

2.5 SPECIAL REGULATIONS -

2.51 Mobile Homes and Mobile Home Parks -

2.511 Permitted - Outside the corporate limits of Hawesville and Lewisport, single mobile homes occupied by a resident not solely engaged in agricultural activity shall be allowed in Agricultural Zones on tracts containing at least 1/2 acres of area and having a single dimension of at least one hundred (100) feet, or in Mobile Home Parks.

Within the corporate limits of the cities, mobile homes shall be permitted in Mobile Home Parks in R-4 districts. Additionally, mobile homes may be permitted in R-4 districts with the approval of the Board of Adjustments by issuance of a Conditional Use Permit.

2.512 Area and Density Requirements - No mobile home park shall be permitted on an area of less than two (2) acres in size. The developer may be permitted to develop the park in stages as long as he complies with the overall approved plan for the entire tract and initially has a minimum of ten (10) trailer lots developed for use. The number of mobile homes

permitted in the park shall not exceed a density of twelve (12) mobile homes a net acre -- a net acre being the land to be subdivided into lots after streets and other required improvements have been installed.

2.513 Lot Requirements - Individual lots within a mobile home park shall not be less than 3,000 square feet in area and on an approved sewage disposal system and in no instance shall more than one (1) mobile home be permitted on a single lot. The minimum lot width shall be forty 40 feet.

2.514 Setback - No mobile home or structure shall be located closer to any public street than the minimum front yard setback for permanent residential structures in the residential zone in which the park is located. No mobile home shall be located closer than twenty-five (25) feet to any building or street within the park or to any property line of the park.

2.515 Frontage - All trailer parks shall front on a public street or road for at least one hundred (100) feet.

2.516 Spacing - No mobile home shall be located within twenty-five (25) feet of another mobile home except that a minimum end-to-end clearance of no less than fifteen (15) feet shall be permitted, and in instances where the sides opposite the entrance of two mobile homes may be reduced to not less than twenty (20) feet.

2.517 Streets - All mobile home spaces shall abut upon a street within the trailer park and shall have a right-of-way of not less than twenty-five (25) feet and a pavement of not less than twenty (20) feet. Each park shall have at least one street which gives access to a public street. Such access streets in either a single mobile park or parks, shall not be less than 100 feet apart nor be less than 125 feet from an intersection of two or more public streets. All streets within the park shall be paved, hard surfaced and well drained and well lighted. No street right-of-way within the mobile home park shall be within five (5) feet of the property line. The owner of the mobile home park shall maintain the streets within the mobile home park.

2.518 Parking - One paved automobile parking area shall be provided on every mobile home lot, plus 1/2 parking space for each mobile home lot. This additional parking may be in a central location, but in no case more than 300 feet from the mobile home for which it is provided.

2.519 Utilities - All lots within the mobile home park shall be provided with water, sewer and electrical facilities meeting the standards specified by city and state regulations, and each mobile home shall be properly connected with said utilities.

2.5110 Accessory Structures - No accessory structure including patios and pads shall be located within five feet from any mobile home lot line. The maximum floor area shall be 100 square feet and the maximum height shall be no greater than 10 feet.

2.5111 Foundation - All mobile homes must be placed on concrete blocks. The bottom of the mobile home must not be more than four (4) feet above the ground at any point. A solid form of a permanent material must be built between the ground and the bottom outside edge of the mobile home.

2.5112 Connecting Structures - Only porches, stairs, and other open structures may be attached to a mobile home. No structure for human occupancy or for storage shall be built to the mobile home.

2.5113 Procedure - In applying for a building permit for a mobile home park the applicant shall submit his plan to the Planning Commission for its approval in accordance with the Preliminary Plat approval of the City or County Subdivision Regulations. The plan shall show the following information:

a. - Plat of the entire park property.

b. - Subdivision of the property, including all streets, dimensions of streets, and lots, access to public streets, and public areas such as visitors parking spaces, recreational areas, swimming pools, etc., if such areas are proposed.

c. - Location and layout of all utilities, including pipe sizes, meter locations, valves, fire hydrants, sanitary sewer connections, man-holes, and connections to the existing public utilities.

d. - Typical layout of one mobile home lot, showing mobile home location, automobile parking spaces, patio, garbage can receptors, etc.

e. - Location of planting to be provided for landscaping purposes, or as required for protective buffer.

2.5114 Issuance of Building Permit - The Planning Commission may attach reasonable special conditions to its approval of a mobile home park and may direct the Administrative Officer to issue a building permit when

the applicant presents a valid construction permit from the State Department of Health, as required by Kentucky Revised Statutes 219.150. The Building Inspector shall not issue the building permit until he has received written authorization from the Planning Commission, or Board of Adjustment, and until the valid construction permit is presented.

2.5115 Issuance of Certificate of Occupancy - The Administrative Officer shall issue a Certificate of Occupancy only after he has determined that the mobile home park has been prepared according to all applicable regulations and special conditions and only after the applicant presents a valid permit to operate from the State Department of Health as required by Kentucky Revised Statutes 219.130.

2.5116 Enforcement - The Administrative Officer shall insure that all mobile home parks maintain valid permits to operate and maintain conformance with all applicable regulations of the Zoning Regulation and all special conditions.

2.5117 - All existing mobile homes within the Planning Unit which complied with all existing regulations at the time of passage of this Regulation shall be allowed to remain in their present locations. No future mobile home on a new site shall be permanently located outside of an approved park, except as provided in Agricultural Districts.

2.5118 Conflict of Regulations - All parts of any existing regulation in conflict herewith are hereby repealed.

2.52 Apartment Houses -

2.521 - Apartment houses shall be permitted in the R-3 and R-4 residential and Central Business Districts with the approval of the Planning Commission.

2.522 Area and Density Requirements - An apartment house shall have a minimum lot area of 13,500 square feet for the first three units. For each additional unit, there shall be an additional 3,000 square feet. The minimum required lot width at the building line shall be 100 feet. These requirements shall not apply in the Central Business District unless the Planning Commission deems these requirements necessary.

2.523 Yard Requirements -

Front Yard - 25 feet.

Rear Yard - 10 feet.

Side Yard - 15 feet.

These requirements shall not apply in the Central Business District unless the Planning Commission deems these requirements necessary. Corner lots shall meet the applicable requirements of Section 2.63 of this Regulation.

2.524 Lot Coverage - The combined area occupied by all principal and accessory buildings shall not exceed fifty percent (50%) of the total lot area, except in the Central Business District.

2.525 Off-Street Parking - Off-street parking shall be provided in communal parking garages or areas on the site only. All parking areas shall be hard-surface concrete or asphalt and shall provide one and one-half space per dwelling.

2.526 Procedure - The prospective developer, before attempting to obtain a building permit or beginning any construction, shall prepare a plan showing the lot dimensions and bearings of the parcel intended to be developed, the location with respect to a City; the intended general layout and design and improvements to be installed on the land. The proposal may be reviewed by the Planning Commission.

Before approving the intended development plan, the Planning Commission may make conditional requirements pertaining to landscaping, screening, road requirements, open space or any other similar requirements. These requirements shall be made part of the plan before approval is given to the plat. Once approval is received, a building permit can be issued.

2.53 Reduction of Lot Size Where Land is Dedicated to Public Use -

2.531 Reduction - A reduction in residential lot size and dimensions no greater than ten percent (10%) can be granted where lots are served by water and sewer lines if all the land made available by this reduction is dedicated to public use for parks, and recreation or other similar use. In no case can this additional land be used for streets or vehicular right-of-way except when a part of the facilities listed above.

2.532 Quality of Land - Land in flood plains and other lands subject to flooding can be dedicated to public use under this Section if such land can be used for public use. Slopes of more than fifteen percent (15%), bodies of water, not including rivers, and other extreme physical parcels can be dedicated to public use under this section; however, the amount of land (or water surface) must be twice that of the land made available by the reduction of lot size. The Planning Commission may require additional land to be dedicated.

1. If the land to be dedicated is not adequate for public use, and

2. Under the provisions of Sections 4.6 of this regulation, and in no way does this Section negate Section 4.6 of this Regulation.

The primary use of this land shall be for the use and enjoyment of those persons living or who will live on the lots that were reduced in size through the granting of this variance.

2.533 Access - Access to the land set aside for public use must be given from a public street. Where bodies of water are dedicated to such use, adequate shore line must be given in order that the public may enjoy the use of such areas.

2.534 Quantity of Land - The land dedicated to public use must be greater than one (1) acre, and where bodies of water are dedicated to public use, the water surface at a normal pool or level must be at least two (2) acres. The land dedicated for public use can be lessened if the land can be adequately used for park and recreational purposes, but cannot be less than the land made available from the reduction of lot sizes.

2.535 Deduction and Acceptance Required - The Planning Commission may grant this variance only on the condition that the County, City or other appropriate public body does accept the land or area in question. If the public body does not accept the area, a variance under this Section cannot be granted, and the plat cannot be filed with the County Clerk.

2.54 Junk Yards are a conditional use. They are permitted in agricultural and industrial zones. All junk yards shall comply with the following regulations:

2.541 - All junk yards must be completely screened from the surrounding property with said screening being not less than eight (8) feet in height. The Planning Commission shall be required to approve the type of screening used.

2.542 - Any junk yard located closer than 2,000 feet from a center line of any public road must comply with the Kentucky Revised Statutes, Chapter 177. The Administrative Officer shall insure that all junk yards comply with city and state regulations.

2.543 - No junk shall be left outside of the screened area for more than twenty-four (24) hours.

2.544 - No junk yard shall be within 2,000 feet of any residential zone.

2.545 - All existing junk yards must comply with this regulation within two (2) years and receive a conditional use permit or cease to exist within two (2) years from passage of this Regulation.

2.546 - The Board of Adjustment shall have the power to determine if a parcel is being used for a junk yard or not. An occupational license, sign, words, or written agreements shall not be evidence alone as to whether a parcel of land is being used for a junk yard.

2.55 General Regulations for Signs and Outdoor Advertising -

2.551 Classification - Outdoor advertising shall be classified as a business use and shall be permitted in all agriculture, business and industrial districts. Outdoor advertising devices, except as provided in Section 2.8, shall be prohibited in all residential zones.

2.522 Location -

A. Industrial, General Business and Agricultural Districts - No outdoor advertising sign or display shall be erected, placed, painted, repainted or hung nearer to any street right-of-way line upon which said display faces the building lines provided in zones where the use is permitted except that one sign advertising the primary nature of the business or industry conducted on the premises may be placed not closer than six (6) feet to the street right-of-way line, but in no case be permitted to obstruct the view of traffic

B. Central Business District - In the Central Business District all advertising signs and displays must be erected within the building line of the building on which it is erected except that one sign advertising the primary nature of business or industry conducted on the premises may project from the face of the building, provided that no projecting sign shall project over a street, alley or other public space more than ten (10) feet, but in no case shall any sign project beyond a line drawn perpendicularly upward from two (2) feet inside the curb line. A clear space of not less than eight (8) feet shall be provided below all parts of such signs. Projecting signs shall be securely attached to the building or structure by bolts, anchors, chains or guys.

C. Neighborhood Business District - Only signs attached to the structure shall be permitted in Neighborhood Business Districts. Projections signs shall not project more than three (3) feet from the building, measured from the building line or point at which the sign is attached, whichever is greater from the street right-of-way or lot line.

2.553 Size and Placement -

A. Industrial, General Business and Agricultural Districts - A single sign, billboard or other advertising device containing no more than 200 square feet of display area shall be permitted in industrial, general business or agriculture zones. An appropriate border no greater than three (3) feet in width at its widest point shall be permitted around the display area.

No more than four (4) signs may be erected together. Such signs shall be erected within fifty (50) feet of a common point. Any other sign, or signs, shall be at least 1,000 feet from this point. No sign, billboard or other such device shall be built at a height greater than the maximum building height permitted in the district in which it is located.

B. Central Business District - In the Central Business District no sign shall be greater than ten (10) feet in height, this being the distance from the top of the sign to its edge closest to the ground, not including any standard that is attached to the ground. A standard shall in all cases, contain no advertising. In no case shall a sign, billboard, or other such device be built to or placed at a height greater than the maximum building height.

C. Neighborhood Business - All outdoor advertising signs shall have no more than fifty (50) square feet or have a height greater than three (3) feet.

2.554 Lighting and Noise - Signs or other outdoor advertising which involve lighting or motion resembling traffic or directional signals, warnings - such as "stop" or "danger", or any other similar signs which are normally associated with highway safety regulations - are prohibited. Additionally, no sign or outdoor commercial advertising device constituting a nuisance because of light, glare, focus, animation, or flashing, or any illuminated signs of such intensity or illumination as to unduly disturb the use of residential property, shall have devices which eliminate noise or sound.

2.555 Maintenance and Compliance - Outdoor advertising structures shall be adequately maintained. Such maintenance shall include proper alignment of structures, continued readability of the structure and preservation of the structure with paint and other preservative. If an outdoor advertising structure is not maintained, nor complies with the provisions of this ordinance, written notice of any disrepair shall be issued by the Planning Commission to the owner of said structure. If the disrepair or violation is not corrected within sixty (60) days of issuance of said notice, said structure shall be removed at the owner's expense.

2.556 Nonconforming Signs and Advertising Structures - Any advertising sign, billboard, commercial advertising structure or statuary which is existing and maintained at the time this Regulation becomes effective which does not conform with the provisions hereof shall not be structurally altered except to comply with this ordinance. All such nonconforming advertising signs, billboards, commercial advertising structures and statuary and their supporting members shall be completely removed from the premises not later than three years from the effective date of this Regulation.