

<p>Appanoose County Zoning Ordinance Index to Changes</p>

- May 16, 1969 – Zoning Commission formed
- June 26, 1969 – Commission meeting - motion made and carried Resolution in regards to boundary of the Zoning District
- July 29, 1969 – Commission meeting –Zoning Ordinance Zoning Advisory Committee formed
- January 22, 1970 – 100 copies of Zoning Ordinance made
- February 23, 1970 – Public hearing of proposed area
- March 3, 1970 – Commission recommends Zoning Ordinance and Zoning District
- March 30, 1970 – Public Hearing with changes to the ordinance
Board of Adjustments formed
- April 6, 1970 – Accept Zoning Ordinance for zoning of the Rathbun Reservoir
Zoning District as recommended to the BOS March 3, 1970 - legalizes and enacts
- June 16, 1970 – Commission recommends Ordinance and
Ken Bucklin as Administrator
- July 6, 1970 – Employ County Engineer as Zoning Administrator for 6 months
(County Attorney opinion approve legality)
- July 27, 1970 – Zoning Ordinance published in the Iowegian
(Note: regarding the appointment of a Zoning Administrator –
Ken Bucklin offered the position questionable legality to hold two
county jobs)
- July 31, 1970 – BOS meeting canceled
- September 3, 1970 - Commission certified the Zoning Map
- March 11, 1971 – Public hearing; Commission recommends changes to Article VIII
- April 8, 1971 – Commission recommends changes to Article XI
- April 16, 1971 – Board of Supervisors accepts changes to Article VIII
- May 6, 1971 – BOS Public hearing on Article XI changes

- May 20, 1971 – BOS accepts changes to Article XI
- November 5, 1971 – Commission meeting – motion carried to change Article XI, Section 2-A-2 Lot area from 10>5
- November 29, 1971 – Public hearing on Article XI, Section 2-A-2 and XI Section 6 Commission motion carried to change Article XI, Section 6 Mobile Home Residential District; BOS note, vague 12/29/71
- December 29, 1971 - “BOS do hereby accept the recommended zoning changes as recommended to them by the County Zoning Commission and also to accept the zoning changes of the Mary Hiatt property.”
- April 29, 1972 – Commission motion carried for public hearing Article XV Paragraph B, Section 2
- May 26, 1972 – Commission motion to recommend changes to Article XV Paragraph B, Section 2
- June 16, 1972 – BOS adopts changes for Article XV Paragraph B, Section 2 “at least 15 days notice”
- September 25, 1972 – Commission motion carried to advertise amendment of adding Location of single mobile home dwelling
- February 7, 1973 – Public hearing Commission motion carried to change Section 6-C Lot Area –Add “except that a minimum size lot of 5000 sq ft may be used if it is so designed that there is enough green space to make the 8500 sq ft average size lot” also addition of Section 6-D
- February 28, 1973 – Public hearing Commission motion carried to add Section 6-C Lot Area – Width and yard requirements same as R district but may be modified by 5000 sq ft for mobile home lots with 3500 sq ft of lots in Green Belt and Park area of MR District
- February 1, 1975 – Commission Meeting – motion made and carried to accept changes Section 4 Commercial District Regulations and Article XIV Board of Adjustments and Article XV District Changes and Amendments
- February 10, 1975 – Changes published in the Iowegian and Moravia Union
- March 19, 1975 – Commission public hearing motion carried to recommend published changes

- April 7, 1975 – BOS accepts changes
Section 4 Commercial District Regulations and
Article XIV Board of Adjustments and
Article XV District Changes and Amendments
- September 24, 1975 – Commission motion carried to recommend changes to Section 4- C
- October 16, 1975 – Commission hearing on changes
Section 4 Commercial Regulation
- November 6, 1975 – BOS amends zoning regulations
Section 4 Commercial Regulation
- January 1980 – Appanoose County Zoning Ordinance reprinted
- April 22, 2003 – Commission motion carried to recommend changes
- June 2, 2003 – Tabled changes for public hearing
- July 7, 2003 – Public hearing held on zoning changes
- August 4, 2003 – Amend Ordinance changes as recommended by the zoning
commission and waives 2nd and 3rd reading
- August 2003 – Appanoose County Zoning Ordinance reprinted
- February 6, 2006 - Front page revised
Article 3 – change word “northeast” to northwest
Article 8- paragraph 2 amended
Section 3- removed words “or back to back”
Section 5.1- Amended to read “Electric Power Stations”

Changes to Ordinance by Article, Section and Date

Article I Purpose

8/4/03 Changed reference to current chapter of Iowa Code

Article II Name

No Changes

Article III District Description

8/4/03
Included land out granted by United States Government to be covered by the ordinance

2/6/06
“District Description,” line 17 in the second paragraph delete the word “northeast” and insert the word “northwest” in its place

Article IV Zoning Commission

8/4/03
a.) Gender reference removed
b.) Allowing Zoning Administrator to call meeting
c.) Inserted previously approved quorum number of four

Article V Interpretation of Standards

No Changes

Article VI Exemption of Farm Structures and /or Agricultural Land

8/4/03
a.) Referencing current code of Iowa language

Article VII Definitions

8/4/03
Some definitions modified and some definitions added

Article VIII Districts

4/16/71
Delete and Add NEW – District Designation – Official Zoning Map – District Boundary

2/6/06
“Districts”, “Official Zoning Map” paragraph 2 is amended to read: If in accordance with the provisions of this ordinance and the laws of the State of Iowa, changes are made in the district boundaries or other matter portrayed in the said original official zoning map, such changes shall be portrayed on a map showing identical district boundaries as shown

o the original official zoning map and certified as hereinabove for the original official zoning map, such changes shall be made on an electronic map utilizing GIS software, said changed map shall be identified as being amended official zoning map for Rathbun Reservoir Zoning District and show the data of adoption of said amending ordinance.

Article IX Application of District Regulations

No Changes

Article X Non-Conforming Uses

No Changes

Article XI Additional Use Regulations

8/4/03 Section 1 – General Regulations

- a.) Land used for agricultural purposes is exempt from provisions of ordinance
- b.) Changed abutting distance to at least on street, described types of access with minimum width, and access shall remain unobstructed.
- c.) Exception in “R” district as provided for accessory buildings restricted to rear yards, and setback changed.
- d.) Manufactured and modular homes may be used as a dwelling in any district
- e.) Recreational vehicles are permitted but restricted to use.
- f.) Communication towers can be placed in any district but need to be approved.
- g.) Parking or storage shall be provided for on lots or lots being developed

8/4/03 Section 2 – Agriculture District Regulations

- a.) Permitted use of mobile or manufactured home, if no dwelling for human habitation
- b.) Reference to dwellings and mobile home requirements when not used for agriculture operations changed due to relocation of paragraph

5/20/71 Section 3 – Residence District Regulations

Insert “A. Principal Permitted Uses”

5/20/71 Section 3-9

Delete “other than a farm dwelling”

Insert “in any district or”

8/4/03 Section 3 – Residence District Regulations

- a.) Reference to State building code for modular and manufactured homes used as single family dwellings
- b.) Placed mobile and manufactured home criteria from Section 6 to this Section.
- c.) Added reference to placement of garages
- d.) Setbacks in yards changed and includes decks, porches and other accessory buildings.
- e.) Allowing multiple lots to be analyzed as one in setback requirements
- f.) Minimum size of living area defined and requirements to Health Ordinance must be met as well as requirement for ample supply of drinking water

2/6/06

A portion of "Section 3 – R – Residence District- Regulations", shown on page 12, subsection "C" paragraph "4" is amended by striking the words: "or back to back"

4/7/75 Section 4-C - Commercial District Regulations, Paragraph A, Section 2
Any retail business of service establishment supplying commodities of performing service, such as the following, however any establishment serving alcoholic beverages by the drink, shall be at least 1000 feet from any "R" district or any existing residence

11/6/75 Section 4 – Commercial District Regulations, Paragraph A, Section 2
Delete and Add: Any retail business or service establishment supplying commodities or performing service, such as those listed in subparagraphs (A) through (L) below; however any establishment serving beer of alcoholic beverages shall be at least 1,000 feet from any "R" district or any existing residence and 500 feet from any church or cemetery

5/20/71 Section 4 – Commercial District Regulations, Paragraph A, Section 3
Insert "or any existing residence"

4/7/75 Section 4-C - Commercial District Regulations, Paragraph A, Section 3
Add "church or cemetery"

5/20/71 Section 4 – Commercial District Regulations, Paragraph A, Section 8
Insert "or any existing residence"

8/4/03 Section 4-C – Commercial District Regulations
a.) Clarifying that when a residence is used in this district then "R" regulations apply
b.) Inserting 500' distance requirement from churches or cemetery for drinking establishments as previously approved
c.) Inserting certain uses such as country clubs hospitals and nurseries as they were removed from Section 3
d.) Placed mobile home park criteria from Section 6 to this Section

5/20/71 Section 5 – Industrial District Regulations, Paragraph A, Section 15
Insert "or any existing residence"

5/20/71 Section 5– Industrial District Regulations, Paragraph A, Section 19
Insert "or any existing residence"

5/20/71 Section 5 – Industrial District Regulations, Paragraph C, Section 3
Insert "or any existing residence"

11/29/71 Commission recommended changes to Article XI, Section 2-A-2 and XI Section 6 Mobile Home Residential Districts;

2/6/06

A portion of section 5.1- Industrial District- Regulations” section “A: shown on page 17 as subsection 25 (j) is amended to read “Electric power transmitting stations.”

Article XII Zoning Certificate

8/4/03

a.) Fee for Certificates updated as follows:

C. There shall be a fee for zoning certificates to be established as follows:

Value of Construction \$1.00 to and including \$10,000.00 Fee \$100.00 minimum

For each additional \$1,000 \$0.50 per \$1,000.00 Valuation or fraction thereof

Article XIII Enforcement

8/4/03

a.) Property owners shall notify Zoning Administrator of construction phases to allow inspections.

b.) Penalties increased as follows:

D. Violations and Penalties

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or land in violation of any regulation in or any provisions of this Ordinance or any amendment or supplement thereto adopted by the Board of Supervisors of the County. Any person, firm, or corporation violating any regulation in or any provision of this ordinance or of any amendment or supplement thereto, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment of not more than thirty (30) days in the Appanoose County Jail. If the infraction is a repeat offense it shall incur a civil penalty not to exceed seven hundred fifty dollars (\$750.00) for each repeat offense. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense

Article XIV Board of Adjustments

4/7/75 Hearings, Paragraph D, Section 3

Delete “500”

Insert “1000”

8/4/03 Hearings, Paragraph D

a.) 3. Hearings. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal and give ten (10) days notice by letter to all owners of the property located within one thousand (1000) feet in all directions from the property for which the variation is being sought and make a decision within a reasonable time after the appeal is submitted. Each application shall be accompanied by a check payable to Appanoose County Zoning, or a cash payment of seventy-five dollars (\$75.00) to cover the cost of publishing and/ or posting mailing the notices of the Hearing or Hearings. At the Hearing,

any party may appear in person or by attorney. Any taxpayer or any officer, department, board or bureau of the County, or any person or person jointly or severally aggrieved by any decision of the Board may present to a court of record, a petition duly verified setting forth that such decision is illegal in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision with the Board.

b.) Gender reference removed

Article XV District Changes and Amendments

6/16/72 Procedure for Change, Paragraph B, Section 2

Add “at least fifteen 15 days”

4/7/75 Procedure for Change, Paragraph B, Section 5

Delete “500”

Insert “1000”

4/7/75 Procedure for Change, Paragraph B, Section 7

Delete “500”

Insert “1000”

8/4/03 District Changes and Amendments

a.) Fees for Hearing previously approved

b.) 9. Each application for an amendment, except those initiated by the Zoning Commission, shall be accompanied by a check payable to Appanoose County Zoning or a cash payment in the amount of one hundred dollars (\$100.00) to cover the approximate costs of this procedure and under no conditions shall said sum or any part thereof be refunded for failure of said amendment to be enacted into law.