

Zoning Ordinance - #31

Revised August, 2003

Appanoose County, Iowa

ARTICLE I — PURPOSE

This Ordinance is adopted for the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure and provide the social and economic advantages resulting from an orderly, planned use of land resources, and to facilitate adequate but economical provisions for public improvements all in accordance with a comprehensive plan and as permitted by the provisions of Chapter 335 of the Code of Iowa, as amended.

ARTICLE II — NAME

This ordinance shall be known and may be referred to as the Rathbun Reservoir Zoning District Ordinance, Appanoose County, Iowa.

ARTICLE III — DISTRICT DESCRIPTION

The land which is covered by this ordinance and is within the above referred to zoned district is all the land which surrounds the Rathbun Reservoir in Appanoose County, Iowa, not owned by the United States Government, except that which is out granted to a non-federal jurisdiction or agency, and not including any incorporated towns within the following described boundaries:

Beginning at the northwest corner, section 6, T-70N, R-19W, said point being the northwest corner of Appanoose County, Iowa, thence south along the west boundary of Appanoose County seven and one half miles ($7\frac{1}{2}$) more or less, to the west one quarter corner of section 7, T-69N, R-19W, thence east two miles (2) more or less to the east one quarter corner, section 8, T-69N, R-19W, thence north one half mile ($\frac{1}{2}$), more or less, to the northwest corner, section 9, T-69N, R-19W, thence east four and one quarter miles ($4\frac{1}{4}$) more or less to the northeast corner of the northwest one quarter of the north west one quarter, section 7, T-69N, R-18W, thence south one quarter miles ($\frac{1}{4}$) more or less to the center of the northwest one quarter of said section 7, T-69N, R-18W, thence east one half mile ($\frac{1}{2}$) more or less to the center of the northeast one quarter of said section 7, T-69N, R-18W, thence south one quarter mile ($\frac{1}{4}$) more or less to the southeast corner of the southwest one quarter of the northeast one quarter of said section 7, T-69N, R-18W, thence east two and one quarter miles ($2\frac{1}{4}$) more or less to the east one quarter corner, section 9, T-69N, R-18W, thence south one half mile ($\frac{1}{2}$) more or less to the southeast corner of said section 9, T-69N, R-18W, thence east three and one half miles ($3\frac{1}{2}$) more or less to the south one quarter corner of section 7, T-69N, R-17W, thence east three hundred feet to a point which lies on the south section line of said section 7, T-69N, R-17W, thence northerly along a line parallel to, concentric with, and 300 feet normally and radially distant from the centerline of Iowa Highway No. 5, in the location as it exists at the date of this ordinance, to a point lying on the north line of section 9, T-70N, R-17W, said point being 300 feet east of the north one quarter corner, section 9, T-70N, R-17W and lying on the south corporation line of Moravia, Iowa, thence west approximately six tenths of one mile (0.6) to the southwest corner, section 4, T-70N, R-17W, said point being the southwest corner of the incorporated limits of Moravia, Iowa, thence north one mile (1) more or less to the northeast corner of said section 4, T-70N, R-17W, said point being the northwest corner of the incorporated limits of Moravia, Iowa, and lying on the north county line of Appanoose County, Iowa, thence west along the north boundary line of Appanoose County, Iowa, fourteen miles (14) more or less to the point of beginning.

Any land outgranted by the United States Government to public or private organizations shall be governed by this ordinance.

ARTICLE IV — ZONING COMMISSION

A. Appointment and Terms

An Appanoose County Zoning Commission is hereby created. Such a Zoning Commission shall consist of seven (7) members appointed by the County Board of Supervisors. The seven members of the first Zoning Commission shall serve terms as follows: Two members for one year, three members for two years, and two members for three years. Thereafter, terms shall be for three years and vacancies shall be filled by a resident who lives in the zoned district for a period of not less than nine months each year. The County Board of Supervisors shall have power to remove any member of the Zoning Commission for cause upon written charges and after public hearing.

B. Meetings

The Zoning Commission shall organize and adopt rules in accordance with provisions of this Ordinance and the Iowa Statute. The Board of Supervisors shall name one of the members of the Zoning Commission as Chairman upon their appointment, and in case of a vacancy, shall name another chairman. All meetings of the Zoning Commission shall be held at the call of the chairman and/or the Zoning Administrator and at such time and place within the county as the Zoning Commission may determine. All meetings of the Zoning Commission shall be open to the public. The Zoning Commission shall keep complete records of its meetings and other official actions. Every rule, regulation, every amendment or repeal thereof, and every order, requirement or decision of the Zoning Commission, shall immediately be filed in the office of the Board of Adjustment, and shall be a public record. The presence of four (4) members shall be necessary to constitute a quorum.

ARTICLE V — INTERPRETATION OF STANDARDS

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements.

ARTICLE VI — EXEMPTION OF FARM STRUCTURES AND/OR AGRICULTURAL LAND

In accordance with the provisions of Chapter 335, Code of Iowa, no regulation, restriction or requirement adopted under the provisions of the Zoning Ordinance shall be construed to apply to land, farm houses, farm barns, farm outbuildings or other buildings, structures, or erections which are primarily adapted, by reason of nature and area, for use for agricultural purpose, while so used provided, however, that such regulations, restrictions or requirements which relate to any structure, building, dam, obstructions, deposit or excavation in or on the flood plains of any river or stream shall apply thereto.

ARTICLE VII — DEFINITIONS

For the purpose of this Ordinance, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include plural; and the plural, the singular. The word SHALL is mandatory and not directory.

Accessory Use or Structure. A use or structure subordinate to the principal use of a building on the lot and serving a purpose customarily incidental to the use of the principal building.

Agriculture. The use of land for agricultural purposes including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, forestry, and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

Alley. A public or private way affording secondary means of access to abutting property.

Apartment. A room or suite of rooms in a multiple dwelling intended for or designed for use as a residence by a single family.

Automobile Salvage Yard. See "junk yard".

Basement. A story having part but more than one-half (1/2) of its height below grade. A basement is counted as a story for the purpose of height regulations.

Billboard. "Billboard" as used in this Ordinance shall include all structures, regardless of the material used in the construction of the same that are erected, maintained or used for public display of posters, painted signs, wall signs, whether the structure be placed on the wall or painted on the wall itself, pictures or other pictorial reading matter which advertise a business or attraction which is not carried on or manufactured in or upon the premises upon which said signs or billboards are located. Signs on trailers, trucks or other vehicles or moveable objects parked for the primary purpose of advertising shall be considered as billboards.

Block. That property abutting on one side of a street and lying within the two nearest intercepting or intersecting streets or lying within the nearest intercepting or intersecting streets and unsubdivided acreage or railroad right-of-way.

Board. Board of Adjustment.

Boarding House. A building other than a hotel where for compensation, meals or lodging are provided for four (4) or more persons.

Building. Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property, but not including signs or billboards. When a structure is divided in separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.

Building, Height of. The vertical distance from the average natural grade at the building line to the highest point of the coping of a flat roof, or to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip, and gambrel roofs.

Bulk Stations. Distributing stations commonly known as bulk or tank stations used for the storage and distribution of flammable, corrosive or highly volatile liquids, liquefied petroleum products, or other liquefied gases where the aggregate capacity of all storage tanks is more than twelve thousand (12,000) gallons.

Camping Ground. Any land or portion thereof which is planned for and used exclusively, not exceeding four (4) weeks duration by occupants of tents, trailers, mobile homes or other mobile living facilities.

Commission. Appanoose County Zoning Commission.

Construction, Actual. Actual construction is hereby defined to include the placing of construction materials in permanent manner; except that where demolition or removal shall be deemed to be actual construction provided that work shall be diligently carried on until completion of the building involved.

Court. An open, unobstructed, and unoccupied space other than a yard, which is bounded on two or more sides by a building on the same lot.

District. A section or sections of Appanoose County within which the regulations governing the use of building and premises or the height and area of buildings and premises are uniform.

Dwelling. Any building or portion thereof which is designed or used exclusively for residential purposes including modular homes which meet the requirements of Division VI, Part 1 of the Iowa State Building Code and manufactured homes which were built after June 15, 1976, that meet the requirements of Division VI, Part 2 of the Iowa State Building Code but not including a tent, cabin, trailer, or mobile home.

Dwelling, Condominium. Means a multiple dwelling as defined herein whereby the title to each dwelling unit is held in separate ownership, and the real estate on which the units are located is held in common ownership solely by the owners of the units, with each owner having an undivided interest in the common real estate.

Dwelling, Single-family. A building designed for or occupied exclusively for residence purposes by one family. (One-dwelling unit).

Dwelling, Two-family. (Duplex) a building designed for or occupied exclusively for residence purposes by two families.

Dwelling, Multi-family. A building or portion thereof designed for or occupied exclusively for residence purposes by three or more families or housekeeping units living independently of each other.

Family. A group of one or more persons occupying a single dwelling unit.

Farmhouse. Means the dwelling on a farm commonly occupied by the farmer's family, or is exempt pursuant to Article VI.

Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

Front Building Line or Front Construction Line. Means a line, the appropriate distance from the front lot line dependant upon the district, extending along and perpendicular to the front of the primary building excluding the usual steps, decks or unenclosed porches.

Garage, Private. A structure intended for and used by the private motor vehicles of the families resident upon the premises, provided that not more than one-half (1/2) of the space may be rented for the private vehicles of persons not resident on the premises except that all of the space in a garage of one or two car capacity may be so rented; such garage shall not be used for more than one small commercial vehicle per family resident upon the premises.

Garage, Public. Any building or premises except those used as private or storage garages used for equipping, refueling, servicing, repairing, hiring, selling, or storing motor-driven vehicles.

Garage, Storage. Any building or premises used for housing only of motor-driven vehicles pursuant to previous arrangements and not to transients and at which automobile fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.

Grade.

- A. For buildings having walls adjoining one street only, the elevation of the regularly established sidewalk grades at the center of all walls adjoining the street.
- B. For buildings having walls adjoining more than one street, the overage of the elevation of the regularly established sidewalk grades at the center of all walls adjoining the streets.
- C. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building. Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.

Hotel. A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests in contradistinction to a boarding house or lodging house.

Junk Yard. Any area where waste, discarded or salvaged materials are bought, sold, exchanged, baled or packed, disassembled or handled, including the dismantling or "wrecking" of automobiles or other vehicles or machinery, house-wrecking yards, used lumber yards and places or yards for storage of salvaged house-wrecking and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building. The presence on any property of three or more motor vehicles (as defined by Chapter 321.1 of the Code of Iowa) without current registration and which for a period exceeding thirty days have not been capable of operating under their own power, and/or from which parts have been removed for re-use, salvage, or sale, shall constitute prima facie evidence of a junk yard.

Kennel. Any premises on which three or more dogs are kept for board, breeding, or sales.

Lodging House. A building where lodging only is provided for compensation for four or more persons.

Lot. A parcel of land occupied or intended for occupancy by one main building together with its accessory buildings including all open spaces required by this Ordinance, and having its principal frontage upon a private/public street, road or dedicated public access.

Lot, Corner. A lot abutting upon two (2) or more streets at their intersection.

Lot, Depth of. The mean horizontal distance between the front and rear lot lines.

Lot, Double Frontage. A lot having a frontage on two (2) nonintersecting streets as distinguished from a corner lot.

Lot, Interior. A lot other than a corner lot.

Lot Lines. The property lines bounding a lot.

Lot of Record. A lot, the deed of which has been recorded in the Office of the County Recorder.

Lot Width. The width of a lot measured at the building line and at right angles to its depth.

Lumber Yard. A premises on which primarily new lumber and related building materials are sold.

Mobile Home. Any structure built prior to June 15, 1976 used for living, sleeping, business, or storage purposes having no foundation other than wheels, blocks, skids, jacks, horses or skirtings, or which is, has been, or reasonably may be equipped with wheels or other devices for transporting the structure from place to place, whether by motive power or other means.

Mobile Home Park. Any lot or portion of a lot upon which two or more mobile homes, occupied for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodation.

Motel, Auto Court, Motor Lodge. A building or group of attached or detached buildings containing individual sleeping or living units for overnight auto tourists, with garage attached or parking facilities conveniently located to each such unit.

Non-conforming Use. The lawful use of any building or land that was established prior to or at the time of passage of this Ordinance or amendments thereto which does not conform after the passage of this Ordinance or amendments thereto with the use regulations of the district in which it is situated.

Parking, Long Term. Parking of any licensed or unlicensed vehicle in one location on any public street, road or public access for longer than one uninterrupted twenty four (24) hour period during one week.

Parking Space. An area of not less than two hundred fifty (250) square feet either within a structure or in the open, exclusive of driveway or access drives for the parking of a motor vehicle.

Permanent Foundation. A foundation of at least forty two (42) inches deep, said foundation being constructed out of concrete block with mortar, or a poured concrete foundation. Permanent foundation may be a pier foundation system extending from the ground level to below normal frost level designed and constructed to be compatible with the structure and the conditions of the site.

Recreational Vehicle. Means a travel trailer, fifth-wheel trailer or motor home as defined in section 321.1, sub-section 36C paragraphs b, c and d Code of Iowa.

Sign. Any device designed to inform or attract the attention of persons not on the premises on which the sign is located; provided, however, that the following shall not be included in the application of the regulations herein:

A. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises or other identification of premises not having commercial connotations.

B. Flags and insignias of any government except when displayed in connection with commercial promotion.

C. Legal notices, identification, information, or directional signs erected or required by governmental bodies.

D. Integral, decorative or architectural features of buildings.

E. Signs directing and guiding traffic and parking but bearing no advertising matter.

Sign, On-Site. A sign relating in its subject matter to the premises on which it is located or to products, accommodations, services, or activities on the premises.

Sign, Off-Site. A sign other than an on-site sign. (See also "Billboard").

Sign, Post. Any sign erected or affixed in a rigid manner to any pole or post and which carries any advertisement strictly incidental and subordinate to a lawful use of the premises on which it is located including signs or sign devices indicating the business transacted, services rendered or goods sold or produced on the premises by an occupant thereof.

Sign, Roof. A sign erected upon or above a roof or parapet of a building or structure.

Stable, Private. A building or structure used or intended to be used for housing horses belonging to the owner of the property only for non-commercial purposes.

Stable, Public and Riding Academy. A building or structure used or intended to be used for the housing only of horses on a fee basis. Riding instruction may be given in connection with a Public Stable or Riding Academy.

Stable, Riding Club. A building or structure used or intended to be used for the housing only of horses by a group of persons for non-commercial purposes.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling or roof next above it.

Story, Half. A space under a sloping roof which has the line of intersection of roof decking and wall face not more than four (4) feet above the top floor level. A half-story containing independent apartments or living quarters shall be counted as a full story.

Street or Road Line. A dividing line between a lot, tract, or parcel of land and a contiguous street or road.

Street or Road, Public. Any thoroughfare or public way which has been dedicated to the public or deeded to and accepted by the County for street or road purposes.

Structural Alterations. Any replacement or changes in the type of construction or in the supporting members of a building such as bearing walls or partitions, columns, beams or girders, beyond ordinary repairs and maintenance.

Structure. Anything constructed or erected, the sum of which requires permanent location on the ground or attached to something having a permanent location on the ground.

Tourist Home. A residential building in which rooms are available for rental purposes as overnight sleeping accommodations primarily for automobile travelers.

Trailer, House. See "Mobile Home".

Trailer Park. See "Mobile Home Park".

Yard. An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward excepting as otherwise provided herein.

Yard, Front. A yard extending across the full width of the lot and measured between the front lot line and the building or any projection thereof, other than the projection of the usual steps or unenclosed porches. The narrow frontage on a corner lot.

Yard, Rear. A yard extending across the full width of the lot and measured between the rear lot line and building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the opposite end of the lot from the front yard.

Yard, Side. A yard extending from the front yard to the rear yard and measured between the side lot lines and the building.

Zoning Administrator. The administrative officer designated or appointed by the Board of Supervisors to administer and enforce the regulations contained in this Ordinance.

Zoning Certificate. Written statement issued by the Zoning administrator authorizing buildings, structures or uses consistent with the terms of this Ordinance and for the purpose of carrying out and enforcing its provisions.

ARTICLE VIII — DISTRICTS

A. District Designation. For the purpose of this Ordinance the land covered by this Ordinance is hereby divided into the following designated districts as shown on the Official Rathbun Reservoir Zoning District Map which, with all its notations, designations, references and other matters shown thereon, is hereby adopted by reference and declared to be part of this ordinance, to-wit:

A Agricultural District

R Residential District

C Commercial District

I Industrial District

B. Official Zoning Map.

1. The official zoning map shall be identified by the signature of the Chairman of the Board of Supervisors, attested to by the County Auditor, under the following language: "This is to certify that this is the original official Rathbun Reservoir Zoning District Map referred to in Article VIII, Paragraph A of the Zoning Ordinance for Rathbun Reservoir Zoning District, Appanoose County, Iowa," together with the date of adoption of this Ordinance.

2. If, in accordance with the provisions of this ordinance and the laws of the State of Iowa, changes are made in district boundaries or other matter portrayed in the said original official zoning map, such changes shall be portrayed on a map identical to the original official zoning map and certified as hereinabove provided for the original official zoning map, except said changed map shall be identified as being an amended official zoning map for Rathbun Reservoir Zoning District and show the date of adoption of said amending ordinance.

3. The original official Rathbun Reservoir Zoning District Map and all amendments thereto shall be kept at the office of the Zoning Administrator.

C. District Boundaries. The boundaries of the various districts established by this Ordinance are road lines, alley lines, property lines, lot lines, section lines, quarter lines, quarter quarter lines, center of rivers, or other lines shown on the official zone maps. Where boundaries are approximately indicated as property or lot lines, the true location of such lines shall be taken as the boundary lines. Where the distance to any boundary line, from a road line, property line or lot line, is indicated by the original official Rathbun Reservoir Zoning District Map or amendments thereto, such measurements shall control.

D.

ARTICLE IX — APPLICATION OF DISTRICT REGULATIONS

The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

A. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected or altered

1. to exceed the height;
2. to accommodate or house a greater number of families;
3. to occupy a greater percentage of lot area;
4. to have narrower or smaller rear yards, front yards, side yards, or other open spaces; other than herein required; or in any other manner contrary to the provisions of this Ordinance.

C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance shall be included as part of a yard, open space, or off-street

Zoning Certificate. Written statement issued by the Zoning administrator authorizing buildings, structures or uses consistent with the terms of this Ordinance and for the purpose of carrying out and enforcing its provisions.

ARTICLE VIII — DISTRICTS

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A Agricultural District

R Residential District

C Commercial District

I Industrial District

B. Official Zoning Map.

1. The official zoning map shall be identified by the signature of the Chairman of the Board of Supervisors, attested to by the County Auditor, under the following language: "This is to certify that this is the original official Rathbun Reservoir Zoning District Map referred to in Article VIII, Paragraph A of the Zoning Ordinance for Rathbun Reservoir Zoning District, Appanoose County, Iowa," together with the date of adoption of this Ordinance.

2. If, in accordance with the provisions of this ordinance and the laws of the State of Iowa, changes are made in district boundaries or other matter portrayed in the said original official zoning map, such changes shall be portrayed on a map identical to the original official zoning map and certified as hereinabove provided for the original official zoning map, except said changed map shall be identified as being an amended official zoning map for Rathbun Reservoir Zoning District and show the date of adoption of said amending ordinance.

3. The original official Rathbun Reservoir Zoning District Map and all amendments thereto shall be kept at the office of the Zoning Administrator.

C. District Boundaries. The boundaries of the various districts established by this Ordinance are road lines, alley lines, property lines, lot lines, section lines, quarter lines, quarter quarter lines, center of rivers, or other lines shown on the official zone maps. Where boundaries are approximately indicated as property or lot lines, the true location of such lines shall be taken as the boundary lines. Where the distance to any boundary line, from a road line, property line or lot line, is indicated by the original official Rathbun Reservoir Zoning District Map or amendments thereto, such measurements shall control.

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A. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected or altered

1. to exceed the height;

2. to accommodate or house a greater number of families;

3. to occupy a greater percentage of lot area;

4. to have narrower or smaller rear yards, front yards, side yards, or other open spaces; other than herein required; or in any other manner contrary to the provisions of this Ordinance.

C. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

- D. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

ARTICLE X — NON-CONFORMING USES

Section I. Intent. The districts established by this Ordinance or future amendments will contain certain lots, structures, and uses of land which were lawful before this Ordinance was passed or amended, but which would be prohibited or regulated under the terms of this Ordinance or future amendment. It is, therefore, the intent of the Ordinance to permit these non-conformities to continue until they are removed or discontinued, but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district. To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been diligently pursued.

Section II. The lawful use of a building existing at the time of the effective date of this Ordinance may be continued although such use does not conform to the provisions hereof. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.

Section III. Whenever the use of a building becomes non-conforming through a change in the Zoning Ordinance or district boundaries, such use may be continued, and, if no structural alterations are made, it may be changed to another non-conforming use of the same or of a more restricted classification.

Section IV. In the event that a non-conforming use of any building is discontinued for a period of two (2) years, or the non-conforming use of a temporary building or of the premises is discontinued for a period of three (3) months, the use of the same shall thereafter conform to the use permitted in the district in which it is located.

Section V. No existing building or premises devoted to a use not permitted by this Ordinance in the district in which such building or premises is located, except when required to do so by law or order, shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted in the district in which such building or premises is located.

Section VI. When a building, the use of which does not conform to the provisions of this Ordinance, is damaged by fire, explosion, Act of God, or the public enemy, to the extent of more than sixty-five (65) percent of its value, it can be restored if used for the same purpose as it was used before.

ARTICLE XI — ADDITIONAL USE REGULATIONS

Section 1. General Regulations

- A. **Agricultural Uses Exempt.** Land used for agricultural purposes and associated structures are exempt from provisions of this ordinance as provided in Article VI.
- B. **Visibility at Intersections in Residential Districts.** On a corner lot in any residential district, nothing shall be erected, placed, planted, or allow to grow in such manner as materially to impede vision between a height of two and one-half (2½) and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line adjoining points along said street lines twenty-five (25) feet from the point of intersection.
- C. **Street Frontage Required.** No lot shall contain any building used in whole or in part for residence purposes unless such lot abuts for at least forty (40) feet on at least one street, or unless it has a dedicated public or private easement of access or right-of-way at least twenty (20) feet wide to a street; the access shall remain unobstructed; and there shall be not more than one (1) single-family dwelling for such frontage.
- D. **Accessory Buildings.** Except as provided in "R" District regulations, no accessory building shall be erected in any required court, or in any yard other than a rear yard, except as provided hereinafter. Accessory buildings shall be distant at least five (5) feet from alley lines, and from lot lines of adjoining lots which are in any "R" district, and on a corner lot they shall conform to the setback regulations on the side street. Accessory buildings, except stables, may be erected as a part of the principal building or may be connected thereto by a breezeway or similar structure provided all yard requirements for a principal building are complied with.
- E. **Corner Lots.** For corner lots platted after the effective date of this Ordinance, the street side yard shall be equal in width to the setback regulation of the lots to the rear having frontage on the intersecting street.

On corner lots platted and of record at the time of the effective date of this Ordinance, the side yard regulation shall apply to the longer street side of the lot except in the case of reversed frontage where the corner lot faces an intersection street. In this case, there shall be a side yard on the longer street side of the corner lot of not less than fifty (50) percent of the set back required on

the lots to the rear of such corner lot, and no accessory building on said corner lot shall project beyond the setback line of the lots in the rear; provided further that this regulation shall not be interpreted as to reduce the buildable width of the corner lot facing an intersecting street and of record or as shown by existing contract of purchase at the time of the effective date of this Ordinance to less than twenty-eight (28) feet nor to prohibit the erection of an accessory building.

- F. Building Lines on Approved Plats.** Whenever the plat of a land subdivision approved and on record in the Office of the County Recorder shows a building line along any frontage for the purpose of creating a front yard or side street yard line, the building line thus shown shall apply along such frontage in place of any other yard line required in this Ordinance unless specific yard requirements in this Ordinance require a greater setback.
- G. Manufactured and Modular Homes.** A manufactured or modular home may be used as a dwelling provided it meets the requirements set forth in Article XI, Section 3-A.
- H. Recreational Vehicles and Storage.** Not more than one recreational vehicle shall be kept on any lot in any district except commercial or agricultural. In the commercial district if more than one recreational vehicle is kept on a lot it must be in a designated campground, mobile home park or storage facility approved for that purpose. If a recreational vehicle is kept on a lot for more than two (2) weeks the owner of the vehicle or lot must notify the zoning administrator's office and provide the required information regarding the vehicle, date of arrival, etc. In a residential or industrial district there is a six (6) month limit, at the end of the six (6) month period the vehicle must be removed unless it is properly stored without utility connections behind the front construction line of a primary building. If the vehicle remains over the permitted six (6) months without being stored as given above the owner must obtain a non-renewable zoning certificate and skirt the unit as required by the zoning certificate. The zoning certificate shall be limited to not more than two (2) years at which time the vehicle must be removed and not replaced on the property. Streets, roads and dedicated accesses which are adjacent to lots shall not be used for long term parking of licensed or unlicensed recreation vehicles, trailers, boats, ATV's or storage of any object or material.
- I. Communication Towers.** Towers used for communication by microwave, radio or other electronic means may be placed in any District after recommendation by the Zoning Commission and approval by the Board of Supervisors. All tower applications shall be submitted with complete design plans and proposed use, including any technological changes which may be needed by the public in order to use the facilities provided by the tower and its appurtenances.
- J. Parking or Storage.** When a lot or lots are developed for occupancy the owner shall provide space on the lot for parking or storage of vehicles, boats, trailers and other like items that may be kept by the occupants of the lot.

Section 2. A - Agriculture District Regulations

A. Principal Permitted Uses

1. Agriculture, and the usual agricultural buildings and structures including, if no dwelling, one (1) mobile home or manufactured home used by an owner, operator or employee for human habitation.
2. Single-family dwellings and mobile homes not used for agriculture operations shall meet the requirements hereinafter set forth in Article XI, Section 3-A-2, paragraphs a, b, c, d, e, f, and g.
3. Church or other places of worship, including parish house and Sunday School building.
4. Public and Parochial Schools and Colleges for academic instruction.
5. Private non-commercial recreational area and centers, public and private forests and wildlife preserves and similar conservation areas.
6. Cemeteries, provided that any new cemetery shall contain an area of five (5) acres or more.
7. Stables, private, kennels, and other structures for housing animals or fowl. Any such structures must be located at least two hundred (200) feet from all boundary lines of the property on which located.
8. Golf courses, fishing lakes, gun clubs, skeet shooting ranges and similar uses when authorized by the Board of Supervisors after recommendation by the Zoning Commission.
9. Signs for service clubs.
10. Billboards. Except that no billboard shall be posted and no advertising structure shall be erected as follows:
 - (a) On or within one hundred (100) feet of the right-of-way of a public road or where it would encroach thereon.
 - (b) Along a highway within seven hundred fifty (750) feet of the center point of an intersection of such public road at grade with another public road or with a railroad.

- (c) Along a public road at any point where it would reduce the existing view of traffic in either direction or of traffic control or directional signs to less than seven hundred fifty (750) feet.
 - (d) No billboard within three hundred (300) feet of a house, church, or school.
 - (e) No billboards less than fourteen hundred (1400) feet apart except back to back or end to end, and no more than two (2) billboards facing one direction.
 - (f) No advertisement or advertising structure shall be posted, erected or maintained which simulates any official, directional or warning sign erected or maintained by the state or by any county, municipality or other government subdivision or which incorporates or makes use of flashing lights or lights simulating or resembling traffic signals or control signs. Lights shall be aimed such that and be of proper intensity that they do not hinder or unduly distract passing traffic.
 - (g) No advertisement shall be posted or maintained on rocks, fences, trees or other perennial plants, or on poles maintained by public utilities.
 - (h) No sign or billboard shall be at an angle of less than sixty (60) degrees to the highway right-of-way.
 - (i) No sign or billboard shall be more than one hundred (100) feet long or more than twenty (20) feet in height.
11. Mineral extraction including, but not limited to, coal, rock, clay, sand, and gravel shall be allowed upon the following conditions:
- (a) No excavation or spoil or stock pile shall be made within one hundred (100) feet of road right-of-way, property boundary line or twenty five hundred (2500) feet from any residential building, without the notarized and recorded consent of the owner.
 - (b) Excavation slopes and/or spoil banks adjacent to road right-of-way, boundary fence of buildings shall have minimum slopes of three (3) to one (1), and properly vegetated so as not to cause erosion and/or siltation of adjoining property and shall have a slope no steeper than three (3) horizontal to one (1) vertical.
 - (c) Excavations and spoil piles within three hundred (300) feet of a road right-of-way shall be separated from the road by a planting strip approved by the Zoning Commission.

B. Accessory Uses. Accessory buildings and uses customarily incidental to any of the above uses, including:

- 1. A private garage or parking space.
- 2. Customary incidental home occupations and office of a resident physician, dentist, architect, engineer, attorney, or similar professional persons, including a sign not to exceed ten (10) square feet in area.
- 3. The keeping of roomers or boarders by a resident family.
- 4. Temporary roadside stands, offering for sale only neighborhood agricultural products or other products produced on the premises.
- 5. One (1) bulletin board or sign not exceeding fifty (50) square feet in area appertaining to the construction, lease, hire, or sale of a building or premises, which board or sign shall be removed as soon as the premises are leased, hired, sold, or construction completed.
- 6. Temporary buildings for the uses incidental to construction work which buildings shall be removed upon the completion or abandonment of the construction work. This shall include trailers and mobile homes used as offices.
- 7. Principal uses permitted in this district shall be permitted one (1) double face on-site sign on the premises not to exceed two (2) square feet in area per face.

C. Lot Area, Width and Yard Requirements. The following minimum requirements shall be observed when used for other than agricultural purposes:

- 1. **Lot Area:**
Five acres.
- 2. **Lot Width:**
Two hundred (200) feet.

3. Front Yard Depth:

Fifty (50) feet from right-of-way line unless otherwise specified. When fronting on the right-of-way of a Federal, State or County highway, the front yard shall be measured from the right-of-way line.

4. Side Yard Width:

Each side yard: Twenty-five (25) feet unless otherwise specified. See number 6 below.

5. Minimum Rear Yard Depth:

Fifty (50) feet unless otherwise specified.

6. Lots of Record (Undersize and Separately Owned) – Side yard for dwellings on lots on record at the time of passage of this Ordinance that are under separate ownership from adjacent lots and which do not meet the minimum width requirement of the district in which located may be reduced as follows:

(a) **Interior Lots** - The width of each of the side yards may be reduced to fifteen (15) percent of the width of the lot on lots having a width of fifty (50) feet or more. On lots having a width less than fifty (50) feet, each side yard shall be no less than five (5) feet.

(b) **Corner Lots** - The width of the side yard adjacent to the side street may be reduced to not less than ten (10) feet. The width of the side yard opposite the side street may be reduced to fifteen (15) percent of the width of the lot on lots having a width of fifty (50) feet or more. On lots having a width less than fifty (50) feet, this side yard shall be no less than five (5) feet.

Section 3 - R - Residence District - Regulations

In "R" Districts, the following regulations shall apply except as otherwise provided herein:

A. Principal Permitted Uses.

1. Single-family dwellings and multiple family dwellings. This may include modular and manufactured homes as defined in this ordinance, which are placed on a permanent foundation and anchored as required by the State Building Code and this ordinance for that type of structure.
2. Single-family dwellings, mobile homes and manufactured homes, whether single or multiple in width, and of either standard or expandable type construction, subject to the following requirements.
 - (a) All such homes shall be placed on a full, permanent foundation, either of poured concrete construction, laid up mortared masonry construction or any other pier footing foundation system designed and constructed to be compatible with the structure and conditions of the site. The mobile or manufactured home shall be anchored in accordance with the Iowa State Building Code to prevent overturning. If earth anchors are used they shall be hidden from view by the foundation or skirting of the home.
 - (b) All mobile and manufactured homes shall have full skirting if the foundation does not hide all piping, plumbing or undercarriage.
 - (c) All mobile and manufactured homes shall be converted to real property as outlined in Section 435.26 of the Code of Iowa.
 - (d) Adequate outbuildings or basement storage area shall be provided for normal lawn, home and garden tools and accessories.
 - (e) All dwellings shall have direct access to an all weather street or road.
 - (f) All such homes shall meet the setback and other requirements of this section and a zoning certificate is required prior to placement.
 - (g) Each such home shall comply with state and local health regulations.
3. Church or other place of worship, including parish house and Sunday School building.
4. Public and Parochial Schools and Colleges for academic instruction.
5. Public buildings and properties of the cultural, administrative or public service type, but not including such uses as storage

yards, warehouses or garages.

6. Public parks, recreation areas, playgrounds, community centers, forests, wildlife preserves and similar conservation areas.
7. Private non-commercial recreational areas and facilities, swimming pools, institutional or community recreation centers.
8. Cemeteries adjacent to or an extension of existing cemeteries.
9. All garages, storage and other accessory buildings shall be erected behind the front building line of the primary dwelling or building.
10. Signs for service clubs not to exceed nine (9) square feet in area displaying the emblem of the club and information on the time and location of meetings. No set back or other yard requirements need be provided for such signs.

B. Accessory Uses

1. Private garage which may include living quarters of persons employed on the premises.
2. Summer houses and other customary incidental structures.
3. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work. This shall include trailers and mobile homes used as offices.
4. One bulletin board or sign not exceeding twelve (12) square feet in area for any permitted church, school, or other public or semipublic institution.
5. One bulletin board or sign not exceeding fifty (50) square feet in area appertaining to the construction, lease, hire, or sale of a building or premises, which board or sign shall be removed as soon as the premises are leased, hired, sold or construction completed.
6. Private stable, provided that any structure shall be located at least five hundred (500) feet from all boundary lines of the property on which located.
7. Principal uses permitted in this district shall be permitted one double-face on-site sign on the premises not to exceed two (2) square feet in area per face.

C. Lot Area, Width and Yard Requirements: The following minimum requirements shall be observed: (the following are minimum lot size and shall be enlarged if needed to comply with County Health Ordinances:

1. **Lot Area:** -Minimum lot area is 8,500 square feet.
2. **Lot Width:** 75 feet.
3. **Front Yard Depth:** Dwellings and other permitted uses including decks, porches and other accessory buildings: twenty (20) feet from right-of-way unless otherwise specified. When fronting on the right-of-way of a Federal, State or County Highway, the front yard shall be measured from the right-of-way line. When fronting any other road or access to property, the front yard shall be measured from the platted lot line. In no case shall the front yard ever be measured from the edge of the traveled portion of the road.
4. **Side Yard Width:** Each side yard - dwellings and other permitted uses including decks, porches and other accessory buildings: five (5) feet unless otherwise specified. See number six below. If a property owner has more than one lot situated side by side or back to back they may treat two or more lots as one in the design and construction of a dwelling and accessory buildings. Any accessory building shall be placed to the rear of the front building line of the primary building.
5. **Rear Yard Depth:** Dwellings and other permitted uses including decks, porches and other accessory buildings: ten (10) feet unless otherwise specified.
6. **Lots of Record (Undersize and Separately Owned).** Side yard for dwellings on lots of record at the time of passage of this Ordinance that are under separate ownership from adjacent lots and which do not meet the minimum width requirement of the

"R" District may be reduced as follows:

- (a) **Interior Lots** - the width of each of the side yards may be reduced to twelve (12) percent of the width of the lot on lots having a width of fifty (50) feet or more. On lots having a width less than fifty (50) feet, each side yard shall be no less than five (5) feet. Setbacks on lots having a depth of one hundred (100) feet or less shall have no less than 80% of the setback required for the front and back yards given in C3 and C5 above.
- (b) **Corner Lots** - the width of the side yard adjacent to the side street may be reduced to not less than ten (10) feet. The width of the side yard opposite the side street may be reduced to twelve (12) percent of the width of the lot on lots having a width of fifty (50) feet or more. On lots having a width of less than fifty (50) feet, this side yard shall be no less than five (5) feet.

D. Dwelling Area: All dwellings and mobile homes shall have the following:

- 1. A minimum of 600 square feet of living area.
- 2. Adequate sanitary facilities meeting the requirements of Appanoose County Health Ordinance.
- 3. An ample supply of approved drinking water.

Section 4 - C - Commercial District - Regulations

In "C" Districts, the following regulations shall apply, except as otherwise provided herein:

A. Principal Permitted Uses

- 1. Any use permitted in the R - Residence District. When a residence is placed or constructed in a commercial district all R - Residence District Regulations apply to that structure.
- 2. 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 or alcoholic beverages shall be at least one thousand (1000) feet from any "R" District or any existing residence, and five hundred (500) feet from any church or cemetery.
 - (a) **Automotive Service**
Filling Station
Tires and Auto Accessory Store
Public Parking
Repair Garage
 - (b) **Business Service:**
Bank
Loan Office
Professional or Commercial Office
Travel Bureau
Real Estate Office
 - (c) **Clothing Service:**
Apparel Shop
Clothes Cleaning Pickup Station
Costume Rental
Diaper Service
Shoe Sales or Repair
Tailor
Hat Cleaning or Repair Shop
 - (d) **Equipment Service:**
Household Appliances
Phono-Record Shop
Photographic Shop
 - (e) **Food Service:**
Caterer

Grocery
Fruit and Vegetable Store
Meat Market
Drugstore
Tea Rooms
Restaurant

- (f) General Retail Service:
Book Store
Bird or Pet Shop
Cigar Store
Furrier
Hardware
Paint and Wallpaper Store
Florist Shop
Toy Shop
Variety Store

- (g) Personal Service:
Beauty Parlor
Barber Shop
Cosmetics
Masseur Salon
Optician
Reducing Salon

- (h) Amusement Enterprises:
Billiard Hall
Bowling Alleys
Theater (Indoor)

- (i) Hotel, Motel, Private Club or Lodge.

- (j) Advertising sign or billboard provided that when the same is located within fifty (50) feet of an "R" District boundary line, it shall be affixed to or be part of a building and not extend over any street line nor project above the roof line or parapet wall. Signs and billboards shall comply with requirements of Section 2-A-10.

- (k) Funeral Homes

- (l) Clinics

3. Drive-in eating and drinking establishments, bars and cocktail lounges, summer gardens, and road houses including entertainment and dancing; provided the principal building is distant at least one thousand (1000) feet from any "R" District, or any existing residence, and five hundred (500) feet from any church or cemetery.
4. Automobile, trailer, mobile home, boat, recreational vehicle, and farm implement establishments for display, hire, sales, and repair, including sales lots; however, this paragraph shall not be construed to include automobile, tractor, machinery, or similar wrecking and used parts yards.
5. Theaters: provided that for drive-in theaters the screen shall be so located as to not be visible from adjacent highways. Sufficient drive area shall be provided so that cars will not be waiting in line on any public right-of-way or otherwise create a hazard to vehicular movement.
6. Animal hospital, veterinary clinic or kennel; but not including any exercising runway; provided any structure or area used for such purpose shall be at least two hundred (200) feet from any "R" District boundary and one hundred (100) feet from any "A" or "C" District boundary.
7. Commercial baseball fields, swimming pools, skating, golf driving ranges, or similar recreational uses and facilities.
8. Carpenter, sheet metal and sign painting shops, bakery, laundry, clothes cleaning and/or dyeing establishments, lumber yards and commercial greenhouses; provided that no heating plant or ventilating flue in connection with such operations shall be within fifty (50) feet of any "R" District, or any existing residence.
9. Mineral extraction will be allowed by permit only with Article XI Section 2-A-11 applying.

10. County clubs and golf courses. Commercial golf courses may be permitted by the Board of supervisors after a Public Hearing and recommendation by the Zoning Commission.
11. Hospitals, sanatoriums but not including those for contagious diseases or for the insane, liquor or drug addicts, and religious institutions not including correctional institutions provided that any such buildings shall be set back from all adjacent property, street and highway lines, a distance of not less than three (3) feet for each foot of building height.
12. Nurseries and green houses, provided that any heating plant shall be distant at least two hundred (200) feet from any dwelling in any district or from any adjoining lot line in an "R" district.
13. A. Mobile home parks subject to the following conditions:
 - (a) The mobile park shall be located on a parcel of ground at least five acres in size and each boundary line of the park shall be at least 200 feet from any residential structure located outside the park unless separated therefrom by a natural or artificial barrier.
 - (b) The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
 - (c) Each mobile home space shall be large enough to provide a distance of 10 feet between any trailer or structure on the space and the lot line, a front yard of 15 feet (not including driveway) and a rear yard of 10 feet.
 - (d) All mobile home spaces shall abut upon a driveway of not less than 20 feet in width which shall have unobstructed access to a private/public street or dedicated public access.
 - (e) Overall density shall not be greater than the lot area per family specified within the district.
 - (f) All driveways and walkways in the park shall be surfaced and shall be lighted at night.
 - (g) Each park shall provide service buildings to house toilet, bathing and other sanitary facilities, and such laundry facilities as may be necessary.
 - (h) An electrical outlet supplying at least 110 volts shall be provided for each mobile home space.
 - (i) Adequate sanitary facilities and a supply of pure water shall be provided for each mobile home space.
 - (j) Each park shall comply with all state and local health regulations.
14. Commercial campgrounds shall comply with all state regulations for such facilities.

B. Accessory Uses

1. Accessory uses and structures as permitted and regulated in the "R" District except as otherwise provided herein.
2. Other accessory uses and structures customarily accessory and incidental to any permitted principal use.
3. Signs, On-Site
 - (a) Any exterior sign shall pertain only to a use conducted within the building and be integral or attached thereto. No sign, other than a post sign, may project over any street line or extend more than six (6) feet over any building line whether fixed to the building or any other structure. In no case shall any sign project more than four (4) feet above the roof line or parapet wall, and the total area of all signs pertaining to the business conducted in any building shall not exceed two (2) square feet in area for every foot occupied by the front of the building displaying such sign. Where the lot adjoins an "R" District, the exterior sign shall be attached flat against the building and shall not face the side of the adjacent lot located in the "R" District; however, this does not apply to the side of the building which is opposite that side adjoining the "R" District.
 - (b) One "post sign" on each street on which a business abuts; provided, however, that said "post sign" shall not have any visible surface area greater than eighty (80) square feet on any one side thereof and not more than two (2) sides of said "post sign" shall be used for advertising purposes. The bottom of said "post sign" or surface area thereof shall be not less than twelve (12) feet above the sidewalk or above the surface of the ground upon which it is erected. The term "post sign" as herein defined shall not be deemed to include any sign advertising the trade name, merchandise, or service of any person, firm, or corporation who pays a consideration for the privilege of placing, maintaining, or using any portion of said sign to

the owner or occupant of the premises upon which said sign is erected or placed. Said "post sign" shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety of pedestrians or motorists.

C. Lot Area, Width and Yard Requirements: The following minimum requirements shall be observed:

1. **Lot Area** - Dwellings; same as specified in the "R" District. Other permitted uses listed in this Section: no minimum if public sewer and water is available, otherwise 8,500 square feet.
2. **Lot Width** - Dwellings; same as specified in the "R" District. Other permitted uses listed in this section: no minimum if public sewer and water is available, otherwise 75 feet.
3. **Front Yard Depth** - All uses except residential uses as stated in Section 4 C-A-1 of this Article: seventy-five (75) feet. When fronting on the right-of-way of a street or road, the front yard shall be measured from the right-of-way line.
4. **Side Yard Width** - Dwellings, or any building containing dwelling units: same as "R" District. None required for other uses listed in this section except when adjacent to an "R" District in which case not less than ten (10) feet.
5. **Rear Yard Depth** - Except residential uses: Thirty-five (35) feet.

D. Parking, Loading. Adequate off-street parking and loading area shall be provided for each commercial establishment.

Section 5.1 - Industrial District - Regulations

In "I" Districts, the following regulations shall apply, except as otherwise provided herein:

A. Principal Permitted Uses:

1. Uses permitted in "C" District; provided that no Zoning Certificate shall be issued for any dwellings, schools, hospitals, clinics and other institutions for human care, except where incidental to a permitted principal use.
2. Automobile assembly and major repair.
3. Creamery, bottling, ice manufacturing and cold storage plant.
4. The manufacturing, compounding, processing, packaging or treatment of cosmetics, pharmaceuticals, and food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils.
5. The manufacturing, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as bone, cloth, cork, fiber, leather, paper, plastics, metals, stones, tobacco, wax, yarns and wood.
6. Manufacturing of musical instruments, novelties and moulded rubber products.
7. Manufacture or assembly of electrical appliances, instruments and devices.
8. Manufacture of pottery or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
9. Laboratories - experimental, film or testing.
10. Manufacture and repair of electric signs, advertising structures, light sheet metal products, including heating and ventilating equipment.
11. Blacksmith, welding, or other metal shop, excluding drop hammers and the like.
12. Foundry casting lightweight non-ferrous metals, or electric foundry not causing noxious fumes or odors.
13. Bag, carpet and rug cleaning; provided necessary equipment is installed and operated for the effective precipitation or recovery of dust.
14. Enameling, lacquering, or japanning.
15. Crematory - if located not less than two hundred (200) feet from any "R" District, or existing residence.
16. Concrete mixing, concrete products manufacture.
17. Sawmill, planing mill; including manufacture of wood products not involving chemical treatment.

18. Building material sales yards, retail lumber yard, contractor's equipment storage yard or plant or rental of equipment commonly used by contractors, storage and sale of livestock, feed and/or fuel, provided dust is effectively controlled, and storage yards for vehicles of a delivery or draying service.
19. Circus, carnival or similar transient enterprise; provided such structures or buildings shall be at least two hundred (200) feet from any "R" District, or existing residence.
20. Flammable liquids, underground storage only.
21. Printing and/or publishing houses.
22. Wholesale warehouse or business.
23. Truck terminal or yard including repair.
24. Storage and wholesale sales of grain not raised on the premises.
25. Any other use not otherwise prohibited by law; provided, however, that none of the following uses shall be established or re-constructed, structure altered, enlarged, or moved unless the Board of Adjustment approves the issuance of a permit therefore in accordance with the provisions.
 - (a) Abattoirs and slaughter houses or stockyards.
 - (b) Acid manufacture or wholesale storage of acids.
 - (c) Cement, lime, gypsum, or plaster of paris manufacture.
 - (d) Distillation of bones.
 - (e) Explosive manufacture or storage.
 - (f) Fat rendering, fertilizer, gas, or glue manufacture.
 - (g) Garbage, offal or dead animal reduction or dumping.
 - (h) Petroleum products refining or wholesale storage, or bulk stations as previously defined. Such facilities shall be located a minimum of 1000 feet from residential, public use, or other built-up area.
 - (i) Smelting or reduction of ores or metallurgical products.
 - (j) Transmitting stations.
 - (k) Auto wrecking and salvage, junk, used parts, metal and rag sale, storage or baling. Such activities shall be enclosed by a metal, plastic, wooden or masonry fence or wall not less than eight (8) feet in height in which any openings are less than 15 percent of the total area. Such fence or wall shall be maintained in a good condition and the property shall not present an unsightly appearance from adjoining properties. Parking of customer or employee vehicles only shall be permitted in the front yard.
26. Mineral extraction will be allowed by permit only, and shall comply with Article XI Section 2-A-11.

B. Accessory Uses. Any uses or structures customarily accessory and incidental to a permitted principal use.

C. Required Conditions.

1. No use specified in A.2 through 26, inclusive shall be permitted to be established or maintained which by reason of its nature or manner of operation is or may become hazardous, noxious, or offensive, owing to the emission of odor, dust, smoke, cinders, gas fumes, noise, vibration, refuse matter or water-carried waste.
2. The best practical means known for the disposal of refuse matter or water-carried waste, the abatement of obnoxious or offensive odor, smoke, dust, gas, noise, or similar nuisance, shall be employed.
3. All principal buildings and all accessory buildings or structures, including loading and unloading facilities shall be located at least one hundred (100) feet away from any "R" District boundary or existing residence except where adjoining a railroad right-of-way, and distant at least fifty (50) feet from any "C" District boundary.

ARTICLE XII. ZONING CERTIFICATE

- A. It shall be unlawful to do any excavating, erecting, constructing, reconstructing, enlarging, altering or moving of any building or structure in Districts A as stated in Article XI Section 2-A-2, R, C, and I until a zoning certificate shall have been issued by the Zoning Administrator. It shall also be unlawful to change the use or occupancy of any building, structure, or land from one classification to another or to change a non-conforming use without the issuance of a zoning certificate.
- B. Written applications with estimated value of building or buildings on approved forms shall be filed with the Zoning Administrator and shall be accompanied by plans in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon or to be changed in its use in whole or in part, the exact location, size and height of any building or structure to be erected or altered, the existing and intended use of each building or structure or part thereof, the number of families or housekeeping units the building is designed to accommodate, and when no buildings are involved, the location of the present use and proposed use to be made of the lot, and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Ordinance. One (1) copy of such plans shall be returned to the owner when such plans shall have been approved by the Zoning Administrator together with such Zoning Certificate as may be granted. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on actual survey. The lot and the location of the building thereon shall be staked out on the ground before construction is started.
- C. There shall be a fee for zoning certificates to be established as follows:
- | Value of Construction | Fee |
|--|-----------------------|
| \$1.00 to and including \$10,000.00 | \$100.00 minimum |
| For each additional \$1,000.00 Valuation or fraction thereof | \$0.50 per \$1,000.00 |
- D. Zoning Certificates issued in accordance with the provisions of this section shall be null and void at the end of six (6) months from the date of issue if the construction, alteration, or change of use has not commenced during the six (6) month period. Proposed construction or alteration must be completed within eighteen (18) months.

ARTICLE XIII. ENFORCEMENT

- A. **Zoning Administrator:** Shall be the administrative officer as provided for in 335.9 of the Code of Iowa.
- B. **Enforcement by Zoning Administrator.** It shall be the duty of the Zoning Administrator to enforce this Ordinance in accordance with its provisions. All departments, officials and public employees of the County which are vested with the duty or authority to issue certificates shall conform to the provisions of this Ordinance and shall issue no certificate for any use, building or purpose if the same would be in conflict with the provisions of this Ordinance.
- C. After a zoning certificate is issued the recipient shall notify the Zoning Administrator when the site preparation is completed, including foundations or footings when required. The Zoning Administrator shall inspect the site for compliance with the zoning ordinance. Upon completion of the project covered by the certificate the recipient shall again notify the Zoning Administrator. Upon notification or, if the Zoning Administrator has not been notified within the 18 months given in XII-D, the Zoning Administrator shall inspect the project and either approve it or initiate procedure provided in paragraph D or E of this Article. The Zoning Administrator shall keep record of inspections indicating approval or action taken if not approved.
- 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) 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.
- E. **Violations - How Prevented.** In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of this Ordinance or any amendment or supplement thereto, said Board of Supervisors, the County Attorney of Appanoose County, said county Zoning Administrator, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

ARTICLE XIV — BOARD OF ADJUSTMENT

- A. **Appointments and Terms.** A Board of Adjustment is hereby created. Such Board of Adjustment shall consist of five (5) members appointed by the County Board of Supervisors who are residents of the Rathbun Zoned District (for a minimum of nine months) each year. The five members of the first Board of Adjustment shall serve terms of one, two, three four and five years respectively. Thereafter, terms shall be for five years and vacancies shall be filled for the unexpired term of any members whose term becomes vacant. The County Board of Supervisors shall have power to remove any member of the Board of Adjustment for cause upon written charges and after Public Hearing.
- B. **Meetings.** The Board of Adjustment shall organize and adopt rules in accordance with provisions of this Ordinance and the Iowa Statute. The Board of Supervisors shall name one of the members of the Board of Adjustment as chairman upon appointment and in case of vacancy, shall name another chairman. All meetings of the Board of Adjustment shall be held at the call of the chairman and at such time and place within the county as the Board of Adjustment may determine. Such chairman, or in absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board of Adjustment shall keep complete records of its Hearings and other official actions. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision of the Board of Adjustment, shall immediately be filed in the office of the Board of Adjustment, and shall be a public record. The presence of three (3) members shall be necessary to constitute a quorum.
- C. **Jurisdiction.** The Board of Adjustment may in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the term of this Ordinance in harmony with its general purpose and intent and in accordance with the general and specific rules herein contained, and any property owner aggrieved by the action of the Board of Supervisors in the adoption of this Ordinance may petition the said Board of Adjustment direct to modify this Ordinance as applied to such property owners.
- D. **Applications, Appeals, Hearings and Stay of Proceedings.**
1. **Applications, when and by whom taken.** An application in cases in which the Board of Adjustment has original jurisdiction under the provisions of this Ordinance, or by statute, may be taken by any property owner including a tenant or by a governmental officer, department, board, or bureau. Such application shall be filed with the Zoning Administrator who shall transmit same to the Board of Adjustment.
 2. **Appeals, when and by whom taken.** An appeal to the Board of Adjustment may be taken by any person aggrieved or by any officer of the County affected by any decision of the Zoning Administrator. Such appeal shall be taken within twenty (20) days after the decision by filing with the Zoning Administrator and with the Board of Adjustment, a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
 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 the Treasurer of the County, 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.

Upon the presentation of such petition, the court may allow a writ of certiorari directed to the Board to review such decision of the Board and shall prescribe therein the time within which a return thereto shall be made, which time shall not be less than ten (10) days, and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may on application upon notice to the Board and on due cause shown, grant a restraining order.

The Board shall not be required to return the original papers acted upon by it, but shall return certified or sworn copies thereof or of such portions, thereof as may be called for by such writ. The return shall concisely set forth such other pertinent facts and material to show the grounds of the decision appealed from and shall be verified.

If upon the Hearing which shall be tried de novo it shall appear to the court that testimony is necessary for the proper disposition of the matter, the court may take such evidence or appoint a referee to take such evidence as it may direct and report the same to the court with findings of fact and conclusions of law. This shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm wholly or in part, or may modify the decision brought up for review.

Costs shall not be allowed against the Board unless it shall appear to the court that the Board acted with gross negligence or in bad faith or with malice in making the decision that is appealed.

4. **Stay or Proceedings.** An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with the officer that by reason of facts stated in the certificate, a stay would in the officers' opinion, cause imminent peril to life or property.

In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.

E. Powers of Board of Adjustment.

1. The Board of Adjustment shall have the following powers and it shall be the Board's duty:
 - (a) to hear and decide appeals where an error is alleged in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Ordinance or of any supplement or amendment.
 - (b) to hear and decide special exception to the terms of this Ordinance upon which such Board is required to pass under this Ordinance.
 - (c) to authorize upon appeal in specific cases, such variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship and so that the spirit of the Ordinance shall be observed and substantial justice done.
2. The concurring vote of three (3) members of the Board of Adjustment shall be necessary to reverse any requirement, decision, order, or determination of the Zoning Administrator or to decide in favor of the applicant in regard to any matter upon which the Board is authorized by this Ordinance to render a decision.
3. It is not the intention to grant to the Board of Adjustment, the power or authority to alter or change the Zoning Ordinance or the District Maps. Such power and authority rests solely with the Board of Supervisors.

ARTICLE XV. DISTRICT CHANGES AND AMENDMENTS

A. General

Whenever the public necessity, convenience, general welfare, or good zoning practice requires the Board of Supervisors may by resolution on its own action or by petition after recommendation by the Zoning Commission after Public Hearing as provided herein, amend, supplement, or change the regulations, district boundaries or classifications of property, now or hereafter established by this Ordinance or amendments thereof.

B. Procedure for Change

1. Applications for any change of district boundaries or classifications of property as shown on the Zoning Maps shall be submitted to the County Zoning Commission at their public office upon such forms and shall be accompanied by such data and information as may be prescribed for that purpose by the Zoning Commission so as to assure the fullest practicable presentation of facts for the permanent record. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the application. Applications for amendments of the text or requirements of this Ordinance shall likewise be submitted to the County Zoning Commission on forms prescribed by it and shall be verified by the person or persons preparing said amendment.
2. Before submitting its recommendations on a proposed amendment to the Board of Supervisors, the Zoning Commission shall hold at least one Public Hearing thereon, at least fifteen (15) days' notice of the time and place of the hearing shall be given by one publication in a newspaper of general circulation in the County. When the Zoning Commission has completed its recommendations on a proposed amendment, it shall certify the same to the Board of Supervisors.
3. After receiving the certification of said recommendations on the proposed amendment from the Zoning Commission and before adoption of such amendment, the Board of Supervisors shall hold a Public Hearing thereon. At least fifteen (15) days' notice of the time and place of the Hearing shall be given by one publication in a newspaper of general circulation in the County.
4. Any person or persons may apply for zoning district changes or amendments by petition. The Zoning Commission or Board of Supervisors may initiate any changes or amendments by their own action.
5. In case of a protest against any changes or amendments signed by the owners of twenty percent (20%) or more either of the area included in such proposed change, or of the area immediately adjacent thereto and within one thousand (1000) feet of the boundaries thereof, such changes shall not become effective except by favorable vote of at least sixty percent (60%) of all the members of the Board of Supervisors. Public Hearings and official notice shall apply equally to all changes or amendments.
6. After receiving certification of the recommendations on the proposed amendment from the Zoning Commission and after holding the Public Hearing provided for the Board of Supervisors shall consider such recommendations and vote upon the adoption of the proposed amendment. The proposed amendment shall become effective by a favorable vote of a majority of the members of the Board of Supervisors as required per Iowa Code Section 331.305 paragraph 5.
7. Any person or persons desiring a change in the zoning classification of property shall file with the application for such change, a statement giving the names and addresses of the owners of all properties lying within one thousand (1000) feet of

any part of the property proposed to be changed.

8. The failure to notify as provided in Subsections 2 and 3 above shall not invalidate any recommendation of the Zoning Commission, provided such failure was not intentional, and the omission of the name of any owner of property who may in the opinion of the Zoning Commission be affected by such amendment or change, shall not invalidate any recommendation adopted hereunder; it being the intention of this subsection to provide so far as may be, due notice to the persons substantially interested in the proposed change that an application is pending before the Zoning Commission proposing to make a change in the Zoning Maps of the regulations set forth in the Ordinance.
9. Each application for an amendment, except those initiated by the Zoning Commission, shall be accompanied by a check payable to the Treasurer of the County 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.

ARTICLE XVI. VALIDITY


Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.


ARTICLE XVII. WHEN EFFECTIVE

The Ordinance shall be in full force and effect in the Rathbun Reservoir Zoning District, Appanoose County, Iowa after its passage, approval and publication as provided by law.

Passes and Adopted this 4th day of August, 2003.


Robert Pontious, Chairman, Board of Supervisors


Dean Kaster, Member, Board of Supervisors


Larry Golic, Member, Board of Supervisors

ATTESTED TO BY:


Linda Demry, County Auditor

First reading August 4, 2003. Second reading waived. Third reading waived

ANCE NUMBER ZOMA
1206-01

ORDINANCE AMENDING
THE OFFICIAL ZONING MAP,
WHICH IS CONSIDERED PART
OF THE APPANOOSE COUN-
TY, IOWA RATHBUN RESER-
VOIR ZONING DISTRICT OR-
DINANCE, ORDINANCE #31,
ADOPTED APRIL 6, 1970,
BOOK 39 MISCELLANEOUS,
PAGE 545 will be heard Janu-
ary 15, 2007 at 9:15 a.m. in the
Board of Supervisors Office of
the Appanoose County Court-
house, 201 N. 12th, Centerville
IA. The Amendment will read
as follows:

SECTION 1. RESCISSION.
This Ordinance rescinds the
current zoning designation,
'Agricultural' on the property
legally described as:

Parcel C located in the NE 1/4
SE 1/4 of Section 10, Township
39 North, Range 18 West of the
5th Principal Meridian, Appa-
noose County, Iowa, more par-
ticularly described as follows,

Commencing at a found iron pin
at the SE corner of the NE 1/4
SE 1/4 of Section 10, Township
39 North, Range 18 West of the
5th Principal Meridian, Appa-
noose County, Iowa, and pro-
ceeding thence North 90°00'00"
West 846.28 feet along the
South line of the N 1/2 SE 1/4 of
said Section 10 to a set iron pin
at the Point of Beginning;
thence North 90°00'00" West
200.00 feet along the South
line of the N 1/2 SE 1/4 of said
Section 10 to a set iron pin;
thence North 00°00'00" East
240.00 feet to a set iron pin;
thence South 90°00'00" East
200.00 feet to a set iron pin;
thence South 00°00'00" West
240.00 feet to the iron pin at
the Point of Beginning, said
parcel containing 1.102 acres,
more or less, 0.184 acres of
which is Appanoose County
Road Right-of-Way, subject to
easements of record

on the Official Zoning Map as
was adopted on April 6, 1970.

SECTION 2. ADOPTION. This
Ordinance adopts in lieu there-
of a new zoning designation,
'Commercial', for the prop-
erties legally described above,
on the Official Zoning Map.

SECTION 3. INTEGRATION
WITH CODE. Each section,
provision or part of this Ord-

nance which is followed by a
section number shall be insert-
ed in the Appanoose County
Zoning Ordinance (Ordinance
31), adopted on April 6, 1970
as indicated by said section
number and hereafter shall be
cited by reference to said sec-
tion number.

SECTION 4. REPEALER. All
ordinances and resolutions,
parts thereof or amendments
thereto, in conflict with this Or-
dinance are hereby repealed.

SECTION 5. SEVERABILITY
OF REPEALER. All ordinances
and resolutions, parts thereof
or amendments thereto, not di-
rectly affected by this Ordi-
nance shall remain in full force
and effect.

SECTION 6. SEVERABILITY.
If any section, provision, or
part of this ordinance shall be
adjudged invalid or unconstitu-
tional, such section, provision,
or part shall be severable from
the rest of the Ordinance, and
such adjudication shall not af-
fect the validity of the ordi-
nance as a whole, or any sec-
tion, provision, or part not ad-
judged invalid or unconstitu-
tional.

SECTION 7. EFFECTIVE
DATE. This Ordinance shall be
in full force and effect after its
final passage and publication
as provided by law.

PUBLIC HEARING AND FIRST
PASSAGE. (READING) on
January 15, 2007.

SECOND PASSAGE (READ-
ING) waived on January 15,
2007.

THIRD AND FINAL PASSAGE
(READING) AND ADOPTION
waived on January 15, 2007.

Approved January 15, 2007.
Recorded January 31, 2007

Runs 1x
April 25th, 2007

Publisher of the

AD-EXPRESS AND DAILY IOWEGIAN AND CITIZEN

a daily newspaper published in Centerville, County of

Appanoose, State of Iowa, who being duly sworn states

on oath that the Ordinance

Zoma 1206-01

a true copy of which

is hereto attached was published in said paper in the

issue of

Wednesday, April 25,
2007

Rebecca Maxwell

Publisher

Subscribed and sworn to before me this 25th day

of April, 2007

[Signature]
Notary Public

Notary Expiration Date 1-26-10

Printer's Fee \$32.67



CYNTHIA M. BRIGGS
Commission Number 150040
MY COMM. EXP. 12-6-10

PUBLISHER'S CERTIFICATE

STATE OF IOWA
Appanoose County

ss.

above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER: All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect. (Continued Pg 14)

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on April 16, 2007

SECOND PASSAGE (READING) waived on April 16, 2007.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION waived on April 16, 2007.

ZOMA 0207-01 approved and recorded on April 16, 2007.

Runs 1x
April 25th, 2007

On this 25th day of April 20 07
personally appeared before the undersigned, within and
for said County and State

Rebecca Maxwell

Publisher of the

AD-EXPRESS AND DAILY IOWEGIAN AND CITIZEN

a daily newspaper published in Centerville, County of

Appanoose, State of Iowa, who being duly sworn states

on oath that the Ordinance

Zoma 0207-01

_____ a true copy of which

is hereto attached was published in said paper in the

issue of _____

Wednesday, April 25,
2007

Rebecca Maxwell Publisher

Subscribed and sworn to before me this 25th day

of April, 20 07

[Signature]
Notary Public

Notary Expiration Date 1-26-10

Printer's Fee \$ 24.99



CYNTHIA M. BRIGGS
Commission Number 150040
MY COMM. EXP. 1-26-10

LEGAL NOTICE

The following Amendments to the Ordinance were approved February 6, 2006 at 9:15 a.m. at the Board of Supervisors Office in the Appanoose County Courthouse. The amendments are summarized as follows:

-
- a) Front Page: Change date to "Revised February, 2006"
 - b) Page 2: Article III – "DISTRICT DESCRIPTION," line 17 in the second paragraph, delete the word "northeast" and insert "northwest" in its place.
 - c) Page 7 – Article VIII – "Districts", "Official Zoning Map" paragraph 2 is amended to read:
 - 2. If in accordance with the provisions of this ordinance and the laws of the State of Iowa, changes are made in 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 on 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 date of adoption of said amending ordinance.
 - d) 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,"
 - e) 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."
-

The Zoning Ordinance in its entirety is on file with Zoning Administrator at Appanoose County Zoning Office located at 1200 Hwy 2 West, Centerville IA 52544.

Iowegian -

Please run once Wednesday, February 15, 2006. Any questions, please call Rhea Wilson, 856-6193. Thanks.

Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard September 5, 2017 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the Jim and Lana Smith property legally described as:

Commencing at a set concrete nail at the E $\frac{1}{4}$ Corner of Section 2, Township 70 North, Range 18 West of the 5th P.M., Appanoose County, Iowa, and proceeding thence South 88°27'53" West 1149.69 feet along the North line of the SE $\frac{1}{4}$ of said Section 2 to a set concrete nail at a point of beginning; thence South 01°25'25" West 411.60 feet to a set iron pin; thence South 86°43'24" West 363.36 feet along a fence line to a set iron pin; thence North 03°35'06" West 422.36 feet to a set concrete nail on the North line of the SE $\frac{1}{4}$ of said Section 2; thence North 88°27'53" East 399.54 feet along the North line of the SE $\frac{1}{4}$ of said Section 2 to the concrete nail at the point of beginning, said parcel containing 3.647 acres, more or less, 0.577 acres of which is Appanoose County Road right-of-way, subject to easements of record.

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Residential," for the property legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

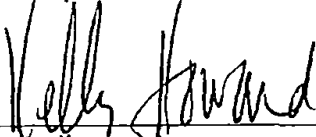
SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on September 5, 2017.

SECOND PASSAGE (READING) on WAVED, 2017.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on WAVED, 2017.


Board of Supervisors Chair


County Auditor

	10-8169	811715
	10-8150	811214
402-8102	10-8121	811511
8122-1102	20-1101	1112011
1122-1104	10-1101	111011
<div style="border: 1px solid black; width: 150px; height: 20px; display: inline-block;"></div>	10-1180	111816
2017-1705	10-1101 2017-1705	111516 411119

PUBLISHER'S CERTIFICATE

STATE OF IOWA
Appanoose County

ss.

ORDINANCE NUMBER

ZOMA 0717-01

Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard September 5, 2017 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESOLUTION.
This Ordinance rescinds the current zoning designation, "Agricultural" on the Jim and Lana Smith property legally described as:

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SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Residential," for the prop-

erty legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on September 5, 2017.

SECOND PASSAGE (READING) on waived, 2017.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on waived, 2017.

Runs 1x
September 7th, 2017

On this 7th day of September 20 17
personally appeared before the undersigned, within and
for said County and State

Rebecca Maxwell

Publisher of the

AD-EXPRESS AND DAILY IOWEGIAN

a daily newspaper published in **Centerville, County of**

Appanoose, State of Iowa, who being duly sworn states

on oath that the Appanoose County

Ordinance ZOMA 0717-01

_____ a true copy of which

is hereto attached was published in said paper in the

issue of _____

Thursday, September 7,

2017

Rebecca Maxwell

Publisher

Subscribed and sworn to before me this 7th day

of September, 20 17

[Signature]

Notary Public

Notary Expiration Date 1-2019

Printer's Fee \$35.70



CYNTHIA M. BRIGGS
Commission Number 150040
MY COMM. EXP. 1-2019



Book 2017 Page 2277

Document 2017 2277 Type 06 001 Pages 1

Date 11/20/2017 Time 2:45 PM

Rec Amt \$ 00

ENTR

COMP

INDX

SCAN

Teddy Walker, Recorder
Appanoose Co. IOWA

NE

*return to
Appanoose Co Zoning*

ORDINANCE NUMBER ZOMA 1017-01

*Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard November 6, 2017 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the Helen Turner property legally described as:

*The Southeast Quarter of the Southeast Quarter of Sec 34, Twp 70, Rg 18
A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34 and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, all in Township 70, Range 18, commencing at the SE corner of Section 34, thence North 01°45'57" West 261.00 feet to the point of beginning, thence North 26°24'57" West 320.00 feet, thence North 57°03'43" East 280.00 feet, thence South, 29°56'17" East 274.87 feet to a point on a curve, thence continuing along the arc of the curve to the right a radius of 1065.92 feet a distance of 305.72 feet to the point of beginning, containing 2.019 acres, more or less.*

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Comunercial," for the property legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

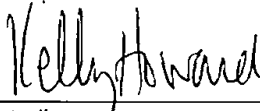
SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on November 6, 2017.

SECOND PASSAGE (READING) on Waived, 2017.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on Waived, 2017.


Board of Supervisors Chair


County Auditor

Book 2017 Page 2278

ORDINANCE NUMBER ZOMA 1017-02

*Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard Nov 20, 2017 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Residential" on the Terry & Karen Tuttle property legally described as:

JET Landing Subdivision, Parcel A & Parcel B, Section 13, Township 70, Range 18, Appanoose County, Iowa.

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Commercial," for the property legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on November 20, 2017.

SECOND PASSAGE (READING) on Waived, 2017.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on Waived, 2017.


Board of Supervisors Chair


County Auditor

ORDINANCE NUMBER ZOMA 1119-01

*Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard December 3, 2018 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Commercial" on the Ia Development LLC property legally described as:

***Parcel G** located in the NE¼ SW¼ Section 3, T70N, R18W of the 5th Principal Meridian, Appanoose County, Iowa more particularly described as follows: Commencing at a found concrete nail at the center of Section 3, T70N, R18W of the 5th Principal Meridian, Appanoose County, Iowa and proceeding thence South 89°31'04" West 523.31 feet along the North line of the NE¼ SW¼ of said Section 3 to a found magnail at the Point of Beginning; thence South 00°42'02" East 796.40 feet to a set iron pin; thence South 34°44'39" West 237.21 feet to a found concrete monument; thence South 89°35'32" West 635.33 feet to a set iron pin; thence North 00°02'29" West 989.36 feet to a set magnail on the North line of the NE¼ SW¼ of said Section 3; thence North 89°31'04" East 761.51 feet along the North line of the NE¼ SW¼ of said Section 3 to the magnail at the Point of Beginning, said parcel containing 17.127 acres, more or less, 0.795 acres of which is Appanoose County road right-of-way, subject easements of record.*

Subject to an easement for ingress and egress with the right to improve and maintain, 60 foot in width, centered on the following described line: Commencing at a found magnail at the NW Corner of Parcel G in the NE¼ SW¼ of Section 3, T70N, R18W of the 5th Principal Meridian, Appanoose County, Iowa and proceeding thence North 89°31'04" East 207.97 feet along the North line of the NE¼ SW¼ of said Section 3; thence South 00°28'56" East 40.00 feet to a point on the South right-of-way line of Appanoose County Highway J18 as presently located, said point being the Point of Beginning for easement; thence South 00°28'56" East 50.00 feet; thence South 89°31'04" West 208.89 feet to a point on the West Line of said Parcel G.

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Commercial Campground", for the properties legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.


SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.


PUBLIC HEARING AND FIRST PASSAGE (READING) on 12/3, 2018.

SECOND PASSAGE (READING) on waived 12/3, 2018.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on waived 12/3, 2018.



Board of Supervisors Chair



County Auditor

On this 8th day of May, 2018
personally appeared before the undersigned, within and
for said County and State _____

Rebecca Mamee

Publisher of the

AD-EXPRESS AND DAILY IOWEGIAN

a daily newspaper published in Centerville, County of

Appanoose, State of Iowa, who being duly sworn states

on oath that the

Appanoose County Zoning

ORDINANCE NUMBER ZOMA 0418-01

Prepared & Certified by
Rhea Wilson, Assistant Zoning
Administrator
Return to Appanoose County
Zoning, 1200 Hwy 2 West,
Centerville, IA 52544

AN ORDINANCE AMENDING
THE OFFICIAL ZONING MAP,
WHICH IS CONSIDERED
PART OF THE APPANOOSE
COUNTY, IOWA RATHBUN
RESERVOIR ZONING DIS-
TRICT ORDINANCE, ORDI-
NANCE #31, ADOPTED APRIL
6, 1970, BOOK 39 MISCELLA-
NEOUS, PAGE 545 will be

heard May 7, 2018 at 9:15 a.m.
in the Board of Supervisors Of-
fice of the Appanoose County
Courthouse, 201 N 12th, Cen-
terville IA. The Amendment will
read as follows:

SECTION 1. RESCISSION.
This Ordinance rescinds the
current zoning designation,
"Agricultural" on the Cody Wil-
son property legally described
as:

Commencing at the center of
Section 12, Township 69,
Range 18, thence North 90°00'
West 825 feet; thence North
0°23'40" West 1056 feet to the
true point of beginning; thence
North to the center of County
Road 278; thence Northwest-

erly along the centerline of said
County Road No. 278 to where
said centerline intersects with a
centerline of the first County
Road running North and South;
thence South and Southeast-
erly along the centerline of said
first County Road running North
and South to the point where
the centerline of such road in-
tersects a line described as
commencing 825 feet West of
the center of said Section 12
running thence North 0°23'40"
West 1056 feet; thence North
0°23'40" west to the true point
of beginning subject to ease-
ments of record.

on the Official Zoning Map as
was adopted on April 6, 1970.

SECTION 2. ADOPTION. This
Ordinance adopts in lieu
thereof a new zoning designa-
tion, "Residential", for the prop-
erties legally described above,
on the Official Zoning Map.

SECTION 3. INTEGRATION
WITH CODE. Each section,
provision or part of this Ord-
inance which is followed by a
section number shall be in-
serted in the Appanoose
County Zoning Ordinance (Or-
dinance 31), adopted on April
6, 1970 as indicated by said
section number and hereafter
shall be cited by reference to
said section number.

SECTION 4. REPEALER. All
ordinances and resolutions,

parts thereof or amendments
thereto, in conflict with this Or-
dinance are hereby repealed.

SECTION 5. SEVERABILITY
OF REPEALER. All ordinances
and resolutions, parts thereof or
amendments thereto, not di-
rectly affected by this Ord-
inance shall remain in full force
and effect.

SECTION 6. SEVERABILITY.
If any section, provision, or part
of this ordinance shall be ad-
judged invalid or unconstitu-
tional, such section, provision,
or part shall be severable from
the rest of the Ordinance, and
such adjudication shall not af-
fect the validity of the ordinance
as a whole, or any section, pro-

vision, or part not adjudged
valid or unconstitutional.

SECTION 7. EFFECTIVE
DATE. This Ordinance shall
in full force and effect after
final passage and publica-
tion as provided by law.

PUBLIC HEARING AND FIR-
ST PASSAGE (READING)
May 7, 2018

SECOND PASSAGE (REA-
DING) on waived, 2018.

THIRD AND FINAL PASSAGE
(READING) AND ADOPTION
on waived, 2018.

Runs 1x
May 8th, 2018

of May, 2018

Notary Public

Notary Expiration Date _____

Printer's Fee

\$ 46.40

KYLE JAMES OCKER
Notarial Seal - Iowa
Commission Number 808764

PUBLISHER'S CERTIFICATE

STATE OF IOWA
Appanoose County

ss.

On this 20th day of November 20 18
personally appeared before the undersigned, within and
for said County and State _____

Rebecca Mameel

Publisher of the

AD-EXPRESS AND DAILY IOWEGIAN

a daily newspaper published in Centerville, County of
Appanoose, State of Iowa, who being duly sworn states
on oath that the Zoning Change

_____ a true copy of which
is hereto attached was published in said paper in the
issue of Tuesday, November 20th, 2018

Rebecca Mameel

Publisher

Subscribed and sworn to before me this 20th day
of November 20 18

[Signature]
Notary Public

Notary Expiration Date 2/2/21

Printer's Fee \$31.49

KYLE JAMES OCKER
Notarial Seal - Iowa
Commission Number 808764
My Commission Expires
February 2, 2021

PAID

DEC 03 2018

WARRANT
Approved By _____
Appanoose County Board Supervisors

Section 3; to improve and maintain, 60 foot in width, centered on the following described line: Commencing at a found magnail at the NW Corner of Parcel G in the NE1/4 SW1/4 of Section 3, T70N, R18W of the 5th Principal Meridian, Appanoose County, Iowa and proceeding thence North 89°31'04" East 207.97 feet along the North line of the NE1/4SW1/4 of said Section 3; thence South 00°28'56" East 40.00 feet to a point on the South right-of-way line of Appanoose County Highway J18 as presently located, said point being the Point of Beginning for easement; thence South 00°28'56" East 50.00 feet; thence South 89°31'04" West 208.89 feet to a point on the West Line of said Parcel G. Runs 1x November 20th, 2018

PUBLISHER'S CERTIFICATE

STATE OF IOWA
Appanoose County

ss.

On this 20th day of November 20 18
personally appeared before the undersigned, within and
for said County and State

Rebecca Mamed

Publisher of the

AD-EXPRESS AND DAILY IOWEGIAN

a daily newspaper published in Centerville, County of
Appanoose, State of Iowa, who being duly sworn states
on oath that the Zoning Change

a true copy of which
is hereto attached was published in said paper in the
issue of Tuesday, November 20th, 2018

Rebecca Mamed Publisher

Subscribed and sworn to before me this 20th day
of November 20 18

Notary Public
Notary Expiration Date 2/2/21

Printer's Fee \$31.49

description from "Commercial"
to "Commercial Campground":

Parcel G located in the NE1/4
SW1/4 Section 3, T70N, R18W
of the 5th Principal Meridian,
Appanoose County, Iowa more
particularly described as fol-
lows: Commencing at a found
concrete nail at the center of
Section 3, T70N, R18W of the
5th Principal Meridian, Ap-
panoose County, Iowa and pro-
ceeding thence South

89°31'04" West 523.31 feet
along the North line of the
NE1/4 SW1/4 of said Section 3
to a found magnail at the Point
of Beginning; thence South
00°42'02" East 796.40 feet to a
set iron pin; thence South
34°44'39" West 237.21 feet to a
found concrete monument;
thence South 89°35'32" West
635.33 feet to a set iron pin;
thence North 00°02'29" West
989.36 feet to a set magnail on
the North line of the NE1/4

SW1/4 of said Section 3;
thence North 8°31'04" East
761.51 feet along the North line
of the NE1/4SW1/4 of said Sec-
tion 3 to the magnail at the
Point of Beginning, said parcel
containing 17.12 acres, more
or less, 0.795 acres of which is
Appanoose County road
right-of-way, subject easements
of record.

Subject to an easement for in-
gress and egress with the right

to improve and maintain, 60
foot in width, centered on the
following described line: Com-
mencing at a found magnail at
the NW Corner of Parcel G in
the NE1/4 SW1/4 of Section 3,
T70N, R18W of the 5th Prin-
cipal Meridian, Appanoose
County, Iowa and proceeding
thence North 89°31'04" East
207.97 feet along the North line
of the NE1/4SW1/4 of said Sec-
tion 3; thence South 00°28'56"
East 40.00 feet to a point on

the South right-of-way line of
Appanoose County Highway
J18 as presently located, said
point being the Point of Begin-
ning for easement; thence
South 00°28'56" East 50.00
feet; thence South 89°31'04"
West 208.89 feet to a point on
the West Line of said Parcel G.

Runs 1x
November 20th, 2018

PAID

DEC 03 2018

WARRANTY
Approved By
Appanoose County Board Supervisors

ORDINANCE NUMBER ZOMA 0207-01

*Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard April 16, 2007 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Commercial" on the property legally described as:

All that part of the NW ¼ of the NE ¼ lying North and East of the public highway of Section 14, Township 70 North, Range 18 West in Appanoose County, Iowa

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Agricultural," for the properties legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on April 16, 2007, 2007.

SECOND PASSAGE (READING) on ^{*waved*} 4-16, 2007.

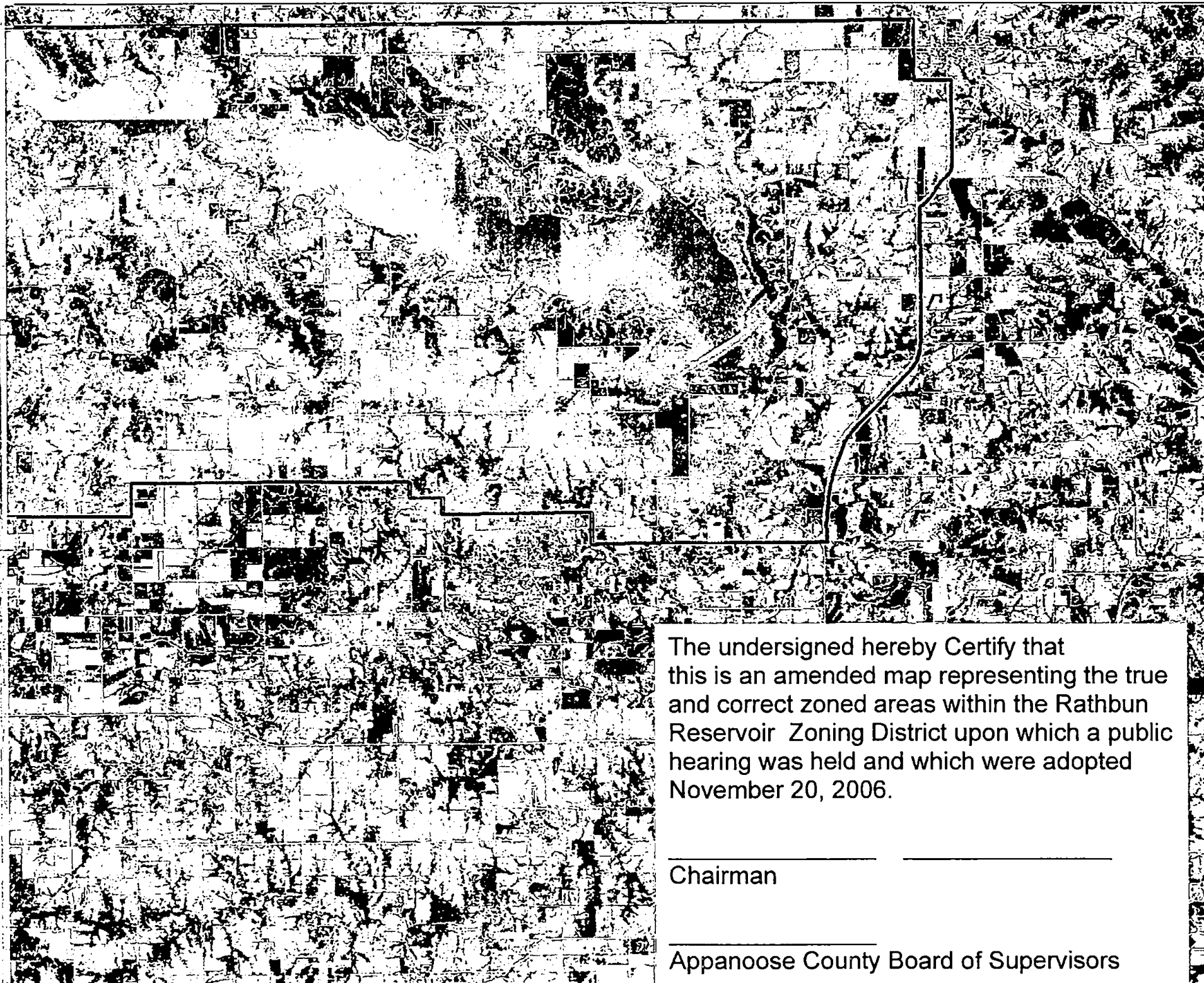
THIRD AND FINAL PASSAGE (READING) AND ADOPTION on ^{*waved*} 4-16, 2007.

Dean Kaster
Board of Supervisors Chair

Linda Perry
County Auditor

Appanoose County Zoning Map

Prepared by Jon Foster, GIS Technician
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544



The undersigned hereby Certify that
this is an amended map representing the true
and correct zoned areas within the Rathbun
Reservoir Zoning District upon which a public
hearing was held and which were adopted
November 20, 2006.

Chairman

Appanoose County Board of Supervisors

ORDINANCE NUMBER ZOMA 0107-01

*Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard *February 20, 2007 at 9:15 a.m.* in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

The SE ¼ NE ¼ NE ¼ SE ¼ in Section 23, Township 70, Range 19, except that part therein conveyed to Stewart Edwards Shepard and Rebecca Ann Shepard in Warranty Deed filed April 9, 1993 in Deed Record 129, Page 311;

&

Commencing at the SE Corner of the North Bend School Lot Disc 5 in Independence Township, Appanoose County, Iowa, thence running South nine (9) rods, thence West nine (9) rods, thence North nine (9) rods, thence East nine (9) rods to the place of beginning, all in Section 23, Township 70, Range 19 containing ½ acre, more or less;

&

Part of the NE SE described as commencing at the NE Corner of SE ¼ thence West nine (9) rods thence South seventeen (17) rods thence East nine (9) rods, thence North seventeen (17) rods to the Point of Beginning.

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Residential", for the properties legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on February 20, 2007.

SECOND PASSAGE (READING) on waved 2-20, 2007.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on waved 2-20, 2007.

Delan Kactor

Board of Supervisors Chair

Sandra Henry

County Auditor

Appanoose County Zoning Map

Prepared by Jon Foster, GIS Technician
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville IA 52544

The undersigned hereby Certify that
this is an amended map representing the true
and correct zoned areas within the Rathbun
Reservoir Zoning District upon which a public
hearing was held and which were adopted
November 20, 2006.

Dean Kester _____

Chairman

Appanoose County Board of Supervisors

ship 70, Range 19 containing 1/2
acre, more or less;

Approved and recorded February 20,
2007.

DATE

**STATE OF
Appanoose**

Part of the NE SE described as com-
mencing at the NE Corner of SE 1/4
thence West nine (9) rods thence
South seventeen (17) rods thence
East nine (9) rods, thence North sev-
enteen (17) rods to the Point of Be-
ginning.

Runs 1x
April 25th, 2007

On this 25 day of April 2007
personally appeared before the undersigned, within and
for said County and State _____

Rebecca Maxwell

Publisher of the

**AD-EXPRESS AND
DAILY IOWEGIAN AND CITIZEN**

a daily newspaper published in Centerville, County of
Appanoose, State of Iowa, who being duly sworn states

on oath that the Ordinance
Zoma 0107-01

_____ a true copy of which
is hereto attached was published in said paper in the
issue of _____

Wednesday, April 25,
2007

Rebecca Maxwell Publisher

Subscribed and sworn to before me this 25th day
of April, 2007

[Signature]
Notary Public

Notary Expiration Date 1-26-10

Printer's Fee \$27.45

on the Official Zoning Map as was
adopted on April 6, 1970.

SECTION 2. ADOPTION. This Or-
dinance adopts in lieu thereof a new
zoning designation, "Residential", for
the properties legally described
above, on the Official Zoning Map.

**SECTION 3. INTEGRATION WITH
CODE.** Each section, provision or
part of this Ordinance which is fol-
lowed by a section number shall be
inserted in the Appanoose County
Zoning Ordinance (Ordinance 31),
adopted on April 6, 1970 as indicated
by said section number and hereafter
shall be cited by reference to said
section number.

SECTION 4. REPEALER. All ordi-
nances and resolutions, parts thereof
or amendments thereto, in conflict
with this Ordinance are hereby
repealed.

**SECTION 5. SEVERABILITY OF
REPEALER.** All ordinances and res-
olutions, parts thereof or amend-
ments thereto, not directly affected by
this Ordinance shall remain in full
force and effect.

SECTION 6. SEVERABILITY. If any
section, provision, or part of this or-
dinance shall be adjudged invalid or
unconstitutional, such section, provi-
sion, or part shall be severable from
the rest of the Ordinance, and such
adjudication shall not affect the validi-
ty of the ordinance as a whole, or any
section, provision, or part not ad-
judged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This
Ordinance shall be in full force and
effect after its final passage and publi-
cation as provided by law.

**PUBLIC HEARING AND FIRST
PASSAGE (READING)** on February
20, 2007.

SECOND PASSAGE (READING)
waived on February 20, 2007.

**THIRD AND FINAL PASSAGE
(READING) AND ADOPTION**
waived on February 20, 2007.

**ORDINANCE NUMBER ZOMA
0107-01**

**AN ORDINANCE AMENDING THE
OFFICIAL ZONING MAP, WHICH
IS CONSIDERED PART OF THE
APPANOOSE COUNTY, IOWA
ATHBUN RESERVOIR ZONING
DISTRICT ORDINANCE, ORDI-
NANCE #31, ADOPTED APRIL 6,
1970, BOOK 39 MISCELLANEOUS,
PAGE 545 will be heard February 20,
2007 at 9:15 a.m. in the Board of Su-
pervisors Office of the Appanoose
County Courthouse, 201 N 12th,
Centerville IA. The Amendment will
read as follows:**

SECTION 1. RESCISSION. This
Ordinance rescinds the current zoning
designation, "Agricultural" on the
property legally described as:

the SE 1/4 NE 1/4 NE 1/4 SE 1/4 in
Section 23, Township 70, Range 19,
except that part therein conveyed to
Stewart Edwards Shepard and Re-
becca Ann Shepard in Warranty
Deed filed April 9, 1993 in Deed
Record 129, Page 311;

&
Commencing at the SE Corner of the
North Bend School Lot Disc 5 in In-
dependence Township, Appanoose
County, Iowa, thence running South
nine (9) rods, thence West nine (9)
rods, thence North nine (9) rods,
thence East nine (9) rods to the place
of beginning, all in Section 23, Town-



CYNTHIA M. BRIGGS
Commission Number 150040
MY COMM. EXP. 12-10

Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard January 15, 2007 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

Parcel C located in the NE¼ SE¼ of Section 10, Township 69 North, Range 18 West of the 5th Principal Meridian, Appanoose County, Iowa, more particularly described as follows,

Commencing at a found iron pin at the SE corner of the NE¼ SE¼ of Section 10, Township 69 North, Range 18 West of the 5th Principal Meridian, Appanoose County, Iowa, and proceeding thence North 90°00'00" West 846.28 feet along the South line of the N½ SE¼ of said Section 10 to a set iron pin at the Point of Beginning; thence North 90°00'00" West 200.00 feet along the South line of the N½ SE¼ of said Section 10 to a set iron pin; thence North 00°00'00" East 240.00 feet to a set iron pin; thence South 90°00'00" East 200.00 feet to a set iron pin; thence South 00°00'00" West 240.00 feet to the iron pin at the Point of Beginning, said parcel containing 1.102 acres, more or less, 0.184 acres of which is Appanoose County Road Right-of-Way, subject to easements of record

on the Official Zoning Map as was adopted on April 6, 1970.

- SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Commercial", for the properties legally described above, on the Official Zoning Map.
- SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.
- SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.
- SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.
- SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.
- SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on *January 15, 2007*.

SECOND PASSAGE (READING) on *waived*, 2007.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on *waived*, 2007.

Dennis Kaster
Board of Supervisors Chair

Linda Herring
County Auditor

ORDINANCE NUMBER ZOMA 1206-02

*Prepared & Certified by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard January 15, 2007 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

Part of the N½ NE¼ NE¼ except the W¼ of Section 10, Township 70 North, Range 19 West of the 5th P.M., Appanoose County, Iowa, or more particularly described as:

Commencing at the SE Corner of the NE¼ NE¼ of Section 10, Township 70, North, Range 19 West of the 5th P.M., Appanoose County, Iowa; thence North 00°26'28" West 663.89 feet along the East line of the NE¼ NE¼; thence North 89°47'49" West 87.77 feet, to the point of beginning, said point being on the presently established westerly right-of-way line of County Highway S70; thence continuing North 89°47'49" West 910.00 feet; thence North 00°20'19" West 327.58 feet; thence South 89°47'49" East, 937.18 feet to said Westerly right-of-way line; thence South 00°26'28" East 137.84 feet, along said Westerly line; thence Southwesterly 191.71 feet along a 1086.00 foot radius curve concave Northwesterly, with a long chord bearing of South 07°53'46" West, 191.46 feet to the point of beginning, containing 7.00 acres, subject to easements apparent or of record;

&

The SE¼ NE¼ NE¼ lying North and West of the road, and the E½ SW¼ NE¼ NE¼ and the SW¼ SW¼ NE¼ NE¼ and the SE¼ SE¼ NW¼ NE¼ all in Section 10, Township 70 North, Range 19 West of the 5th P.M. in Appanoose County, Iowa.

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Commercial", for the properties legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on *January 15*, 2007.

SECOND PASSAGE (READING) on *March*, 2007.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on
March, 2007.

Dean Kaster
Board of Supervisors Chair

Linda Perry
County Auditor

PUBLISHER'S CERTIFICATE

STATE OF
Appanoose

South 00°26'28" East
137.84 feet, along said West-
erly line; thence Southwesterly
191.71 feet along a 1086.00
foot radius curve concave
Northwesterly, with a long
chord bearing of South 07°53'46"
West, 191.46 feet to the point of
beginning, containing 7.00 acres, sub-
ject to easements apparent or of
record;

&

The SE 1/4, NE 1/4 NE 1/4 lying
North and West of the road,
and the E 1/2 SW 1/4 NE 1/4
NE 1/4 and the SW 1/4 SW 1/4
NE 1/4 NE 1/4 and the SE 1/4
SE 1/4 NW 1/4 NE 1/4 all in
Section 10, Township 70 North,
Range 19 West of the 5th P.M.
in Appanoose County, Iowa.

on the Official Zoning Map as
was adopted on April 6, 1970.

SECTION 2. ADOPTION. This
Ordinance adopts in lieu there-
of a new zoning designation,
"Commercial", for the proper-
ties legally described above,
on the Official Zoning Map.

SECTION 3. INTEGRATION
WITH CODE. Each section,
provision or part of this Ordi-
nance which is followed by a
section number shall be insert-
ed in the Appanoose County
Zoning Ordinance (Ordinance
31), adopted on April 6, 1970
as indicated by said section

ORDINANCE NUMBER ZOMA
1206-02

AN ORDINANCE AMENDING
THE OFFICIAL ZONING MAP,
WHICH IS CONSIDERED PART
OF THE APPANOOSE COUN-
TY, IOWA RATHBUN RESER-
VOIR ZONING DISTRICT OR-
DINANCE, ORDINANCE #31,
ADOPTED APRIL 6, 1970,
BOOK 39 MISCELLANEOUS,
PAGE 545 will be heard Janu-
ary 15, 2007 at 9:15 a.m. in the
Board of Supervisors' Office of
the Appanoose County Court-
house, 201 N 12th, Centerville
IA. The Amendment will read
as follows:

SECTION 1. RESCISSION.
This Ordinance rescinds the
current zoning designation,
"Agricultural" on the property
legally described as:

Part of the N 1/2 NE 1/4 NE 1/4
except the W 1/4 of Section 10,
Township 70 North, Range 19
West of the 5th P.M., Appa-
noose County, Iowa, or more
particularly described as:

Commencing at the SE Corner
of the NE 1/4 NE 1/4 of Section
10, Township 70, North, Range
19 West of the 5th P.M., Appa-
noose County, Iowa; thence
North 00°26'28" West, 663.89
feet along the East line of the
NE 1/4 NE 1/4; thence North
39°47'49" West, 87.77 feet, to
the point of beginning, said
point being on the presently
established westerly right-of-
way line of County Highway
570; thence continuing North
39°47'49" West, 910.00 feet;
thence North 00°20'19" West
327.58 feet; thence South
39°47'49" East, 937.18 feet to said

number and hereafter shall be
cited by reference to said sec-
tion number.

SECTION 4. REPEALER. All
ordinances and resolutions,
parts thereof or amendments
thereto, in conflict with this Or-
dinance are hereby repealed.

SECTION 5. SEVERABILITY
OF REPEALER. All ordinances
and resolutions, parts thereof
or amendments thereto, not di-
rectly affected by this Ordi-
nance shall remain in full force
and effect.

SECTION 6. SEVERABILITY.
If any section, provision, or
part of this ordinance shall be
adjudged invalid or unconstitu-
tional, such section, provision,
or part shall be severable from
the rest of the Ordinance, and
such adjudication shall not af-
fect the validity of the ordi-
nance as a whole, or any sec-
tion, provision, or part not ad-
judged invalid or unconstitu-
tional.

SECTION 7. EFFECTIVE
DATE. This Ordinance shall be
in full force and effect after its
final passage and publication
as provided by law.

PUBLIC HEARING AND FIRST
PASSAGE (READING) on
January 15, 2007.

SECOND PASSAGE (READ-
ING) waived on January 15,
2007.

THIRD AND FINAL PASSAGE
(READING) AND ADOPTION
waived on January 15, 2007.

Approved January 15, 2007.
Recorded January 31, 2007.

Runs 1x,
April 25th, 2007

Wednesday, April 25,

2007

Rebecca Maxwell Publisher

Subscribed and sworn to before me this 25th day

of April, 2007

[Signature]
Notary Public

Notary Expiration Date 1-26-10

Printer's Fee \$ 36.24



CYNTHIA M. BRIGGS
Commission Number 150040
MY COMM. EXP. 12610

ORDINANCE NUMBER ZOMA 0906-04

Prepared by Rhea Wilson, Assistant Zoning Administrator

Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970 will be heard November 20, 2006 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

"Commencing at a set concrete nail at the West 1/4 Corner of Section 5, Township 70N, Range 18W of the 5th P.M., Appanoose County, Iowa, and proceeding thence South 89°47'50" East 440.00 feet along the North line of the SW 1/4 of said Section 5 to a set concrete nail at the at the Point of Beginning;

thence South 89°47'50" East 1232.14 feet along the North line of the SW 1/4 of said Section 5 to a set concrete nail;

thence South 00°13'08" East 285.51 feet to a set iron pin;

thence South 89°03'56" East 343.19 feet to a set iron pin;

thence South 00°03'37" East 375.59 feet along a fence line to a set iron pin;

thence South 89°24'16" East 165.19 feet along a fence line to a set iron pin;

thence South 00°18'39" East 673.37 feet along a fence line to a set iron pin;

thence North 89°47'50" West 748.51 feet to a set iron pin;

thence North 00°18'14" West 440.00 feet to a set iron pin;

thence North 89°47'50" West 580.00 feet to a set iron pin;

thence South 00°18'14" East 370.00 feet to a set iron pin;

thence North 89°47'50" West 410.00 feet to a set iron pin;

thence North 00°18'14" West 1270.00 feet to the concrete nail at the Point of Beginning, said parcel containing 42.186 acres, more or less, 1.518 acres of which is Appanoose County Road Right-of-Way, subject to easements of record"

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Commercial", for the properties legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the

rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on November 20, 2006.

SECOND PASSAGE (READING) on waved, 2006.

THIRD AND FINAL PASSAGE (READING) ^{waved} AND ADOPTION on 11-20-06, 2006.

Dean Kaster

Board of Supervisors Chair

Linda Denny

County Auditor

ORDINANCE NUMBER ZOMA 0906-03

Prepared by Rhea Wilson, Assistant Zoning Administrator

Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970 will be heard November 20, 2006 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

"The SW1/4 of Section 5, Township 70N, Range 18W of the 5th P.M., Appanoose County, Iowa, except the following parcels of real estate:

- 1) Beginning at the NE Corner of the SW1/4 of said section, thence West 550 feet; thence South 285 feet; thence East 240 feet; thence South 1035 feet; thence East 310 feet; thence North 1320 feet to the place of beginning;
- 2) Commencing at a point 550 feet West of the NE Corner of NE1/4 of SW1/4 of Section 5, thence South 285 feet, thence West 459 feet; thence North 285 feet, thence East 459 feet to place of beginning;
- 3) Beginning at the NW Corner of the SW1/4 of Section 5, Township 70N, Range 18W of the 5th P.M., thence East 440 feet, thence South 1980 feet, thence West 440 feet, thence North 1980 feet, to the point of beginning; and
- 4) The West3/4 of the South1/2 of the SW1/4 of the SW1/4 of Section 5, Township 70N, Range 18W, Appanoose County, Iowa.
- 5) The East3/8 of the SE1/4 of the SW1/4 in Section 5, Township 70N, Range 18W, Appanoose County, Iowa, and the East3/8 of the NE1/4 of the SW1/4 of Section 5, Township 70N, Range 18W, Appanoose County, Iowa.
- 6) The West 165 feet of the South 375 feet of the NE1/4 of the NE1/4 of the SW1/4 of Section 5, Township 70N, Range 18W, Appanoose County, Iowa;

Together with any easements and servient estates appurtenant thereto, but with such reservations and exceptions of title, all upon the terms and conditions of contract being finalized.

Except the following:

Commencing at a set concrete nail at the West1/4 Corner of Section 5, Township 70N, Range 18W of the 5th P.M., Appanoose County, Iowa, and proceeding thence South 89°47'50" East 440.00 feet along the North line of the SW1/4 of said Section 5 to a set concrete nail at the at the Point of Beginning;

thence South 89°47'50" East 1232.14 feet along the North line of the SW1/4 of said Section 5 to a set concrete nail;
thence South 00°13'08" East 285.51 feet to a set iron pin;
thence South 89°03'56" East 343.19 feet to a set iron pin;

thence South 00°03'37" East 375.59 feet along a fence line to a set iron pin;
thence South 89°24'16" East 165.19 feet along a fence line to a set iron pin;
thence South 00°18'39" East 673.37 feet along a fence line to a set iron pin;
thence North 89°47'50" West 748.51 feet to a set iron pin;
thence North 00°18'14" West 440.00 feet to a set iron pin;
thence North 89°47'50" West 580.00 feet to a set iron pin;
thence South 00°18'14" East 370.00 feet to a set iron pin;
thence North 89°47'50" West 410.00 feet to a set iron pin;
thence North 00°18'14" West 1270.00 feet to the concrete nail at the Point of Beginning, said parcel containing 42.186 acres, more or less, 1.518 acres of which is Appanoose County Road Right-of-Way, subject to easements of record"

on the Official Zoning Map as was adopted on April 6, 1970.

- SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Residential", for the properties legally described above, on the Official Zoning Map.
- SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.
- SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.
- SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.
- SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.
- SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on November 20, 2006.

SECOND PASSAGE (READING) on waived, 2006.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on waived 11-20-06, 2006.

Dean Kaster

Board of Supervisors Chair

Linda Henry

County Auditor

ORDINANCE NUMBER ZOMA 1006-01

*Prepared by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970, BOOK 39 MISCELLANEOUS, PAGE 545 will be heard November 6, 2006 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

Commencing at a point 45 feet East and 25 feet North of the Southwest Corner of the Southeast Quarter of Section 3, Township 69, Range 18, thence North 150 feet, thence East 100 feet, thence South 150 feet, thence West 100 feet to point of commencement, located in Appanoose County, Iowa

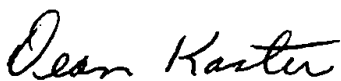
on the Official Zoning Map as was adopted on April 6, 1970.

- SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Residential", for the properties legally described above, on the Official Zoning Map.
- SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.
- SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.
- SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.
- SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.
- SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

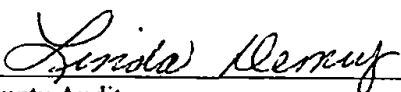
PUBLIC HEARING AND FIRST PASSAGE (READING) on November 6, 2006.

SECOND PASSAGE (READING) on waved, 2006.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on waved, 2006.



Board of Supervisors Chair



County Auditor

ORDINANCE NUMBER ZOMA 0906-01

*Prepared by Rhea Wilson, Assistant Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville, IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970 will be heard October 2, 2006 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

"The NW 1/4 of the SW 1/4 and the West 1/2 of the NE 1/4 of the SW 1/4 and the West 1/2 of the SW 1/4 of the SW 1/4 of Section 3, Township 70N, Range 18W of the 5th P.M., in Appanoose County, Iowa, *except the following*;

The NW 1/4 of the NW 1/4 of the NW 1/4 of the SW 1/4, and the South 1/2 of the NW 1/4 of the NW 1/4 of the SW 1/4, and the SW 1/4 of the NW 1/4 of the SW 1/4, and the West 1/2 of the SW 1/4 of the SW 1/4, and the South 1/2 of the SW 1/4 of the NE 1/4 of the SW 1/4, and the SE 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4, all in Section 3, Township 70N, Range 18W of the 5th P.M., in Appanoose County, Iowa.

And

The NW 1/4 of the SE 1/4, and the SE 1/4 of the SW 1/4, and the East 1/2 of the SW 1/4 of the SW 1/4, and the East 1/2 of the NE 1/4 of the SW 1/4, and the SW 1/4 of the SE 1/4 of Section 3, Township 70N, Range 18W of the 5th P.M., in Appanoose County, Iowa, and the NW 1/4 of the NE 1/4, and the NE 1/4 of the NW 1/4 of Section 10, Township 70N, Range, 18W of the 5th P.M., in Appanoose county, Iowa *except the following tracts*;

The East 1/2 of the SW 1/4 of the SW 1/4 and the East 1/2 of the NW 1/4 of the SE 1/4 of the SW 1/4, and the West 1/2 of the West 1/2 of the SE 1/4 of the SW 1/4, and the SE 1/4 of the SW 1/4 of the SE 1/4 of the SW 1/4, and the South 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/2 and the SW 1/4 of the SW 1/4 of the SW 1/4 of the SE 1/4 all in Section 3, Township 70N, Range 18W of the 5th P.M., in Appanoose County Iowa.

The NE 1/4 of the NW 1/4, and the West 1/2 of the West 1/2 of the NW 1/4 of the NE 1/4, and the East 1/2 of the East 1/2 of the NW 1/4 of the NE 1/4, and the West 1/2 of the SE 1/4 of the NW 1/4 of the NE 1/4, all in Section 10, Township 70N, Range 18W of the 5th P.M., in Appanoose County, Iowa.

Except the following:

Commencing at a set concrete nail at the Center of Section 3, Township 70N, Range 18W of the 5th P.M., Appanoose County, Iowa, and proceeding thence

South 89°54'00" East 1324.50 feet to a set concrete nail at the NE Corner of the NW ¼ of the SE1/4 of said Section 3;
thence South 00°22'25" East 1482.00 feet along the East line of the West1/2 of the SE1/4 of said Section 3 to a set iron pin;
thence North 89°54'00" West 1985.59 feet to a found U.S. Army Corps of Engineers concrete monument;
thence North 00°23'04" West 489.08 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 89°56'10" West 991.23 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 00°17'01" East 329.82 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 89°55'50" West 330.60 feet to a found U.S. Army Corps of Engineers concrete monument;
thence North 00°20'17" West 989.20 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 89°53'36" West 330.65 feet to a found U.S. Army Corps of Engineers concrete monument;
thence North 00°22'28" West 328.91 feet to a set concrete nail on the North line of the SW1/4 of said Section 3;
thence North 89°51'42" East 2313.55 feet along the North line of the SW1/4 of said Section 3 to the concrete nail at the Point of Commencement, said parcel containing 102.556 acres, more or less, 4.616 acres of which is Appanoose County Road Right-of-Way, subject to easements of record,"

on the Official Zoning Map as was adopted on April 6, 1970.

- SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Residential", for the properties legally described above, on the Official Zoning Map.
- SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.
- SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.
- SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.
- SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.
- SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on 10-2, 2006.

SECOND PASSAGE (READING) on united, 2006.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on united, 2006.

Dean Kaster
Board of Supervisors Chair

Linda Remy
County Auditor

ORDINANCE NUMBER ZOMA 0906-02

*Prepared by Rhea Wilson, Asst Zoning Administrator
Return to Appanoose County Zoning, 1200 Hwy 2 West, Centerville IA 52544*

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970 will be heard October 2, 2006 at 9:15 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as:

"Commencing at a set concrete nail at the Center of Section 3, Township 70N, Range 18W of the 5th P.M., Appanoose County, Iowa, and proceeding thence South 89°54'00" East 1324.50 feet to a set concrete nail at the NE Corner of the NW ¼ of the SE1/4 of said Section 3;
thence South 00°22'25" East 1482.00 feet along the East line of the West1/2 of the SE1/4 of said Section 3 to a set iron pin;
thence North 89°54'00" West 1985.59 feet to a found U.S. Army Corps of Engineers concrete monument;
thence North 00°23'04" West 489.08 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 89°56'10" West 991.23 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 00°17'01" East 329.82 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 89°55'50" West 330.60 feet to a found U.S. Army Corps of Engineers concrete monument;
thence North 00°20'17" West 989.20 feet to a found U.S. Army Corps of Engineers concrete monument;
thence South 89°53'36" West 330.65 feet to a found U.S. Army Corps of Engineers concrete monument;
thence North 00°22'28" West 328.91 feet to a set concrete nail on the North line of the SW1/4 of said Section 3;
thence North 89°51'42" East 2313.55 feet along the North line of the SW1/4 of said Section 3 to the concrete nail at the Point of Commencement, said parcel containing 102.556 acres, more or less, 4.616 acres of which is Appanoose County Road Right-of-Way, subject to easements of record,"

on the Official Zoning Map as was adopted on April 6, 1970.

SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Commercial", for the properties legally described above, on the Official Zoning Map.

SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.

SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.

SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

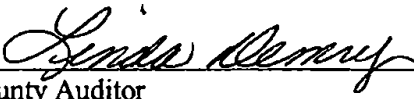
PUBLIC HEARING AND FIRST PASSAGE (READING) on 10-2, 2006.

SECOND PASSAGE (READING) on waived, 2006.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on waived, 2006.



Board of Supervisors Chair



County Auditor

ORDINANCE NUMBER ZOMA 0806-01

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA RATHBUN RESERVOIR ZONING DISTRICT ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970 will be heard September 5, 2006 at 9:20 a.m. in the Board of Supervisors Office of the Appanoose County Courthouse, 201 N 12th, Centerville IA. The Amendment will read as follows:

- SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as "Commencing at the SW Corner of the SE¼NW¼ of Section 1, Township 69 North, Range 19 West, thence North 700 feet, thence East 394 feet, thence South 700 feet, thence West 394 feet to the Point of Beginning in the 5th P.M., Appanoose County, Iowa; subject to easements of record," on the Official Zoning Map as was adopted on April 6, 1970.
- SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Residential", for the properties legally described above, on the Official Zoning Map.
- SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.
- SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.
- SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.
- SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.
- SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

PUBLIC HEARING AND FIRST PASSAGE (READING) on 9-5, 2006.

SECOND PASSAGE (READING) on unanimous, 2006.

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on unanimous, 2006.

Dean Kaster
Board of Supervisors Chair

Linda Demuy
County Auditor

ORDINANCE NUMBER ZOMA 0706-01

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, WHICH IS CONSIDERED PART OF THE APPANOOSE COUNTY, IOWA ZONING ORDINANCE, ORDINANCE #31, ADOPTED APRIL 6, 1970.

- SECTION 1. RESCISSION. This Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as "Beginning at the NE Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, thence running South 16 rods, thence West 10 rods, thence North 16 rods, thence East 10 rods to place of beginning, in Section 21, Township 70, Range 19 West of the 5th P.M. in Appanoose County"; also this Ordinance rescinds the current zoning designation, "Agricultural" on the property legally described as "Part of the NE SE Section 8, Township 70, Range 17 lying East of CM&STP Railroad except easements and except the North 12.90 Acres more or less (see Book 119 Page 176 Lands)" on the Official Zoning Map as was adopted on April 6, 1970.
- SECTION 2. ADOPTION. This Ordinance adopts in lieu thereof a new zoning designation, "Commercial", for the properties legally described above, on the Official Zoning Map.
- SECTION 3. INTEGRATION WITH CODE. Each section, provision or part of this Ordinance which is followed by a section number shall be inserted in the Appanoose County Zoning Ordinance (Ordinance 31), adopted on April 6, 1970 as indicated by said section number and hereafter shall be cited by reference to said section number.
- SECTION 4. REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, in conflict with this Ordinance are hereby repealed.
- SECTION 5. SEVERABILITY OF REPEALER. All ordinances and resolutions, parts thereof or amendments thereto, not directly affected by this Ordinance shall remain in full force and effect.
- SECTION 6. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such section, provision, or part shall be severable from the rest of the Ordinance, and such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part not adjudged invalid or unconstitutional.
- SECTION 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and publication as provided by law.

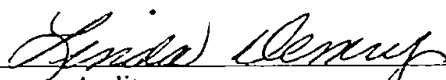
PUBLIC HEARING AND FIRST PASSAGE (READING) on July 17, 2006.

SECOND PASSAGE (READING) on _____, 2006. *waived 8-7-06*

THIRD AND FINAL PASSAGE (READING) AND ADOPTION on *waived 8-7-06*
_____, 2006.



Board of Supervisors Chair



County Auditor