

RESOLUTION

No. 2020-____

A RESOLUTION AMENDING THE ZONING ORDINANCE OF CERRO GORDO COUNTY
(Ordinance No. 15), REGARDING MISCELLANEOUS PROVISIONS.

WHEREAS, the Zoning Ordinance of Cerro Gordo County regulates land use within its jurisdictional boundaries; and

WHEREAS, from time to time, it is necessary and prudent to make updates to said ordinance for proper regulation; and

WHEREAS, this amendment pertains to miscellaneous provisions of the Zoning Ordinance intended to promote the public health, safety, and general welfare; and

WHEREAS, the Cerro Gordo County Planning and Zoning Commission, after study and public hearing, has recommended amendments to the Zoning Ordinance be made, upon the application of the Zoning Administrator; and

WHEREAS, the final public hearing has been held with notice as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa, that the following amendments are hereby made to the Cerro Gordo County Zoning Ordinance:

1. **Article 6, General Regulations**, shall be amended as follows:

A. *Repeal* the provisions of **Article 6.28, Other Exceptions to Yard Requirements** and replace with the following:

The following exceptions shall apply to yard requirements:

- A. Every part of a required yard shall be open to the sky unobstructed with any building or structure except for an accessory building as permitted in Article 6.9 and except for ordinary projections not to exceed twenty-four (24) inches including roof overhang.
- B. Porches, canopies, decks, or similar architectural features as a part of a dwelling that are open and unenclosed may encroach into the required front yard but shall not exceed more than twenty percent (20%) of the front yard requirement. This exception shall not apply to a front yard setback average as applied in Article 6.11. On lake lots, open decks or raised patios without a roof or canopy may encroach into a required side yard, but shall not exceed more than fifty percent (50%) of a required side yard up to a maximum of 5 feet.

C. Front and rear yard requirements shall not apply to the projection of usual steps. Steps may encroach into a required side yard, but shall not exceed more than fifty percent (50%) of a required side yard up to a maximum of 5 feet.

B. *Repeal* the provisions of **Article 6.33(A)**, and replace with the following:

For any use which requires a site plan that affects an area of one (1) acre or less, the fee shall be \$100.00. For any use which requires a site plan that affects an area more than one (1) acre, the fee shall be \$200.00. For any use which requires a site plan and is located on more than one (1) non-contiguous lot, an additional \$100 fee shall be assessed for each additional site. The fees as described in this section are for site plan review only.

2. **Article 7, A-1 Agricultural District**, shall be amended as follows:

A. *Repeal* the provisions of **Article 7.1, Declaration of Intent**, and replace with the following:

The A-1 Agricultural District is one of agricultural uses which is designed to permit the continued use of such land for agricultural purposes. Such areas shall not be less than ten (10) acres in size.

The following regulation and the General Regulations contained in Article 6 shall apply in the A-1 Agricultural District.

3. **Article 22, Application for Zoning Permits**, shall be amended as follows

A. *Repeal* the provisions of **Article 22(H)** and replace with the following

Fees. The following fees shall be charged for Zoning Permits and are based on the proposed cost of the erection, construction, or structural alteration of the building or structure:

CONSTRUCTION COSTS	FEE
\$ 0 to \$ 4,999	\$25.00
\$ 5,000 to \$ 14,999	\$50.00
\$ 15,000 to \$ 29,999	\$75.00
\$ 30,000 to \$ 49,999	\$100.00
\$ 50,000 to \$ 74,999	\$150.00
\$ 75,000 to \$ 99,999	\$200.00
\$100,000 to \$249,999	\$250.00
\$250,000 to \$499,999	\$500.00
\$500,000 to \$750,000	\$750.00
>\$750,000	\$1000.00

A Zoning Permit that has been issued may be renewed by submitting a fee equal to the permit fee assessed for the permit. Said renewal shall expire after twelve (12)

months from the date of issue. No Zoning Permit issued shall be renewed more than once.

B. *Repeal* the provisions of **Section 22(I)** and replace with the following:

Administrative Fee. Any person, firm, or corporation not conforming to Section 22(A) above will be assessed a \$200.00 fee or a fee equal to the Zoning Permit fee, whichever is greater, in addition to the Zoning Permit fee.

NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No. 15 is hereby amended and that this Resolution shall be in full force and effect from and after its passage.

Motion was made by Supervisor _____ and seconded by Supervisor _____ that the foregoing Resolution be adopted.

Ayes –

Nays –

Absent/Not Voting –

Resolution adopted this ___ day of _____, 2020.

Chairman, Board of Supervisors
Cerro Gordo County, Iowa

I hereby certify that the foregoing is a full, true and complete copy of Resolution as full, true and complete as the same remains on file and of Record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Auditor's Office in Mason City, Iowa, this ___ day of _____, 2020.

Adam V. Wedmore, Auditor
Cerro Gordo County, Iowa