

Chapter 715

MOBILE HOMES

ARTICLE I – GENERAL PROVISIONS

Section 715-1.01 Title

This chapter shall be known as the Carroll County Mobile Home Chapter of 1996 and shall be construed to amend and re-codify the Mobile Home Ordinance in effect in the County of Carroll at the time of its adoption.

Section 715-1.02 Purpose

This chapter shall govern the placement and use of mobile homes in the unincorporated areas of the County of Carroll not within any approved mobile home park.

Section 715-1.03 Intent of the County Board

It is the intention of the Carroll County Board in adopting this chapter:

- (A) To promote the public health, safety, convenience, comfort and welfare.
- (B) To conserve the value of properties throughout the county.
- (C) To protect the character and the stability of existing residential, agricultural, business and industrial areas within the county.
- (D) To preserve and protect areas of significant natural, cultural, or historical value.
- (E) To provide a simple and expedient procedure by which land use may be regulated and violations of this chapter may be remedied.

Section 715-1.04 Minimum standards

The requirements of this chapter shall constitute the findings of the County Board as to the minimum requirements in order to serve the intent of the Carroll County Board.

Section 715-1.05 Specific to Apply over General

Where a regulation of this chapter may conflict with a regulation imposed by another chapter of the County of Carroll or covenants and restrictions established by a residential district the more specific provision of either shall apply over the more general.

Section 715-1.06 Application to Unincorporated Areas

This chapter shall apply to the unincorporated areas of the County of Carroll.

Section 715-1.07 Liberal Construction

The provisions of this chapter shall be liberally construed to protect the right of the property owner to use his or her land in a manner consistent with the basic requirements of public health, safety, and welfare.

Section 715-1.08 Private Rights

This chapter is not intended to abrogate any easement, covenant, or other private agreement, provided that where the regulations of this chapter are more restrictive or impose higher

standards or requirements than such private agreement, the regulation of this chapter shall govern.

Section 715-1.09 Severability

Should any provision of this chapter be found invalid for any reason or should any provision of this chapter be stricken by an act of the County Board, the remainder of this ordinance shall remain effective as if the subject provision had never been included in this chapter.

ARTICLE II – DEFINITIONS

Section 715-2.01 Definitions

The following Definitions shall govern the interpretation of this chapter:

- (A) Accessory Building or Use – Any subordinate building or use which is customarily incident to the principal building or use and which is located on the same lot.
- (B) Building – Any structure built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land.
- (C) Driveway – A minor private way used by vehicles and pedestrians for access from any street or road to a mobile home site.
- (D) Garage – An accessory building designed or used for the storage of not more than four motor-driven vehicles owned and used by the occupants of the mobile home.
- (E) Lot – A piece, parcel or plot of land existing of record on the land records of the Carroll County Recorder.
- (F) Lot Line – A property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley right-of-way line.
- (G) Mobile Home – A structure for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from place of its construction to the location, or subsequent locations, at which it is intended to be a permanent habitation and designed to permit the occupancy thereof as a dwelling place for one or more persons. A mobile home does not include dependent mobile home, camper, house trailer, recreational vehicle, private living coach, house car or any other sports or camping trailers not identified. Similarly, any such structure resting wholly on a permanent foundation, which is a continuous perimeter foundation of material such as mortared concrete block, mortared brick, or concrete which extends into the ground below the established frost depth and to which the structure is secured with foundation bolts at least one-half inch in diameter, spaced at intervals of no more than 6 feet and within one foot of the corners, and embedded at least 7

inches into the concrete foundations or 15 inches into block foundations, shall not be construed as a mobile home.

- (H) Setback – The minimum horizontal distance between a building and the street center line, disregarding steps, unroofed porches and overhangs.
- (I) Skirting – A durable material suitable for exterior exposure.
- (J) Structure – Anything erected, the use of which requires more or less permanent location on the ground, or attached to something having permanent location on the ground.

ARTICLE III – PERMITS REQUIRED

Section 715-3.01 Placement Permit

No mobile home shall be placed in the area governed by this chapter until there shall have been issued a mobile home permit authorizing the placement of that mobile home at the location, the one exception is that the Zoning Administrator could issue a temporary placement permit upon receipt of a bill of sale for a new mobile home where in the title to said new mobile home has not yet arrived.

Section 715-3.02 Moving Permit

No mobile home shall be moved into or within the boundaries of Carroll County until there shall have been issued a moving permit. This permit will be issued by the Carroll County Treasurer upon satisfactory proof that all mobile home privilege taxes for that mobile home have been satisfied.

ARTICLE IV – SPECIAL REGULATIONS

Section 715-4.01 Compliance

All mobile home permits shall be conditioned upon compliance with the special regulations contained within this article unless the permit shall otherwise state.

Section 715-4.02 No Nuisance permitted

No activity or operation shall be established or maintained through use of the mobile home which by reason of its nature or manner of operation will cause the emission of noise, odor, toxic or noxious fumes, smoke, or dust and particulate matter in such concentration as to be detrimental to or endanger the public health, welfare, comfort, and safety or cause injury to property or business.

Section 715-4.03 Lighting Restrictions

Any lighting used to illuminate an off-street parking area or signs serving the mobile home shall be arranged so as to deflect light away from any adjoining residential property or from the public streets, direct or sky-reflected glare whether from flood lights or from high-temperature processes such as combustion or welding, shall not be directed into any adjoining property.

Section 715-4.04 Certain uses Prohibited

No activities occurring through use of the mobile home involving the storage, utilization or manufacture of materials, goods or products which could decompose by detonation shall be permitted except as are specially licensed by the Carroll County Board.

Section 715-4.05 Certain Activities Prohibited

No Activity or operation occurring through use of the mobile home shall cause earth vibrations perceptible beyond the limits of the property upon which the operation is located.

Section 715-4.06 Containment of Refuse

All waste material, debris, refuse or garbage not disposed of through other means shall be kept in an enclosed building or properly contained in a closed container designed for such purposes.

Section 715-4.07 Limitations on Vegetation

No structure shall be erected or any vegetation maintained in the immediate vicinity of the mobile home other than trees trimmed to a height of eight feet above the street level, and shrubs and hedges trimmed below a height of three feet above street level, for a distance of 30 feet from the intersection of the property lines of the two streets.

Section 715-4.08 No Placement in Flood Areas

No mobile home or structure associated with it shall be permitted on any land that is subject to flooding except or park or recreation structures such as picnic tables, shelters and barbecue pits, and portable agricultural structures.

Section 715-4.09 Preservation of Natural Features

In the placement of the mobile home, due regard shall be shown for all-natural features which if preserved will add attractiveness and stability to the area immediately surrounding the mobile home.

Section 715-4.10 Minimum Setbacks

All mobile homes shall be set back at least 100 feet from the center line of existing and planned U.S. highways, State highways and County roads. The minimum setback along all other streets and roads shall be 60 feet. Set back from neighboring property lines shall be 6 feet for structures without windows and 10 feet for structures with windows, or 3 feet from property lines in platted subdivisions.

Section 715-4.11 No Use as Storage Facility

No mobile home shall be used for the purpose of a storage structure.

ARTICLE V – STANDARDS FOR ISSUANCE OF MOBILE HOME PERMITS

Section 715-5.01 HUD Approval

No mobile home shall receive a Mobile Home Permit unless the mobile home bears a valid HUD approval sticker.

Section 715-5.02 Title Required

No mobile home shall receive a Mobile Home Permit unless a copy of the title to the mobile home is on file in the Zoning Office as proof of year, make, and size.

Section 715-5.03 Well and Septic Requirements

No mobile home shall receive a Mobile Home Permit unless the applicant submits proof of the existence of a well and septic system that meets the standards of the Illinois Department of Public Health.

Section 715-5.04 Minimum Square Footage

No mobile home shall receive a Mobile Home Permit unless the mobile home has a minimum of 840 square feet (12' x 70') of habitable living space, the measurements of which shall not include the tongue or hitch or any built-on additions.

Section 715-5.05 Consideration of Adjacent Property

No mobile home shall receive a Mobile Home Permit if the use or location of the mobile home will cause a material reduction in the value of the property of any adjacent land owner.

Section 715-5.06 Compliance with Special regulations

No mobile home shall receive a Mobile Home Permit if the applicant fails to establish that the placement of the mobile home will comply with the special regulation contained in Article IV.

Section 715-5.07 Lot Size Requirements

No mobile home shall receive a Mobile Home permit unless it is to be placed on an existing lot which meets the lot size requirements of Article VI.

Section 715-5.08 Mobile Home Age Restrictions

No mobile home built prior to June 30, 1976, shall receive a Mobile Home Permit.

ARTICLE VI – LOT SIZES

Section 715-6.01 Lot Restriction

There shall be one mobile home per lot.

Section 715-6.02 Minimum Lot Size

The minimum lot size for the placement of a Mobile Home Park District (MHP-1) shall be 5 acres, with the one exception being a platted subdivision, wherein placement may be made upon one lot. The Zoning Board of Appeals or the County Board may require a larger lot size if reasonably necessary to meet well and septic standards of the Illinois Department of Public Health.

ARTICLE VII – APPLICATION PROCESS

Section 715-7.01 Application Fee

All applications for mobile home permits must be accompanied by the payment of an application fee of \$1,000.00.

Section 715-7.02 Application Requirements

Applications for mobile home placement permits, and the required fees, shall be submitted to the Zoning Administrator. The following exhibits shall be required with said application, unless waived by the Zoning Administrator or the Zoning Board of Appeals:

- (A) Mailing addresses of each adjoining land owner or any land owner within 250 feet of the outer boundary of the property and to the body of any municipality

within one and one-half miles of the property that is the subject of the Mobile Home Permit. Notification of these adjoining or adjacent land owners will be made by mail with a certificate of mailing. However, the failure of any property owner to receive such notification after reasonable effort by the Zoning Administrator shall not prohibit the issuance of the permit.

- (B) Plot plan showing the mobile home front yard, side yard and rear yard setbacks provided at time of application.
- (C) If the applicant is the property owner a copy of the deed must accompany the application. If the applicant is not the owner of the property, the applicant must have a valid lease for the property. If the applicant is purchasing contingent on the issuance of a mobile home permit, a copy of the contract to purchase must accompany the application.
- (D) A copy of the title and HUD sticker.

ARTICLE VIII – NOTICE AND HEARING

Section 715-8.01 Notification to Adjacent Land Owners

All notified land owners will have 15 days to respond to the application request whether for or against the petition of the applicant. If no written objection is received by the Zoning Administrator within 15 days, and the application meets all the requirements of this article, the Zoning Administrator shall issue the requested Mobile Home Permit. If a written objection to the application from an adjoining land owner is received by the Zoning Administrator, the Administrator shall not act on the application but shall present the application to the Zoning Board of Appeals for review and Public Hearing. If the Zoning Administrator finds that the application should be denied for any reason, the Zoning Administrator shall so notify the applicant and shall advise the applicant of his right to appeal to the Zoning Board of Appeals.

Section 715-8.02 Zoning Board of Appeals

The Zoning Board of Appeals shall hold the public hearing within 45 days of the date on which the completed application was filed with the Zoning Administrator. At the conclusion of the hearing the Zoning Board of Appeals shall either:

- (A) Make findings of fact relating to the application and recommend to the County Board that the application be granted, denied or granted with conditions; or
- (B) Adjourn the hearing on the application to another date not later than 45 days thereafter; or
- (C) Refer the application to the County Agriculture, Zoning, and Planning Committee which may conduct a further hearing on the application. That committee shall thereafter present the matter to the full County Board for a decision.

Section 715-8.03 County Board Review

The Carroll County Board shall act on the application within 60 days after receiving the recommendation of the Zoning Board of Appeals or the Agriculture, Zoning, and Planning Committee.

ARTICLE IX – PERMANENT SLABS AND SKIRTING

Section 715-9.01 Slab or Foundation Required

All mobile homes shall be placed on a permanent concrete slab or foundation which shall reach below the frost line.

Section 715-9.02 Tie Down Requirements

All mobile homes will meet the regulations of the Illinois Mobile Home Tie Down Act [210 ILCS 120/1].

Section 715-9.03 Skirts Required

All mobile homes will be skirted within 120 days of the placement of the mobile home on the site.

ARTICLE X – REGISTRATION

Section 715-10.01 Registration Required

Within 30 days of placement of a mobile home in the County of Carroll owners of each inhabited mobile home or the occupant of the inhabited mobile home located in Carroll County shall file with the Township Assessor or County Supervisor of Assessments a signed mobile home registration form containing the following information:

- (A) Name and address of owner or occupant of Mobile Home
- (B) Location – Section, Township, Range, Subdivision
- (C) Date of Manufacture of Mobile Home
- (D) Square feet of floor space of Mobile Home
- (E) Date the Mobile Home was inhabited
- (F) Date Mobile Home was placed in the County
- (G) License number of Mobile Home

ARTICLE XI – REVOCATION OF PERMIT

Section 715-11.01 Grounds for Revocation

If a mobile home has been unoccupied for a period of six (6) months or more or fails to comply with any requirement of this chapter, the Zoning Administrator may revoke the Mobile Home Permit. Notice of the revocation shall be mailed to the last owner's address stated on the Mobile Home Permit. The owner or lawful occupant may appeal the decision of the Zoning Administrator by submitting a written request for appeal to the Zoning Administrator within 30 days of the date of the mailing of the Zoning Administrator's decision.

ARTICLE XII – PROHIBITED USES

Section 715-12.01 Use of Recreational Vehicles as a Residence Prohibited

No motor vehicle or recreational vehicle, also known as R.V., required to be registered under the Illinois vehicle code shall be used as a residence in the area governed by this chapter, except that in the event of a fire or natural disaster which results in the partial or total demolition of a residence making it unfit for human habitation, the Zoning Administrator, may, upon application from the owner of such residence, issue a temporary shelter permit for the use of a mobile home or recreational vehicle for each family during rehabilitation of the original

residence or construction of a new residence. The temporary shelter permit shall be limited to a period of six (6) months unless extended by approval of the Zoning Board of Appeals.

ARTICLE XIII – VARIANCE

Section 715-13.01 Process

Variations from the provisions of this chapter may be granted by the County Board after a public hearing has been held by the Zoning Board of Appeals. The County Board may impose such restrictions and conditions upon the premises benefited by a variance as the public health, safety and general welfare may require.

Section 715-13.02 Application for Variance

Applications for a variance shall be made to the Zoning Administrator. All applications must be accompanied by the exhibits listed in Article V of this chapter.

Section 715-13.03 Variance Factors

Variations from the provisions of this chapter will be considered if:

- (A) Because of the particular physical surroundings, shape, or topographic conditions of the specified parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
- (B) The conditions upon which the petition for a variance is based are unique to the parcel of land for which the variance is sought and one not applicable, generally, to other property with the same zoning classification.
- (C) The purpose of the variance is not based exclusively upon a desire to increase the value of income potential of the parcel of land.
- (D) The alleged difficulty or hardship is caused by the provisions of this chapter and has not been created by any persons presently or formerly having an interest in the parcel of land.
- (E) The granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the vicinity in which the parcel of land is located.
- (F) The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public safety, or substantially diminish or impair property values within the vicinity.

ARTICLE XIV – VIOLATIONS AND ENFORCEMENT

Section 715-14.01 Fines

Any violation of this article shall be subject to a fine of not less than \$50.00 or more than \$500.00 per violation. Each week after the owner or occupant has received notice of the violation by personal delivery or by certificate of mailing from the Zoning Administrator without

correcting the violation shall constitute a separate offense. The Zoning Administrator may issue a non-traffic citation for any violation requiring the violator to appear in Court.

Section 715-14.02 Nuisance

Any mobile home located within the County in violation of this chapter is a public nuisance. In addition to any other penalty provided herein, the State's Attorney shall be authorized to bring suit to abate such nuisance at any time.

ARTICLE XV – FEES

Section 715-15.01 Types of fees

The following fees shall be paid by the applicant for a mobile home permit or for the occupant of a mobile home:

- (A) Mobile Home Permits: A \$1000.00 fee shall be paid at the time of application for a mobile home permit.
- (B) Temporary Occupancy Permits: A single fee of \$30.00 shall be paid at the time of the application for a temporary occupancy permit.

This ordinance passed February 17, 2011