) The limits of each mobile home lot shall be marked on the ground by suitable means. Location of lot limits on the ground shall be the same as shown on the approved site plans.
- (L) Mobile home stands shall be improved to provide adequate support for the placement and tie-down of the mobile home. The stand shall not heave, shift, or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind, or other forces acting on the structure. Anchors or tie-downs shall be provided according to the Tie-Down Act administered by the Illinois Department of Public Health.
- (M) Improved driveways should be provided on lots where necessary for convenient access to mobile homes. The minimum width shall be ten feet hard surface.
- (N) Parking facilities shall be based upon two parking spaces for each mobile home lot. Parking may be in tandem and may be located in the required yards provided it is hard surface other than soil and conforms to applicable provisions of this chapter.
- (O) Each mobile home lot shall be provided with an outdoor living and service area. This area shall be improved as necessary to assure reasonable privacy and comfort. The minimum area shall be not less than 300 square feet, with at least a dimension of 15 feet.
- (P) Each mobile home shall be skirted to enclose the space between the ground and the bottom of the mobile home.

CAMPERS, TRAILERS, MOTOR HOMES, BOATS:

Camp trailers, motor homes, utility trailers and boats requiring state registration and utility trailers may be stored or parked in required side or rear yards, excluding side yards on corner lots that adjoin a developed street. These vehicles may be temporarily parked in other required yards for up to 180 days during any calendar year. No such vehicle shall be parked within any public right-of-way for more than 24 hours, and no such vehicle shall be occupied as living quarters or as a business.

Page 31
Section 10.3 Item 3
Refer to Mobile/Manufactured Homes, Section 19.4

Page 39
Section 13.3 Item 3
Refer to Mobile/Manufactured Homes, Section 19.4

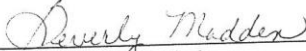
Page 60 PUD
Section 18.4 Item 5
Refer to Mobile/Manufactured Homes, Section 19.4

Section 3: This amendatory ordinance is effective upon its passage and approval in the manner provided by law.


PASSED this 21st day of August, 2004, pursuant to roll call vote as follows:

Voting Aye: 3
Voting Nay: 2
Abstain: 0
Absent: 1

Approved this 21st day of August, 2004.



Beverly Madden, Clerk



Eleanor White, President

Page 31
Section 10.3 Item 3
Refer to Mobile/Manufactured Homes, Section 19.4

Page 39
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Refer to Mobile/Manufactured Homes, Section 19.4

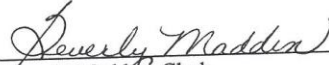
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