

Chapter 360

BUILDING REGULATIONS

Sec. 360-1 Building Permits Required.

- (A) No building or structure shall be erected, remodeled, or moved without first securing a building permit from the Carroll County Zoning Officer, if it meets the following:
 - (1) Required for all new structures, regardless of size.
 - (A) “Structure” – Anything constructed or placed above ground, the use of which will require a semi-permanent or fixed location; Or that is built attached to something having such a location.
 - (B) Examples include: portable utility buildings, car ports, homes, additions, storage buildings, garages, porches, pools, decks and all agricultural structures.
 - (2) Required for additions or remodels to an existing structure that would change the size of a structure; and/or that would cause a change of use.
 - (A) For example, changing a barn into a residence or manufacturing to office.
 - (3) Communication towers and related facilities.
 - (4) Commercial and Non-Commercial Energy Generation Systems. i.e., Wind and Solar.
- (B) No building permit will be required for the following:
 - (1) Interior remodeling, that does not change the size or use of a building.
 - (2) Exterior remodeling and improvements that do not change square footage. Examples include: Siding, replacement windows and roofing.
 - (3) Fences.

Sec. 360-2 Validity of Permits.

All building permits shall be valid for one year from the date of the issuance and may not be renewed; provided, however that the start of the construction process has begun. In such instances, the Zoning Officer may renew a building permit without any additional fee being paid. Permits are specific to the size, use, setback and location approved by building permit application. Any change from the approved application shall terminate the validity of the permit issued, and may be cause for violation. All building violations may be subject to fines and/or the removal of any non-conforming or non-permissible structure(s).

Sec. 360-3 Fees.

To partially defray expenses of administering the ordinance, a fee shall be charged for each permit and collected by the Zoning Officer, or assigned agent thereof.

- (A) Fees for permits shall be as follows:
 - (1) **\$10.00** for pools, patios, portable buildings and construction less than 200 sq. ft.
 - (2) **\$20.00** for additions and new construction with a square footage between 200 sq. ft. and 400 sq. ft. personal roof mounted solar arrays.
 - (3) **\$50.00** for additions and new construction with a square footage between 401 sq. ft. and 1000 sq. ft. personal ground mounted solar arrays, personal wind towers, agricultural grain storage bins (any size).
 - (4) **\$100** for additions and new construction between 1001 sq. ft. and 2500 sq. ft.
 - (5) **\$150.00** for additions and new construction between 2501 sq. ft. and 4000 sq. ft.
 - (6) **\$200.00** for additions and new construction greater than 4001 sq. ft.
 - (7) Communications and other towers and related facilities:

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- (a) \$25.00 per foot of tower height for a new tower or related structure.
- (b) \$1,200.00 for co-location of additional equipment with an existing tower or related structure or replacement of a major component of an existing commercial tower.
- (8) \$75.00 Land Evaluation Site Assessment (LESA) Report.
- (9) \$400.00 for a request requiring a public hearing by the Zoning Board of Appeals (ie. Variance, Special Use, Amendment)
- (10) \$800.00 per hearing night for a request for a Special Use Permit for a Wind Energy Conversion System (WECS) or Commercial Solar Energy Facility.
- (11) \$75.00 for a 10% Variation or non-conforming structure per section 700-20.01(a)(4)(A).
- (12) \$100 for a Temporary Use Permit. See Section 700-22-.01. i.e. Circuses, festivals, etc.
- (13) \$4000.00 per megawatt power output rating associated with Commercial Solar Facility. Total fee rounded to the nearest tenth decimal point. Associated substation or other supporting facilities shall pay a fee of \$200 per structure.
- (14) \$7000 per megawatt power output rating per wind tower turbine associated with a Wind Energy Conversion System. Total fee rounded to the nearest tenth decimal point. No fees or permits required for temporary "Meteorological Towers." Associated substation or other supporting facilities shall pay a fee of \$200 per structure.

Sec 360-4 Exhibits Required.

The following exhibits shall accompany each application for a building permit or for use of land when requested:

- (A) Boundary survey or deed of the property in question.
- (B) A valid well and septic permit issued by the Department of Public Health.
- (C) Plot plan indicating location, size and building setback of proposed structure(s).
- (D) The estimated cost of construction.
- (E) Building Prints, indicating the size and dimensions of the structure to be built.
- (F) Land Evaluation Site Assessment for new building sites in the AG-1 district.
- (G) Right-Of-Way Access Approval.

Sec. 360-5 Application Process.

The procedure for applying for a building permit shall be as follows:

- (A) The property owner or a designated agent shall learn the rules, regulations and requirements for the proposed project and obtain an application form.
- (B) The applicant shall file the completed application form together with the required exhibits to the Zoning Officer.
- (C) The Zoning Officer shall collect the required permit fee, review the proposed project and issue approval when the project complies with the provisions of this ordinance and any relevant county laws.

Sec. 360-6 Fines and Separate Offenses.

A person who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this Ordinance may be fined up to five hundred dollars (\$500.00) for each offense.

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(A) Upon evidence that a building violation has been committed the Zoning Administrator will conduct the following:

- (1) Notify the property owner of the violation by regular mail, giving a time frame determined by the Zoning Administrator in which to secure the permit and pay the late fee.
 - (a) The late fee will constitute three times the cost of the original permit or \$100 (whichever is more) for the building/structure being erected or having been erected; in cases of setback noncompliance needing a variance, a late fee of \$1000.00 shall be assessed.
 - (b) Contractors/builders found to have built or building without the evidence of a permit being issued shall also be fined \$250.00.
- (2) Each week a violation of failure to comply exists will constitute as a separate offense.

Sec 360-7 Service of Complaint.

The Zoning Officer is authorized to serve upon any person in violation of this ordinance a complaint of the violation in the form of a uniform non-traffic citation which shall require the violator's appearance before the circuit court.

Sec. 360-8 Civil Suits Authorized.

The State's Attorney may bring suit seeking to permanently enjoin any ongoing violation of this ordinance.