

THIS IS AN ORDINANCE ESTABLISHING COUNTY ZONING REGULATIONS IN WRIGHT COUNTY, IOWA, PURSUANT TO CHAPTER 335 OF THE IOWA CODE. THIS ORDINANCE SHALL BE KNOWN AS THE WRIGHT COUNTY, IOWA ZONING ORDINANCE AND SHALL GOVERN THE UNINCORPORATED AREA OF THE COUNTY. THIS ORDINANCE SHALL REPEAL AND REPLACE EXISTING ORDINANCE #5.

PURPOSE AND OBJECTIVES

This Ordinance is adopted in accordance with the Wright County Comprehensive Land Use Plan, as amended, and as permitted and specifically authorized in Chapters 352, Land Preservation and 335, County Planning and Zoning, Code of Iowa, as amended. Said Ordinance shall govern the unincorporated area of the County only.

This Ordinance is intended and designed to meet the specific objectives of Chapter 335.5, Code of Iowa, as amended, to preserve the availability of agricultural land; to consider the protection of soil from wind and water erosion; to encourage efficient urban development patterns; to lessen congestion on the street or highway; to secure safety from fire, flood, panic, and other hazards; to protect health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public improvements.

This Ordinance is also intended and designed to meet the specific purpose of Chapter 352, Code of Iowa, as amended, to provide local citizens and local governments the means by which agricultural land may be protected from nonagricultural development pressures. This is accomplished by the creation of the Wright County Comprehensive Land Use Plan, as amended, the adoption of this Zoning Ordinance so that land shall be conserved for the production of food, fiber, and livestock, thus assuring the preservation of agriculture as a major factor in the economy of this county and state. Further, the County encourages a stable or growing population and seeks to maintain and improve the quality of life of its residents. It is the intent of this Ordinance, as authorized in Chapters 335 and 352, to provide for the orderly use and development of land and related natural resources in Wright County, Iowa, for residential, commercial, industrial, and recreational purposes, preserve private property rights, protect significant natural and historic resources and fragile ecosystems of this county including forests, wetlands, rivers, streams, lakes and their shorelines, aquifers, prairies, and recreational areas, to provide the efficient use and conservation of energy resources, and to promote the protection of soil from wind and water erosion.

6-1-1 TITLE. This Ordinance, Ordinance Number 64, shall be known and may be cited and referred to as the "Wright County, Iowa, Zoning Ordinance." It is adopted according to Chapter 335 of the Code of Iowa.

6-1-2 SPECIAL EXEMPTIONS.

1. Farms Exempt: In compliance with Chapter 335.2 of the Code of Iowa, no regulation or restriction adopted under the provisions of this Ordinance shall be construed to apply to land, farmhouses, farm barns, farm outbuildings, or other buildings or structures which are primarily adopted, by reason of nature and area, for use for agricultural purposes, while so used.

6-1-3 INTERPRETATION OF STANDARDS. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be literally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes. Where this Ordinance imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or ordinances, the provisions of this Ordinance shall control.

6-1-4 IOWA OPEN MEETINGS LAW. The Wright County Zoning Commission and Board of Adjustment, both public bodies, are subject to the terms, regulations and restrictions of the Iowa Open Meeting Law, Chapter 21 of the Code of Iowa as amended. Wherever in these Ordinances a conflict appears between the Ordinance and the open meeting law, the open meeting law shall control.

6-1-5 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 the plural; and the plural, the singular. The word "shall" is mandatory; the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the words "used" or "occupied" include the words intended, designed, or arranged to be used or occupied.

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

1. Accessory Use or Structure: A use or structure on the same lot, and of a nature customarily incidental and subordinate to the principal use or structure.
2. Administrative Officer: The individual designated by this Ordinance to administer the Zoning Ordinance and who is responsible for the enforcement of the regulations imposed by said Ordinance. This person may also be referred to as the "Zoning Administrator".
3. Agriculture: The use of land for agricultural purposes including farming, dairying, pasturage, agriculture, apiculture, horticulture, floriculture, viticulture, fish farm, 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 or interrelated agricultural 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.
4. Agricultural Area: An area meeting the qualifications of section 352.6 and designated under section 352.7 of the Code of Iowa.
5. Alley or Lane: A public or private way not less than twenty (20) feet wide affording generally secondary means of access to abutting property and not intended for general traffic circulation.
6. Apartment House: See Dwelling, Multiple.
7. Automobile Salvage Yard: See Junk Yard.
8. Basement / Cellar: That portion of a building having more than one-half (½) of its height below grade. A basement / cellar is not included in computing the number of stories for the purpose of height measurement.
9. Bed and Breakfast: An owner-occupied dwelling unit that contains no more than eight (8) guest rooms where lodging, with or without meals, is provided for compensation. For the purposes of this Ordinance, a Bed and Breakfast shall be considered a home occupation.
10. Billboards: "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.

11. Block: The property abutting on one side of the street and lying within the two nearest intersecting streets, an unsubdivided acreage or railway right-of-way. An area of land within a subdivision that is entirely bounded by streets, highways or ways, except alleys, and the exterior boundary or boundaries of the subdivision.
12. Board of Adjustment: The Board of Adjustment of Wright County, Iowa.
13. Board of Supervisors: The Board of Supervisors of Wright County, Iowa.
14. Boarding House: A building other than a hotel or motel, where for compensation, meals and lodging are provided for three (3) or more persons.
15. Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property, but not including signs or billboards.
16. Building, Height of: The vertical distance from the average natural grade to the highest point of coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.
17. Building Line: Building lines shall be shown on all lots whether intended for residential, commercial, or industrial use. Such building lines shall not be less than required by the Zoning Ordinance of Wright County, Iowa.
18. Building Official: The agent so designated by the Board of Supervisors.
19. Bulk Stations: Distributing stations commonly known as bulk or tank stations used for the storage and distribution of flammable liquids or liquefied petroleum products where the aggregate capacity of all storage tanks is more than twelve thousand (12,000) gallons.
20. Business or Commercial: When used in this title, refers to the engaging in the purchase, sale or exchange of goods or services, or the operation for profit of offices, recreational, or amusement enterprises.
21. Cabin: See "Vacation or Recreational Cabin".
22. Cargo/Shipping Container: Is a container with strength suitable to withstand shipment, storage, and handling. Shipping containers range from large reusable steel boxes used for intermodal shipments to the ubiquitous corrugated boxes. In the context of international trade, "container" or "shipping container" is virtually synonymous with "intermodal freight container," a container designed to be moved from one mode of transport to another without unloading and reloading. Cargo/shipping containers are not to be used for business permanent storage as mini storage.
23. Carport: A roofed structure providing space for the parking of motor vehicles and enclosed on not more than two (2) sides. For the purposes of this Ordinance, a carport attached to a principal building shall be considered part of the principal building and subject to all yard requirements herein.

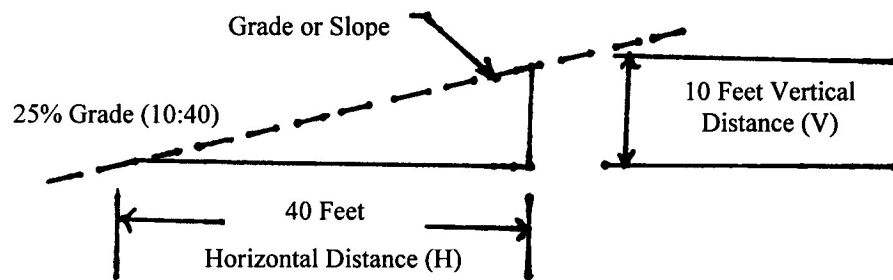
24. Clinics: A building or buildings used by physicians, lawyers, dentists, veterinarians, osteopaths, chiropractors, and allied professions for out-patient care of persons requiring such professional service.
25. Commission/Planning and Zoning Commission/Planning Commission/Zoning Commission: The Wright County Planning and Zoning Commission.
26. Common Sewer System: A central sewer collecting system available to each platted lot and discharging into a treatment plant, lagoon or other systems which are approved by the Wright County Sanitarian under the Wright County Environmental Health Department policies and regulations. The design and location of a sewer system must also be approved by the County Sanitarian. The above definition is not to be construed to mean individual household, private sewage disposal systems.
27. Common Water System: A central water supply system available to each platted lot approved by the County Environmental Health Department.
28. Corn Suitability Rating (CSR): An index, created by the U.S. Department of Agriculture (USDA) and included in of the Wright County Soil Survey, that ranks the productivity of soils and their suitability for row-crop production.
29. County: Wright County, Iowa.
30. County Sanitarian: The individual appointed to administer and enforce the policies and regulations of the Wright County Environmental Health Department.
31. Court: An open unobstructed, and unoccupied space other than a yard, which is bounded on two (2) or more sides by a building on the same lot.
32. Cul-de-sac: A Street having one end open to motor traffic, the other end being permanently terminated by a vehicular turn-a-round.
33. Day Nursery, Nursery School, or Day Care (Public): Any licensed or unlicensed agency, institution, establishment or place which provides supplemental parental care and/or educational work, other than lodging overnight for six (6) or more children.
34. Developer: The legal or beneficial owner or owners of a lot or of any land included in a proposed development including the holder of an option or contract to purchase, or other persons having enforceable proprietary interests in such land.
35. Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
36. District: A geographic section or sections of the county within the use and occupancy are regulated by this Ordinance.
37. Driveway: A public access either to a private or public street, road, alley, highway, or freeway. All driveways, public and private, shall meet or exceed the current Wright County Entrance policy.

38. Dump: A premises used for the disposal of "clean type" of fill material, such as dirt, rocks, and similar materials, but not including organic matter of any type, such as garbage or dead animals or portions thereof.
39. Dwelling: Any building or portion thereof which is designed or used exclusively for residential purposes, but not including a tent, cabin, recreational trailer, or mobile home.
40. Dwelling, Condominium: A multiple dwelling as defined herein whereby the fee title to each dwelling unit is held independently of the others.
41. Dwelling, Multiple: A residence designed for or occupied by three (3) or more families, with separate housekeeping and cooking facilities for each.
42. Dwelling, Row: Any one of three (3) or more attached dwellings in a continuous row, each such dwelling designed and erected as a unit on a separate lot and separated from one another by an approved wall or walls.
43. Dwelling, Single-Family: A detached residence designed for or used exclusively and occupied by one (1) family only.
44. Dwelling, Two-Family: A residence designed for or used exclusively and occupied by two (2) families only, with separate housekeeping and cooking facilities for each.
45. Dwelling, Unit: A room or group of rooms which are arranged, designed or used as living quarters for the occupancy of one family containing bathroom and/or kitchen facilities.
46. Earth Home: An earth home is a structure that is below the ground on two (2) or more sides and is constructed with passive solar energy generation in mind. An earth home is to be considered a single-family dwelling for the purposes of this Ordinance. This definition is not to be construed or confused with the definition of a basement or cellar.
47. Easement: A grant by the property owner of the use for a specific purpose of a strip of land by the general public, a corporation, or a certain person or persons, and within the limits of which the owner shall not erect any permanent structures but shall have the right to make any other use of the land subject to such easements which is not inconsistent with the rights of the grantee. Public utilities shall have the right to trim or remove trees, which interfere with the use of such easements.
48. Engineer: An engineer is a licensed engineer authorized and licensed to practice engineering in the State of Iowa.
49. Factory-Built Structure: Any structure which is, wholly or in substantial part, made fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes and also include park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days.
50. Factory-Built Housing: A factory-built structure designed for long-term residential use. For the purposes of these regulations, factory-built housing consists of two types: Mobile Homes and Manufactured Homes.
51. Family: One (1) or more persons occupying a single dwelling unit whose members are related by blood, marriage, or adoption.

52. Farm: An area comprising thirty-five (35) contiguous acres, exclusive of streets and roads, or more which is used for agricultural purposes and the growing and production of all agricultural products thereon, and their storage on the areas, or for the raising thereon of poultry or livestock. Division of said area by road does not render property non-contiguous.
53. Farmstead: The buildings and adjacent service areas of a farm, including sites where the buildings may have been removed.
54. Farm Operation: A condition or activity which occurs on a farm in connection with the production of farm products and includes but is not limited to the marketing of products at roadside stand or farm markets, the creation of noise, odor, dust, fumes, the operation of machinery and irrigation pumps, ground and aerial seeding and spraying, the application of chemical fertilizers, conditioners, insecticides, pesticides, and herbicides, and the employment and use of labor.
55. Farm Products: Those plants and animals and their products which are useful to people and includes but is not limited to forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, fruits, vegetables, flowers, seeds, grasses, trees, fish, honey, and other similar products, or any other plant, animal, or plant or animal product which supplies people with food, feed, fiber, or fur.
56. Feed Lot/Confinement Operation: An animal feeding area on which the principal use is the confinement of livestock, primarily for the purposes of concentrated feeding and growth prior to slaughter or the sale of products derived from such animals. The term does not include areas which are used for the raising of crops or other vegetation, and/or upon which livestock are allowed to graze or feed.
57. Fence: A barrier enclosing or bordering a field, yard, or area that is usually made of posts and wire or wood, and that is used to prevent entrance or to confine.
58. Fill: The placing, storing, or dumping of any material such as earth, clay, sand, rubble, or concrete upon the surface of the ground which results in increasing the surface elevation.
59. Flood: A temporary rise in stream's flow or stage that results in water overflowing its banks and inundating areas adjacent to the channel or an unusual and rapid accumulation of runoff of surface waters from any source.
60. Floodplain: Any land area susceptible to being inundated by water as a result of a flood. Development in floodplain is governed by the County Floodplain Ordinance.
61. Floor Area: The sum of gross horizontal areas of all floors of a building.
62. Floor Area Ratio: The gross floor area of all buildings on a lot divided by the lot area on which the building or buildings are located.
63. 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.
64. Garage, Private: An enclosed structure intended for the parking of the private motor vehicles of the families residing upon the premises.

65. 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.
66. 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.
67. Gasoline Filling Station or Convenience Store: Any building or premises used for the retail sale of products for the propulsion of motor vehicles and may include such products as kerosene, fuel oil, packaged naphtha, lubricants, tires, batteries, antifreeze, motor vehicle accessories, and other items customarily associated with the sale of such products; for rendering of services and making of adjustments and replacements to motor vehicles, and the washing, waxing, and polishing of motor vehicles, as incidental to other services rendered; and the making of repairs to motor vehicles except those of a major type. Repairs of a major type are defined to be spray painting, body, fender, clutch, transmission, differential, axle, spring, and frame repairs; major overhauling of engines requiring the removal of engine cylinder head or crankcase pan; repairs to radiators requiring the removal thereof; or complete recapping or re-treading of tires.
68. Grade: The average level of the finished surface of the ground adjacent to the exterior walls of the building (see Figure 1).

Figure 1: Grade or Slope



$$\text{SLOPE CALCULATION} = V/H$$

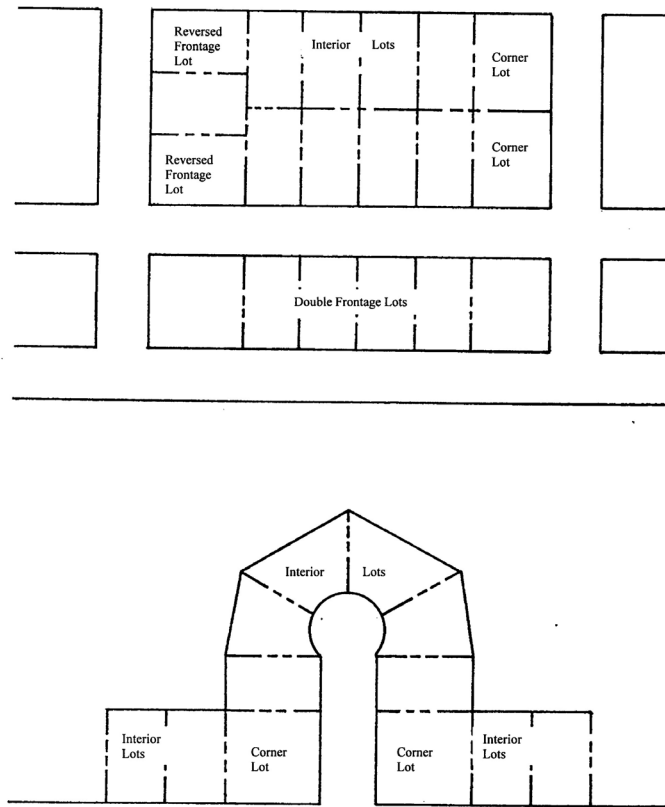
69. Grain Elevator: A structure or group of related structures whose primary purpose is, but not limited to, the receiving, selling, processing, storage, drying and transporting of bulk grain.
70. Group Home or Family Home: A group home, or family home, means a community-based residential home which is licensed as a residential care facility under Chapter 135C or as a child foster care facility under Chapter 237 in the Iowa Code to provide room and board, personal care, habitation services, and supervision in a family environment exclusively for not more than eight (8) developmentally disabled persons and any necessary support personnel. However a group home or family home does not mean an individual foster family home licensed under Chapter 237 of the Code of Iowa.
71. Hazardous Waste: A hazardous waste as defined in Chapter 455B.411, Code of Iowa, as amended or designated as such by the Federal Environmental Protection Agency.
72. Historic Structure: Any structure that is: (a) Listed individually in the National Register of Historic

Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) By an approved state program as determined by the Secretary of the Interior or (ii) Directly by the Secretary of the Interior in states without approved programs.

73. Home Occupation: A gainful occupation or profession conducted entirely within an enclosed dwelling unit which is clearly incidental and secondary to residential occupancy and does not change the character thereof.
74. Home Industry: Any gainful occupation or profession conducted entirely within an enclosed accessory building(s) and/or dwelling unit which is clearly incidental and secondary to the residential occupancy and does not change the character thereof.
75. 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 rooming house.
76. Improvements: Addition of any facility or construction on land necessary to prepare land for building sites including road paving, drainageways, sewers, water mains, wells, and other works and appurtenances.
77. Institution: A building occupied by a non-profit corporation or a non-profit establishment for public use.
78. Junk or Salvage: Scrap copper, brass, rope, rags, batteries, paper trash, tires and rubber debris, waste, appliances, furniture, equipment, building demolitions materials, structural steel materials, or similar materials. This definition shall also include junked, dismantled, or wrecked motor vehicles, or parts of motor vehicles, and iron, steel, or other scrap ferrous or nonferrous materials.
79. Junk or Salvage Yard: Any area where junk, discarded or salvaged material or equipment is bought, sold, exchanged, baled or packed, disassembled, kept, stored, or handled, including house wrecking yards, auto wrecking activities, used lumber yards and places or yards for storage of salvaged building materials and structural steel materials and equipment; but not including areas where such uses are conducted entirely within a completely enclosed building and not including pawn shops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvaged materials incidental and necessary to manufacturing operations and not including contractors' storage yards. The presence on any lot, parcel or tract of land, of three (3) or more vehicles which for a period exceeding thirty (30) days have not been licensed or are not capable of operating under their own power, or from which parts have been removed for reuse, salvage or sale, shall constitute prima facie evidence of a junk yard.
80. Kennel, Dog (Commercial): Any parcel of land on which four (4) or more dogs, six (6) months old or older are kept for the purposes of breeding, grooming, boarding or other activities associated with the care of dogs for commercial purposes.
81. Livestock: Cattle, horses, sheep, swine, poultry or any other animal or fowl, which are being produced primarily for commercial purposes.

82. Lot: For the purposes of this Ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area to provide such yards and other open space as are herein required. Such lot shall have frontage on a public street or private street and may consist of:
- a. A single lot of record;
 - b. A portion of a lot of record;
 - c. A combination of complete lots of record; or complete lots of record and portions of lots of record; or of portions of lots of record;
 - d. A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Ordinance.
83. Lot, Area: Total horizontal area within lot lines.
84. Lot, Corner: A lot abutting upon two (2) or more streets at their intersection (see Figure 2).
85. Lot, Depth of: The mean horizontal distance between the front and rear lot lines.
86. Lot, Double Frontage: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot (see Figure 2).
87. Lot, Interior: A lot other than a corner lot (see Figure 2).
88. Lot, Lines: The lines bounding a lot.
89. Lot Line, Front: The line separating the lot from the street on which it fronts.
90. Lot Line, Rear: The lot line opposite and most distant from the front lot line.
91. Lot Line, Side: Any lot line other than a front or rear lot line.
92. Lot of Record: A lot, the contract or deed to which, that has been recorded in the office of the Recorder of Wright County, Iowa, prior to the effective date of this Ordinance.
93. Lot, Reversed Frontage: A corner lot, the side street line of which is substantially a continuation of the front line of the first platted lot to its rear (see Figure 2).
94. Lot, Width: The width of a lot measured at the building line and at right angles to its depth.

Figure 2: Examples of Lot Definitions



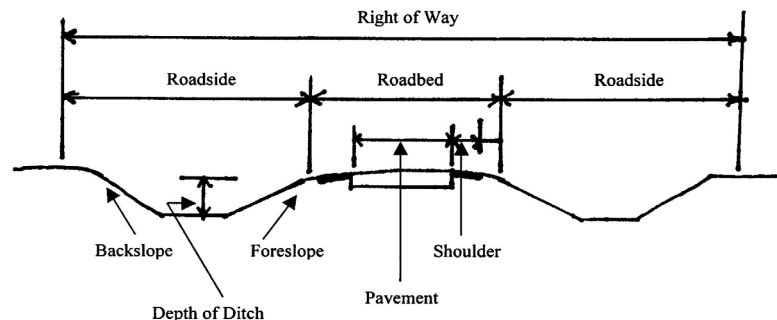
95. Lumber Yard: A premises on which primarily new lumber and related building materials are sold.
96. Manufacturing or Industrial Use: Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.
97. Manufactured Home: A factory-built single-family structure, which is manufactured or constructed under the authority of 42 U.S.C. Sec. 5403, National Manufactured Home Construction and Safety Standards Act of 1974, and is to be used as a place for human habitation, but which is not constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving it to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home is not a manufactured home unless it has been converted to real property and is taxed as a site-built dwelling. For the purpose of these regulations, a manufactured home built after June 15, 1976, shall bear the seal certifying that it is in compliance with the National Manufactured Home Construction and Safety Standards Act of 1974. For the purpose of these regulations, manufactured home shall be subject to the same standards as site-built dwellings.

98. Metes and Bounds Description: The method used to describe a tract of land that uses distance and angles, uses distances and bearings, or describes the boundaries of the parcel by reference to survey monuments or physical features of the land.
99. Mobile Home: Any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall include any such vehicle with motive power not registered as a motor vehicle in Iowa. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. Nothing in this Ordinance shall be construed as permitting a mobile home in other than an approved location, as specified in this Ordinance.
100. Mobile Home Park or Trailer Park: Any lot or portion of a lot upon which two (2) or more mobile homes or trailers occupied for dwelling or sleeping purposes are located regardless of whether or not a charge is made for such accommodations.
101. 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 parking facilities conveniently located to each such unit, and may include accessory facilities such as swimming pool, restaurant, meeting rooms, etc.
102. New Construction (New Buildings, New Mobile Home Parks): Those structures or development for which the start of construction commenced on or after the effective date of this Ordinance.
103. Nonconforming 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 his Ordinance or amendments thereto with the use regulations of the district in which it is situated.
104. Nursing or Convalescent Home: A building or structure having accommodations and where care is provided for invalid, infirm, aged, convalescent, or physically disabled or injured persons, not including insane and other mental cases, inebriate, or contagious cases.
105. Obstruction: Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, wire, fence, rock, gravel, junk, solid waste, refuse, fill, or other analogous structure or matter in, along, across, or projecting into any floodplain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property.
106. Owner: The legal entity holding title to the property being subdivided, or such representative or agent as is fully empowered to act on its behalf.
107. Parcel: A part of a tract of land.
108. Parking Lot: A parcel of land devoted to unenclosed parking spaces.
109. Parking Space: A surfaced area, enclosed in the principal building, an accessory building, or an unenclosed area of not less than one hundred eighty (180) square feet exclusive of driveways,

permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.

110. Pavement or Paving: The pavement structure, or the upper surface of a pavement structure, or the materials of which the pavement structure is constructed.
111. Permanent Real Estate Index Number: A unique number of combination of numbers assigned to a parcel of land pursuant to Section 441.29 of the Code of Iowa.
112. Porch, Unenclosed: A roofed projection which has no more than fifty (50) percent of each outside wall area enclosed by a building or siding material other than meshed screens.
113. Principal Use: The main use of land or structures as distinguished from an accessory use.
114. Public Utilities: Public or quasi-public distributing or operating equipment for related services for telephone, electricity, cable television, gas, sewer and water. For purposes of this Ordinance, a private, common water system and/or a common sewer system may be considered a public utility when a public or quasi-public system is not available and when the creating parties agree.
115. Recreational vehicle: A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towed by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
116. Residential Use: Uses that are primarily adapted or constructed for human habitation as dwellings.
117. Right-of-Way: The land area the right to possession of which is secured or reserved by the contracting authority for road purposes (see Figure 3).

Figure 3: Examples of Road Definitions

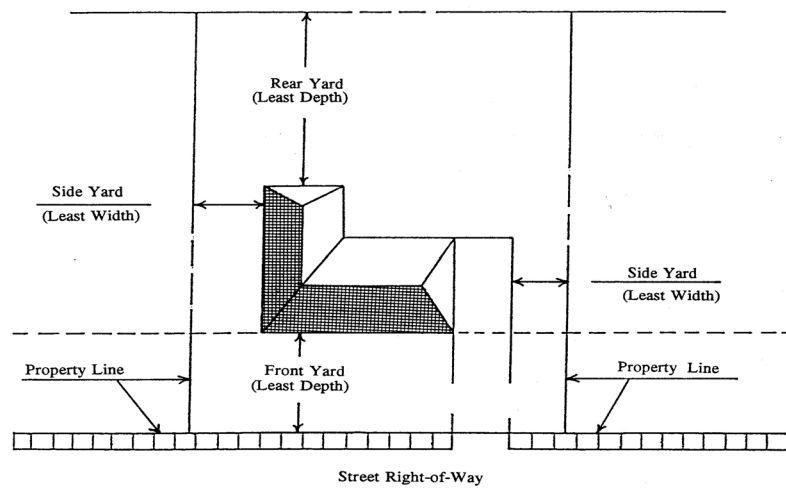


118. Road: All property intended for use by vehicular traffic, dedicated or intended for public or private road, street, alley, highway, freeway or roadway purposes or to public easements therefore.
119. Roadside Stand: A temporary structure used seasonally for the sale of homegrown agricultural products.

120. Rooming or Lodging House: A building or place where lodging or boarding is provided for compensation for three (3) or more, but not exceeding twenty (20) individuals, not open to transient guests, in contrast to hotels open to transients.
121. Sanitary Landfill: Land utilized for disposing of solid or hazardous wastes in accordance with the rules and regulations of the Iowa Department of Natural Resources.
122. Shoulder: That portion of the roadbed contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses.
123. Sign: "Sign" means any structure or part thereof or device attached thereto or painted, or represented thereon, which displays or includes any letter, work, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction, or advertisement. "Sign" includes "billboard" but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit. Nor does it include any political, educational, charitable, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event.
124. 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.
125. 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 noncommercial purposes.
126. 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.
127. Story, Half: A space under a sloping roof which has the line of intersecting of roof decking and wall face not more than four (4) feet above the top floor level.
128. Street Line: A dividing line between a lot, tract or parcel of land and a contiguous street.
129. Street, Road, Drive, Alley, or Entrance (Private): All property intended for use by vehicular traffic, but not dedicated to the public nor controlled and maintained by a political subdivision.
130. Street, Road, Alley, Drive or Entrance (Public): All property intended for use by vehicular traffic, which has been dedicated to the public or deeded to a political subdivision.
131. Street, Road, Alley, Drive or Entrance (Secondary Road System): All property intended for use by vehicular traffic which has been dedicated to the public and meets requirements of the Code of Iowa and has been accepted into the county system by the Board of Supervisors.
132. 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.
133. Structure: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, billboards, and poster panels.
134. Tract: An aliquot part of a section, a lot within an official plat, or a government lot.

135. Trailer or Mobile Home: See "Mobile Home."
136. Trailer or Mobile Home Park: See "Mobile Home Park or Trailer Park."
137. Travel Trailer: A vehicle customarily used for vacation or recreational purposes defined and licensed in accordance with Section 321.1 (39)(b), Code of Iowa.
138. Vacation or Recreational Cabin: A structure consisting of not more than four (4) sleeping rooms, kitchen and living area used as a temporary residence, not to exceed six (6) months at a time, for recreational purposes.
139. Yard: An open space on the same lot with a building or structure unoccupied and unobstructed by any portion of a structure from thirty (30) inches above the general ground level of the graded lot upward. In measuring a yard for the purpose of determining the depth of a front yard or the depth of a rear yard, the least distance between the lot line and the main building shall be used. In measuring a yard for the purpose of determining the width of a side yard, the least distance between the lot line and the nearest permitted building shall be used.
140. Yard, Front: A yard extending across the full width of the lot and measured between the front lot line and the building (see Figure 4). For the purposes of this Ordinance, "front" shall be determined by the street where the address is derived.
141. Yard, Rear: A yard extending across the full width of lot and measured between the rear lot line and the building or any projections other than steps, unenclosed balconies or unenclosed porches (see Figure 4). On both corner lots and interior lots the opposite end of lot from the front yard.
142. Yard, Side: A yard extending from the front yard to the rear yard and measured between the side lot lines and the nearest building (see Figure 4).

Figure 4: Yard Definitions



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

144. Zoning Permit: A written authorization, issued by the Zoning Administrator that indicates a proposed project conforms to this Ordinance.

6-1-6 ESTABLISHMENT OF DISTRICTS AND DISTRICT BOUNDARIES

1. ESTABLISHMENT OF DISTRICTS. In order to classify, regulate, and restrict the location of trades and industries, and the location of buildings designed for specified uses, to regulate and limit the height and bulk of buildings hereafter erected or altered, to regulate and limit the intensity of the use of lot areas and to regulate and determine the area of yards, courts, and other open spaces within and surrounding such buildings, the unincorporated area of Wright County, Iowa, is hereby divided into Four (4) classes of districts. The use, heights, and area regulations are uniform in each class of district, and said districts shall be known as:

"A-1" Agricultural District

"R-1" Fishery Lake Residence District (Lake Cornelia)

"R-2" Wildlife Lake Residence District (Elm Lake, Morse Lake, Wall Lake)

"C-1" and/or "I-1" Commercial District and/or Industrial District

2. DISTRICT BOUNDARIES AND OFFICIAL ZONING MAPS. The boundaries of these districts are indicated upon the Official Zoning Maps of Wright County, Iowa, which maps are made a part of this Ordinance by reference. The said Official Zoning Maps of Wright County, Iowa, and all the notations, references and other matters shown thereon shall be as much a part of this Ordinance as if the notations, references, and other matters set forth by said maps were all fully described herein. The said Official Zoning Maps shall be on file in the office of the Zoning Administrator of Wright County, Iowa, and shall bear the signature of the Chairman of the Board of Supervisors attested by the County Auditor, under the certification that these are the Official Zoning Maps referred to in this section. The Official Zoning Maps shall show all amendments or changes and shall indicate the date of each amendment or change. It shall be the responsibility of the Zoning Administrator to see that the Zoning Maps are kept current at all times.
3. INTERPRETATION OF DISTRICT BOUNDARIES. Where uncertainty exists with respect to the boundaries of the various districts as shown on the Official Zoning Maps accompanying and made a part of this Ordinance, the following rules apply:
- The district boundaries are either centerlines of highways, county roads, streets line or alley lines railroad rights-of-way, or such lines extended unless otherwise shown, and where the districts designated on the maps accompanying and made a part of this Ordinance are bounded approximately by such centerlines, the centerlines street lines or alley lines, the street lines or alley lines shall be construed to be the boundary of the district, street and alley right-of-way not included in zoned areas.
 - Where boundaries are indicated so they approximately follow lot lines and are not more than twenty (20) feet distance there from, such lot lines shall be interpreted to be the boundary of the district.
 - Boundaries approximately following section lines, quarter section lines, or quarter-quarter section lines shall be construed as following such lines.
 - Boundaries indicated as approximately following corporate limits shall be construed as following corporate limits.

- e. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
 - f. Boundaries indicated as approximately following the center lines of rivers, streams, creeks or other waterways shall be construed to follow such center lines.
 - g. Where no other indication of the district boundary is made and no dimensions are shown, the location of the boundary shall be determined by the use of the scale appearing on the maps.
 - h. Boundaries indicated as approximately parallel to a highway, county road, street, or railroad right-of-way shall be construed as being parallel thereto and at such distance from the centerline thereof as is indicated on the Official Zoning Map;
 - i. Publication of the legal description of the property or properties zoned or rezoned shall constitute an official amendment to the Official Zoning Map; and, as such, said maps or portions of said maps need not be published.
 - j. As a last resort, the Board of Adjustment may, per Section 6-1-16(7), interpret district boundaries.
- 4. **DISINCORPORATION.** All territory which may hereafter become part of the unincorporated area of Wright County, Iowa, that is regulated by this Ordinance, by the disincorporation of any city or town, or any part thereof, shall automatically be classed as lying and being in the "A" Agricultural District until such classification shall have been changed by amendment to this Ordinance.
 - 5. **ROAD OR PUBLIC WAY VACATION.** Whenever any road or other public way is vacated by the official action of the Board of Supervisors, the Zoning District(s) adjoining each side of such road or public way shall automatically extend to the center of such vacation and all area included in such vacation shall then and there forth be subject to all appropriate regulations of the extended district.

6-1-7 GENERAL REGULATIONS AND PROVISIONS.

- 1. Severance: Any addition to the unincorporated area of the county resulting from disconnections by municipalities or otherwise shall be automatically classified as in the "A-1" Agricultural District until otherwise classified by amendment.
- 2. Conformance Required: Except as hereinafter provided, no building, structure, or land shall hereafter be used, and no building shall be erected, extended, converted, moved, rebuilt, or altered except in conformity with all the district regulations established by this Ordinance for the district in which the building, structure, or land is located.
- 3. Farmstead: Within an Agricultural district, a farmstead by definition that is in existence on the effective date of this Ordinance may be severed from the farm. A minimum of two (2) acre, exclusive of streets and roads, per each dwelling unit of the farmstead is required with front yard, side yard, and rear yard requirements applicable to the zoning district in which it is located. If a single family home is proposed to be built on a farmstead, an existing home may be allowed to remain until the new home is either completed or occupied, whichever is a shorter period of time.
- 4. Required Yard per Building: No yard or other open space shall be considered as providing a yard or open space or lot area requirement for a building on any other lot, and no yards or other open space or lot area requirement about an existing building or any building hereafter constructed for

the purpose of complying with the provisions of this Ordinance, shall be considered as providing a yard or open space or lot area requirement for any other building.

5. Road Vacation: Whenever any street, road or other public way is vacated by official action of the Board of Supervisors of Wright County, the zoning district adjoining each side of such street, road or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall be subject to all appropriate regulations of the extended districts.
6. One Principal Building per Lot: Every building hereafter erected or structurally altered shall be located on a lot as defined herein and in no case shall there be more than one (1) main building on one (1) lot unless otherwise provided by this Ordinance.
7. Requests: All petitions for rezoning, special permits, variance, etc., must be in writing stating the exact legal description of land involved, the purpose for which the land is to be used, the disruption expected to occur on the area's natural setting, and the methods to be implemented to lessen the severity of disruption on the area. The Zoning Administrator must receive petitions at least twenty (20) working days prior to a stated or special meeting of the Zoning Commission. A preliminary plat shall be submitted with a petition for rezoning for subdivisions.
8. Water Supply and Sewage Disposal: Every residence, business, trade, or industry hereafter established, which requires water supply and sewage disposal facilities, shall provide facilities that conform with the Well and Sewage Regulations of the County Environmental Health Department and all other applicable regulations.
9. Street Frontage Required: Except as permitted in this Ordinance 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 an exclusive unobstructed private easement of access or right-of-way of at least twenty (20) feet wide to a street, and there shall be not more than one (1) single-family dwelling for such frontage or easement, except that a common easement of access at least twenty-four (24) feet wide may be provided for two (2) such single-family dwellings. For more than two (2) dwellings the access easement must be in conformance with the Subdivision Ordinance of Wright County, Iowa.
10. Accessory Buildings: Minimum lot area, lot frontage, and yard requirements will be determined for each of the zoning district classifications. All accessory buildings shall be placed in the side or rear yard. An unattached accessory building shall maintain a clearance of five (5) feet (wall to wall) between the principal permitted building and the accessory building.

In any "R" district, an accessory building that is not a part of the main building shall not occupy more than thirty (30) percent of the required rear yard.

11. Corner Lots: The front yard regulation shall apply to each street side. Side and rear yard requirements are determined by direction of front of principal building. The "front" of a building shall be considered that portion of the building fronting on the street from which the building's address is derived.
12. Front Yard: In any "R" district there shall be a minimum front yard required as stated in the yard requirements for that particular district; provided, however, that where lots comprising thirty (30) percent or more of the frontage within two hundred (200) feet of either side lot line are developed with buildings at a greater setback, the front yard setback shall be the average of these building setbacks and the minimum setbacks required for the undeveloped lots. In computing the average setback, buildings located on reversed corner lots or entirely on the rear half of lots shall be counted.

The required setback as computed herein need not exceed fifty (50) feet in any case. For the purposes of this Ordinance, "front" is determined by the street where the address is derived.

13. Required Yard Cannot Be Reduced: No lot shall be reduced in area so as to make any yard or any other open space less than the minimum required by this Ordinance. Off-street parking and loading areas may occupy all or part of any required yard or open space except as otherwise specified in this Ordinance.
14. Building Lines on Approved Plats: Whenever the plat of a land subdivision on record in the office of the County Recorder shows a setback 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.
15. Pending Applications for Permits: Nothing herein contained shall require any change in the overall layout, plans, construction, size or designated use of any building, or part thereof, for which approvals and required permits have been granted before the enactment of this Ordinance, the construction of which shall conform with such plans and shall have been started prior to the effective date of this Ordinance and completion thereof carried on in a normal manner and not discontinued for reasons other than those beyond the builder's control.
16. Lot Area Computation: In all districts, lot area requirements shall be computed exclusive of street, road, alley, or highway right-of-way.
17. Dwelling Standards: The following standards shall apply to all new dwellings for which zoning permits have been issued.
 - a. The dwelling shall be affixed to a permanent foundation system.
18. Home Occupation/Home Industry Standards: The following standards and criteria shall apply to home occupations:
 - a. Clearly incidental and secondary to the use of the dwelling unit as a residence;
 - b. Conducted entirely and confined within an accessory building(s) located upon the property;
 - c. Conducted by a member(s) of the family residing within the dwelling unit and no more than two (2) non-resident employees;
 - d. There shall be no evidence of such occupation being conducted within the dwelling unit, which is perceivable at or beyond the lot lines, by virtue of: outside storage, displays, noise, odors, smoke, vibration, heat, dust, electrical disturbances or excessive traffic generation;
 - e. Water, sewer, and waste disposal systems shall be subject to approval of the Environmental Health Department;
 - f. Customer parking shall be provided and be as inconspicuous as possible on the premises;
 - g. Only two (2) identification signs may be displayed, one of which may be an off-premise sign, subject to the following requirements;

- i. Contains only the name of the occupant and the nature of the occupation.
- ii. Shall not contain more than thirty-two (32) square feet.
- iii. Shall not be illuminated.
- iv. If located along a state or federal highway, an Iowa Department of Transportation permit must be obtained.
- v. Shall not be located on County right-of-way.
- h. Shall obtain and possess a valid home occupation/industry permit;
- i. An initial permit may be issued by the Zoning Administrator, after public hearing (governed by Section 6-1-16(8)(c)(ix)), review, consideration, and approval by the Planning and Zoning Commission and Board of Supervisors.
- ii. Thereafter, a home occupation permit must be renewed annually unless the permitholder violates any of the conditions defined in Section 6-1-7(18)(h)(iii) below. The Zoning Administrator shall be authorized to renew said permits by the Board of Supervisors.
- iii. A home occupation permit may be revoked by the Board of Supervisors, after review and consideration by the Planning and Zoning Commission, for any of the following reasons: complaints against the use arise during the course of the year; the permit-holder violates this Ordinance; the permit-holder violates any Wright County ordinance or state or federal statute; or the permit-holder violates any of the conditions of the home occupation permit.

19. **Bulk Requirements:** All new buildings shall conform to the building regulations established herein for the district in which each building shall be located. Further, no existing building shall be enlarged, reconstructed, structurally altered, converted or relocated in such a manner as to conflict or further conflict with the bulk regulations of this Ordinance for the district in which such buildings shall be located.

Minimum bulk requirements are listed in Table 1.

20. **Uses Not Listed:** Uses not specifically listed as principal permitted or accessory uses or special exceptions shall be considered for addition to the Ordinance according to the amendment procedures outlined in Section 6-1-16(11).

Table 1: Bulk Requirements

"A-1" Agricultural & "A-2" Agricultural Districts	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
All Uses in the "A-1" Agricultural District	35 Feet	2 Acre	150 Feet	35 Feet	12 Feet	12 Feet

Other Permitted Structures & Uses	35 Feet	2 Acre	150 Feet	35 Feet	12 Feet	12 Feet
Accessory Buildings & Uses	35 Feet	--	--	35 Feet	12 Feet	12 Feet
"R-1" Fishery Lake Residence District	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
Permitted Structures & Uses everywhere but O'Brien and Paige streets	35 Feet	5,000 Square Feet	No Min	20 Feet	2 ½ Feet	No Min if bordering lake. 10 Feet if not bordering the lake
Accessory Buildings & Uses everywhere but O'Brien and Paige streets	35 Feet	--	--	20 Feet	2 ½ Feet	No Min if bordering lake. 10 Feet if not bordering the lake
Permitted Structures & Uses on O'Brien and Paige streets	35 Feet	5,000 square Feet	No Min	10 Feet	2 ½ Feet	No Min if bordering lake. 10 Feet if not bordering the lake
Accessory Buildings & Uses on O'Brien and Paige streets	35 Feet	--	--	10 Feet	2 ½ Feet	No Min if bordering lake. 10 Feet if not bordering the lake
"R-2" Wildlife Lake Residence District	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
Permitted Structures & Uses	35 Feet	2 Acre	150 Feet	35 Feet	12 Feet	20 Feet from the Lake
Accessory Buildings & Uses						

"C-1" Commercial-Manufacturing Districts	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
Permitted Structures & Uses	No Min	2 Acre	150 Feet	35 Feet	12 Feet	12 Feet
Accessory Buildings & Uses	35 Feet	--	--	35 Feet	12 Feet	12 Feet
"C-2" Fishery Lake Commercial-Manufacturing Districts	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
Permitted Structures & Uses	35 Feet	5,000 Square Feet	No Min	35 Feet	No Min	No Min
Accessory Buildings & Uses	35 Feet	--	--	35 Feet	No Min	No Min
"I-1" Industrial and/or Manufacturing District	Maximum Building Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard
Permitted Structures & Uses	No Min	2 Acre	150 Feet	35 Feet	12 Feet	12 Feet
Accessory Buildings & Uses	35 Feet	--	--	35 Feet	12 Feet	12 Feet

Notes:

- (1) Accessory Building to be placed in the rear yard, may reduce the minimum side and rear yard requirements to 4 feet.

6-1-8 USE REGULATION FOR "A-1" AGRICULTURAL DISTRICT

1. Intent: The "A-1" Agricultural District is intended and designed to serve the agricultural community and protect agricultural land from uses encroachment of urban land uses. Furthermore, in accordance with Chapters 335 and 352, Code of Iowa, as amended, it is the intent to preserve the availability of agricultural land and to encourage efficient urban development patterns. This district is not intended for non-farm residential subdivisions, unless approved herein or in existence at the time of adoption of this Ordinance.

In the "A-1" Agricultural District, the following provisions, regulations, and restrictions shall apply and all uses:

2. Principal Permitted Uses:
 - a. Agriculture and the usual agricultural buildings and structures;
 - b. Agricultural Research Establishments that are not farmer-owned and operated and which require construction of buildings;

- c. Billboards; however, no billboard shall be posted and no advertising structure shall be erected as follows: (a) On or within the right-of-way of a highway or where it would encroach thereon; (b) Along a highway within five hundred (500) feet of the center-point of an intersection of such highway at grade with another highway or with a railroad; (c) Along a highway 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 five hundred (500) feet; (d) No billboard shall be constructed within three hundred (300) feet of a house, school, or church; (e) No billboards shall be constructed less than fifteen hundred (1,500) 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 governmental subdivision, or which incorporates or makes use of lights simulating or resembling traffic controls or signals; (g) No advertisement shall be posted or maintained on rocks, fences, trees, or on poles maintained by public utilities; and (h) Billboards shall be set back from the proposed right-of-way of any State or Federal highway, and from the right-of-way of any other street or road a minimum distance of seventy-five (75) feet;
- d. Cemeteries, including mausoleums and crematories; provided that any mausoleum or crematory shall be distant at least three hundred fifty (350) feet from adjacent property and street and highway lines;
- e. Churches, chapels, temples, and similar places of worship;
- f. Community buildings;
- g. Country clubs, golf courses;
- h. Forest preserves, wildlife preserves, gaming refuges, and environmentally significant lands owned by governmental agencies;
- i. Grain storage/elevator, and grain drying facilities;
- j. Group homes;
- k. Gun Club with appropriate dead zones as identified by the County Supervisors;
- l. Hiking, biking and horseback riding trails;
- m. Home occupations and Home industries;
- n. Kennels, Dog (Commercial);
- o. Private livestock feedlots and confinement facilities providing all private feedlots meet all of the waste treatment requirements of the Department of Water, Air, and Waste Management;
- p. Poultry farms providing all poultry farms meet all of the waste treatment requirements of the Department of Water, Air, and Waste Management;

- q. Single family, two (2) family and multi-family dwellings;
- r. Schools, both public and private educational institutions;
- s. Public parks, forests, playgrounds, recreation areas, and camping grounds;
- t. Public utility structures and equipment necessary for the operation thereof, excluding transmitting and receiving stations and towers;
- u. Transmitting, receiving stations, wind energy towers, upon recommendation from the Planning and Zoning Commission and approved by the Board of Supervisors. The base of the tower shall be at least the height of the tower from any property line or right-of-way line;
- v. Railroad tracks' rights-of-way;
- w. Stables, private and public, and riding academies and clubs, and other structures for housing animals; located at least fifty (50) feet from all boundary lines of the property on which located;
- x. Sanitary Landfills authorized by the Board of Supervisors;
- y. Parish houses and Sunday School buildings;
- z. Preschools, and day nursery or care facilities;
- aa. Specialized animal farms including but not limited to fowl, rabbits, mink, chinchilla, and bees;
- bb. Specialized horticultural operations including orchards, viticulture, wineries, truck gardens, Christmas tree farms, floriculture, wholesale nurseries, raising of tree fruits, nuts and berries, sod, private or wholesale greenhouses, nurseries, and vegetable raising;
- cc. Public/government buildings and facilities, including essential service buildings; buildings erected and used by a department of the federal, state, county, or municipal government;
- dd. Structures or methods for the conservation of soil;
- ee. Seed and feed dealerships provided, however, there is no evidence of showroom or other commercial activities;
- ff. Mineral extraction when the developer submits for approval by the Planning and Zoning Commission and the Board of Supervisors, a plan for staged extraction restoration and current over burden construction to conform to an overall master plan for reuse; provided further that such plans shall be submitted for information and comment to the County Conservation Board, the County Soil Conservation District, and where applicable, the State Department of Mines;
- gg. Nursing, convalescent, and retirement homes;

3. Permitted Accessory Uses and Structures:

- a. Accessory uses and buildings customarily incidental to any of the above principal permitted uses;
- b. Private garage or carport;
- c. One (1) board or sign not to exceed fifty (50) square feet in area referring to the construction, lease, hire, or role of a building premises, or lots; which sign shall refer to property on which the sign is located, and shall be removed as soon as the premises are sold, leased, or construction completed;
- d. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon the completion or abandonment of the construction work;
- e. Roadside stands, offering for sale only agricultural products or other products produced on the premises;
- f. Transit shelters/bus stops; benches, kiosk/wayward signs for transit;
- g. Church bulletin boards;
- h. Signs, not exceeding ten (10) square feet in area, identifying the premises or indicating the product grown or material and equipment used on the premises.

4. Special Exceptions: In accordance with Section 6-1-16(5) of this Ordinance, none of the following uses shall be established or reconstructed, structurally altered, enlarged or moved unless the Board of Adjustment approves the issuance of a special exception permit.

- a. Airports and landing fields provided that adequate approach and clear zones are obtained;
- b. Salvage yards provided surrounded by fence or natural barrier to obstruct vision of premises from the ROW or neighborhood;
- c. Stockyards;
- d. Livestock buying and shipping stations, but not to include commercial feed lots.

5. Height Regulations:

Shall be those specified in Section 6-1-7(19)

6. Water and Sewer Systems:

Subject to approval of the County Environmental Health Department.

7. Minimum Lot Area, Lot Frontage, and Yard Requirements for "A-1" Agricultural Districts:

Shall be those specified in Section 6-1-7(19)

6-1-9 USE REGULATION FOR "R-1" FISHERY LAKE RESIDENCE DISTRICT (LAKE CORNELIA)

1. Intent: The "R-1" Lakeshore Residence District is intended and designed to provide for residential development around Lake Cornelia in the unincorporated areas of the county.

In the "R-1" Lake Cornelia Lakeshore Residence District, the following provisions, regulations, and restrictions shall apply:

2. Principal Permitted Uses:

- a. Single, two (2), and multiple family residential dwellings;
- b. Public parks, forest, playgrounds, community buildings, and public or private fishing and boating docks and ramps;
- c. Churches.

3. Permitted Accessory Uses and Structures:

- a. Accessory uses and structures normally incidental and subordinate to the permitted principle uses;
- b. Private garage, carport or boat house;
- c. Private fishing and boating docks;
- d. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon the completion or abandonment of the construction work;
- e. One (1) board or sign not to exceed fifteen (15) square feet in area referring to the role of a building, premises, or lots; which sign shall refer to property on which the sign is located;
- f. Guest House which is accessory to a structure;
- g. Home Occupation.

4. Special Exceptions: The following uses maybe permitted in "R-2" Lakeshore Residential Districts subject to approval by the Board of Adjustment as provided for in Section XVII of this Ordinance:

- a. Church camps and other private institutional or organizational group camping facilities.

5. Height Regulations:

Shall be those specified in Section 6-1-7(19)

6. Water and Sewer Systems:

Shall require both a common water and a common sewage treatment system, subject to approval by the County Environmental Health Department.

7. Minimum Lot Area, Lot Frontage and Yard Requirements:

Shall be those specified in Section 6-1-7(19)

6-1-10 USE REGULATION FOR "R-2" WILDLIFE LAKE RESIDENCE DISTRICT (ELM, MORSE AND WALL LAKE)

1. Intent: The "R-3" Lakeshore Residence District is intended and designed to provide for residential development around the Elm Lake in the unincorporated areas of the county.

In the "R-3" Elm Lake Lakeshore Residence District, the following provisions, regulations, and restrictions shall apply:

2. Principal Permitted Uses:

- a. Agriculture and the usual agricultural buildings and structures; but not including commercial livestock feedlots and poultry farms;
- b. Single, two (2), and multiple family residential dwellings;
- c. Public parks, forest, playgrounds, community buildings, and public or private fishing and boating docks and ramps.

3. Permitted Accessory Uses and Structures:

- a. Accessory uses and structures normally incidental and subordinate to the permitted principle uses, and structures which are primarily adopted by reason of nature and area for use for agricultural purposes;
- b. Private garage or carport;
- c. Private fishing and boating docks;
- d. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon the completion or abandonment of the construction work;
- e. One (1) board or sign not to exceed fifteen (15) square feet in area referring to the role of a building, premises, or lots; which sign shall refer to property on which the sign is located.

4. Special Exceptions: The following uses maybe permitted in "R-2" Lakeshore Residential Districts subject to approval by the Board of Adjustment as provided for in Section XVII of this Ordinance:

- a. Church camps and other private institutional or organizational group camping facilities.

5. Height Regulations:

Shall be those specified in Section 6-1-7(19).

6. Water and Sewer Systems:

Shall require both a common water and a common sewage treatment system, subject to approval by

the County Environmental Health Department.

7. Minimum Lot Area, Lot Frontage and Yard Requirements for "R-2" Multiple Residence District:

Shall be those specified in Section 6-1-7(19).

6-1-11 USE REGULATION FOR "C-1 AND/OR I-1" COMMERCIAL DISTRICT AND/OR INDUSTRIAL DISTRICT

1. Intent: The "C-1 and/or I-1" Commercial District and/or Industrial District is intended and designed to provide for commercial and normal business uses with interior storage required to serve the general needs of the residents of the rural areas of the county and to provide an environment suitable for industrial activities that do not create appreciable nuisances or hazards.

In the "C-1 and/or I-1" Commercial and/or Industrial District, the following provisions, regulations, and restrictions shall apply:

2. Principal Permitted Uses:

- a. Single, two-family and multi-family dwellings;
- b. Antique shop;
- c. Apparel shop;
- d. Appliance store, sales and service;
- e. Art supply shop and galleries;
- f. Automobile accessory and new parts store;
- g. Bait shops;
- h. Bakery;
- i. Banks and other financial institutions;
- j. Barber shop;
- k. Beauty parlor;
- l. Bicycle sales and repair shop;
- m. Book store;
- n. Business and computer machine retail store;
- o. Camera shop;
- p. Candy retail shop;

- q. Car wash;
- r. Carpenter shop;
- s. Clothing repair, seamstress;
- t. Commercial indoor recreation facilities including bowling alleys, billiard and pool halls, theater (indoor), skating rinks, ballrooms and dance studios, game arcades, tennis courts, swimming pools, handball courts, archery, and gymnasiums;
- u. Commercial parking lots;
- v. Contractors' equipment, interior storage;
- w. Delicatessen;
- x. Diaper service;
- y. Drapery shop;
- z. Department store; aa. Drive-in eating establishment; bb. Drug Stores; cc. Electrical supply store; dd. Fish markets; ee. Florist and retail nursery shop; ff. Food storage; gg. Fruit and vegetable markets; hh. Furniture store; ii. Furniture upholstery shop; jj. Gift shops; kk. Grocery store; ll. Hardware store; mm. Hobby or craft store; nn. Hotel, Motel, and boarding houses; oo. Household appliance sales and repair; pp. Ice storage;
- qq. Jewelry and watch repair shops; rr. Laboratory, dental or medical; ss. Landscaping supply shop; tt. Lawnmower repair shop; uu. Laundromat; vv. Locksmith; ww. Music store and studios;
- xx. Night clubs, provided that principal building is located at least one hundred (100) feet from any "R" Residential District; yy. Paint and wallpaper store; zz. Pet shops; aaa. Photographic studio, printing and developing establishments; bbb. Plumbing, heating, or electrical contractor shops; ccc.

Post office substation; ddd. Public buildings and facilities, including essential service buildings; eee. Radio and television sales and service; fff. Restaurant, cafe, and soda fountain; ggg. Retail, wholesale, and service business; hhh. Service Stations ; iii. Shoe repair shops;

jjj. Single-family dwellings are permitted when physically a part of a retail, office, recreation or service establishment; kkk. Sporting goods store;

lll. Storage and warehousing, provided that no premises shall be used for the purpose of maintaining or operating a junk or salvage yard. Any storage or warehousing of metal materials shall be in an enclosed structure;

mmm. Tack shop; nnn. Tailor shop; ooo. Taverns ; ppp.

Toy store; qq. Travel bureau or agency; rrr. Variety stores; sss. Agricultural and incidental agricultural related uses;

ttt. Manufacturing, fabricating, and processing, provided that such use will not constitute a fire hazard or emit dangerous or objectionable smoke, noise, vibration, odor, or dust; uuu.

Assembling, packaging, freight handling, light manufacturing, storage, and warehousing; vv.

Automobile body repair and paint shop; www. Automobile restoration and rebuilding shops; xxx.

Automobile, trailer, motorcycle, boat, and farm implement service or repair establishments; yyy.

Cabinet making plants or factories with more than three (3) employees;

zzz. Construction businesses, contractor's shops, and storage yards enclosed by a solid, opaque fence

eight (8) feet high; aaaa. Farm implement sales, service, repair, and assembly; bbbb. Rental storage

buildings, including mini-storage facilities; cccc. Semi-tractor trailer parking; dddd. Tool and die

operations; eeee. Truck or bus garage and repair shop; ffff. Welding and machine shops; gggg.

Wholesaling and warehousing, but not including the bulk storage of hazardous chemicals;

hhhh. Any similar commercial and/or industrial use deemed appropriate after review and approval of the Planning and Zoning Commission and Board of Supervisors, per Section 6-1-16(11) of this Ordinance.

3. Additional Principal Permitted Uses Associated with Businesses or Professional Offices:

a. Professional office buildings;

- b. Any similar business or professional office use deemed appropriate after review and approval of the Planning and Zoning Commission and Board of Supervisors, per Section 6-1-16(11) of this Ordinance.

4. Permitted Accessory Uses and Structures:

- a. Accessory uses and structures normally incidental and subordinate to the permitted principle uses;
- b. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon the completion or abandonment of the construction work;
- c. Exterior signs referring only to uses located within the principle buildings or on the premises provided that: (a) Such signs are attached to the principle building; and (b) Signs which project out from the building more than eighteen (18) inches must be at least twelve (12) feet above grade; and
- d. One (1) freestanding or post sign referring only to uses located within the principle buildings or on the premises, provided that: (a) Such signs shall not have a surface area in excess of forty (40) square feet and that not more than two (2) sides of such sign shall be used for advertising purposes; and (b) The bottom of the surface area of such sign shall not be less than twelve (12) feet above grade.

5. Special Exceptions: The following uses may be permitted in "C-1 and/or I-1" Commercial and/or Industrial Districts subject to approval by the Board of Adjustment as provided for in Section 6-1-16 of this Ordinance.

- A. Automobile, boat, and farm machinery sales;
- B. Mobile homes, camper trailer, and recreational vehicle sales;
- C. Ball rooms and dance halls;
- D. Acid manufacture or storage;
- E. Slaughter houses;
- F. Manufacture of fertilizer;
- G. Manufacture or storage of explosives; and
- H. Gasoline, oil, or alcohol storage above ground in excess of five hundred (500) gallons;
- I. Consignment and auction sales operations of any kind having no more than four (4) public sales per month, but excluding the sale of livestock, fish, fowl, or animals of any kind.

6. Height Regulations:

Shall be those specified in 6-1-7(19).

7. Water and Sewer Systems:

Subject to approval of the County Department of Health.

8. Minimum Lot Area, Lot Frontage and Yard Requirements for "C-1 and/or I-1" Commercial and/or Industrial District:

Shall be those specified in 6-1-7(19).

6-1-12 PARKING

1. Off-Street Parking Areas and Loading Spaces:

- a. Off-Street Loading Spaces: In all Districts in connection with every building or part thereof hereafter erected which is to be occupied by uses requiring receipt or distribution by vehicles of materials or merchandise there shall be provided and maintained on the same premises with such building the following off-street loading spaces:

Gross Floor Areas (Square Feet) Spaces Required	
0 to 19,999	1
20,000 to 29,999	2
30,000 to 39,999	3
40,000 to 49,999	4

For each additional ten thousand (10,000) square feet in excess of fifty thousand (50,000) square feet one additional off-street loading space shall be required.

Such spaces may occupy all or any part of a required rear yard or with authorization of the Board of Adjustment part of any other yard or court space on the same premises.

- b. Provisions of Off-Street Parking: In all Districts, off-street accessory parking areas in the open or in a garage shall be provided in connection with the uses set forth hereinafter, and to the extent indicated therewith, in addition to the above required loading and unloading spaces.

- i. With the exception of the C-1 Commercial District, parking areas in Commercial and Manufacturing Districts shall be on the premises intended to be served, as per Table 2.

- c. Number of Parking Spaces Required: Table 2 indicates the required number of spaces by use. With the exception of the C-1 Commercial District, employee parking in Commercial and Manufacturing Districts shall be provided at the rate of one (1) space per employee plus the customer spaces as listed in Table 2 on the following page.

Table 2: Parking Requirements.

USE	PARKING REQUIREMENT
Animal Hospital and Veterinary Clinic	1 for each 500 sq. ft. of floor area
Automobile or Farm Implement Sales and Service Garages	1 for each 2 employees. Fifty (50) percent of gross floor area
Barber Shops and Beauty Parlors	1 for each chair plus one
Bowling Alleys	3 (5) for each lane

Clothing Stores, Grocery Stores, Hardware Stores, Jewelry Stores, Pharmacies	1 for each 300 sq. ft. of floor area
Church or Temple	1 for each 6 (4) seats
Community Center, Library, and Museum	11 plus 1 for each 500 sq. ft. in excess of 2,000 sq. ft. of floor area
Dance Halls, Community Buildings, and Assembly Halls	Three hundred (300) percent of floor area used for dancing or assembly
Dental and Medical Clinics	1 for each 500 sq. ft. of floor area
Drive-In Restaurant	3 for each employee on maximum shift
Dwelling (including multiple family and mobile homes)	2 for each dwelling unit
USE	PARKING REQUIREMENT
Financial Institutions, Business Offices, Professional Offices, and Studios	1 for each 500 sq. ft. of floor area
Frozen Food Lockers, Laundries, and Dry-Cleaning	1 for each 500 sq. ft. of floor area
Furniture and Household Appliance Sale and Service Establishments	1 for each 500 sq. ft. of floor area
Hospitals	1 for each 4 beds
Indoor Theaters	1 for each 4 seats
Manufacturing Plants	1 space for each 3 employees on the maximum working shift
Mortuary or Funeral Home	1 for each 5 seats
Motel and Hotel	1 for each unit bedroom or suite plus 1 for each 100 sq. ft. of commercial floor area
Nursing, Convalescent and Retirement Homes	1 space for each 4 beds, plus 1 space for each employee
Printing, Publishing, and Engraving Establishments	1 for each 500 sq. ft. of floor area
Private Club or Lodge	1 for each 200 sq. ft. of floor area
Restaurants, Cafes, Taverns, Nightclubs	1 for each 100 sq. ft. of floor area. Two hundred (200) percent of gross floor area
Retail Shops and Stores	one hundred (100) percent of gross floor area
Sanitarium, Nursing, Rest, or Convalescent Home	1 for each 6 beds
Schools and Public Buildings	1 for each classroom or office room plus 1 for each 6 seats in main auditorium, stadium, or place of public assembly. 1 space for each four (4) seats in the principle auditorium
Sports Arena or Auditorium, other than in a School	1 for each 3 seats
Warehouse, Storage, and Manufacturing Operations	1 for each 2 employees plus 1 for each vehicle used by the industry
Wholesale establishments and warehouses Display and Sales Rooms and Offices	1 for each 300 sq. ft. of floor area plus 1 for each 2 employees

In the case of any building, structure or premises, the use which is not specifically mentioned herein, the provisions for a similar use which is so mentioned and to which said use is similar shall apply.

Exceptions. Note, either Table 2 or the Building Code, as may be amended and adopted by the County, will be used for parking standards, whichever is more restrictive.

6-1-13 NONCONFORMING USES

1. General Intent:

Within the districts established by this Ordinance, or amendments that may later be adopted, there exist lots, structures, buildings, and uses of land which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendments.

- a. It is the intent of this Ordinance to permit these nonconformities to continue. It is further the intent of this Ordinance that nonconformities 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.
- b. 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 construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which substantial improvements have been made.

2. Nonconforming Use of Land:

The lawful use of land upon which no building or structure is erected or constructed which becomes nonconforming under the terms of this Ordinance as adopted or amended may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such nonconforming use shall be enlarged, increased or extended to occupy a greater area of the parcel, or land, in question than was occupied at the effective date of adoption or amendment of this Ordinance.
- b. If any such nonconforming use of land ceases for a period of more than one (1) year, any subsequent use of such land shall conform to the district regulations for the district in which such land is located, unless an extension is granted by the Board of Supervisors, after recommendation from the Commission.
- c. No such nonconforming use shall be moved in whole, or in part, to any other portion of the lot or parcel that was not occupied by such use at the effective date of adoption or amendment of the Ordinance.

3. Nonconforming Use of Structures:

If a lawful use of a structure, or of a structure and land in combination, exists at the effective date of adoption or amendment of this Ordinance that would not be allowed in the district under the terms of this Ordinance, the use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No existing structure devoted entirely or in part to a use not permitted by this Ordinance in the district in which it is located, shall be enlarged, extended, reconstructed, or structurally altered, unless the use is changed to a use permitted in the district in which such structure is located.
- b. Any nonconforming use of a structure may be extended throughout any parts of a building that were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance. No such use shall be extended to occupy any land outside such building.

- c. If no structural alterations are made, a nonconforming use of a structure may be changed to another nonconforming use of a similar nature within the same or a more restricted classification.
- d. When a nonconforming use of a structure, building or premises (including mobile homes) is discontinued or abandoned for one (1) year, the structure shall not thereafter be used except in conformance with the regulations of the district in which it is located, unless an extension is granted by the Board of Supervisors, after recommendation from the Commission.

4. Nonconforming Structures:

Where a nonconforming structure exists at the effective date of adoption or amendment of this Ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such structure may be enlarged or altered in a way which increases its nonconformity.
- b. If such structures are destroyed by any means, they may be reconstructed in the manner and location prior to said destruction.
- c. When a nonconforming structure (including mobile homes) is discontinued or abandoned for one (1) year, the structure shall not thereafter be used except in conformance with the regulations of the district in which it is located, unless an extension is granted by the Board of Supervisors, after recommendation from the Commission.

5. Nonconforming Lots of Record:

In any district in which a single-family dwelling is permitted, notwithstanding limitations imposed by other provisions of this Ordinance a single-family dwelling and customary accessory buildings may be erected on a lot of record, as herein defined, provided the yard area (minimum of two (2) acre) and setback requirements are met. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district.

6. Nonconforming Status Exemption:

The following exemptions shall apply to any use, which are existing at the time of adoption of this Ordinance, and that would be deemed nonconforming by the provisions of this section, subject to the following provisions:

- a. In an "A-1" Agricultural District existing dwellings, including mobile homes, that were lawful prior to the adoption of this Ordinance or amendments thereof that would be declared nonconforming. Such dwellings and customary accessory buildings shall qualify for an exemption which shall permit said use to be enlarged, extended, reconstructed, replaced, or structurally altered.
- b. Any use for which a special permit has been issued.
- c. Any lawful, existing use that would require a special exception permit in its zoning district shall be presumed to have the appropriate permit and shall be considered a conforming use. The use shall be subject to the regulations governing lapses or revocation of permits, as set for in this Ordinance.

7. Repairs and Maintenance:

All nonconforming structures may be repaired for normal maintenance. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition any building declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

8. Certification of Nonconforming Uses:

All nonconforming uses and structures shall be recorded and identified in the official nonconforming use file maintained by the Zoning Administrator. The file shall include, but not limited to, the property location and identification and the current use of the structure or land. Nonconforming uses not included may be subsequently added to the file when accompanied by an affidavit or documentation that such nonconforming use was legally established prior to the effective date of this Ordinance.

9. Moratorium on Applied Regulations:

All principal permitted and accessory uses that would be deemed nonconforming under the provisions of this Ordinance, as indicated upon the Official Wright County Zoning Maps, shall be permitted to be developed for a period of one (1) year from the effective date of this Ordinance provided they were begun prior to said date. This provision shall not be construed to allow a lessening of standards, rules, regulations or restrictions contained herein.

6-1-14 EXCEPTIONS AND VARIATIONS OF THE USE, HEIGHT, AND AREA REGULATIONS

The district regulations as set forth in this section shall qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

1. Public, semi-public or public service buildings, hospitals, institutions, or schools, when permitted in a district, may be erected to height not exceeding sixty (60) feet and churches and temples may be erected to a height not exceeding seventy-five (75) feet if the building is set back from side and rear yard lines heretofore established an additional foot for each two (2) feet of building height above the height limit otherwise imposed in the district in which the building is located.
2. Single-family and two-family dwellings may be increased in height by not more than ten (10) feet when the side and rear yards are increased over the yard requirements of the district in which they are located by not less than ten (10) feet, but they shall not exceed three (3) stories in height.
3. Chimneys, cooling towers, grain silos, elevators, bulkheads, fire towers, monuments, wind generators, stacks, stage towers, or scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, radio towers or necessary mechanical apparatus, may be erected to any safe height not in conflict with existing or hereafter adopted regulations of Wright County, Iowa.
4. Accessory buildings may be built in a required side or rear yard, but in any "R" district they shall not occupy more than thirty (30) percent of the rear yard.
5. No basement shall be occupied for dwelling purposes unless at least one (1) story of the house above the basement has been completed, unless a temporary permit has been issued. This variation is not to be construed to prohibit earth-sheltered subterranean dwellings.

6. Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in the rear yard and except for the ordinary projections of sills, belt course, cornices, and ornamental features projecting not to exceed twelve (12) inches.
7. For the purpose of side yard requirements, a two-family group house or multiple dwelling shall be considered as one building occupying one lot.
8. Buildings that are to be used for storage purposes only may exceed the maximum number of stories permitted in the district in which they are located but such buildings shall not exceed the number of feet of building height permitted in such districts.
- 9 Temporary buildings that are used in conjunction with construction work only may be permitted in any district during the period the work is under way, but such temporary buildings shall be removed upon the completion of the construction work as determined by the Administrative Officer.
 10. More than one (1) industrial, commercial, or institutional building may be erected upon a single lot or tract in a district permitting these uses, but the yards and open spaces required around the boundaries of the lot or tract shall not be encroached upon by any such buildings nor shall there be any change in the intensity of use regulations.
 11. Where more than thirty (30) percent of the frontage in a block has been built up with buildings having a front yard, then the building line of the buildings to be erected shall conform to the natural building line of the block as determined by the existing buildings. However, no building need sit back more than fifty (50) feet.
 12. The Board of Adjustment shall review, may modify, and may, by special permit, issue a special exception to the following uses, subject to the provisions of Section 6-1-16(5) of this Ordinance. Said use may be located in any zoning district but otherwise restricted by other provisions of this Ordinance:
 - a. Commercial, amusement or recreational development for temporary periods.
 13. In any district, in which a single-family dwelling and its customary accessory building may be erected on a lot of record, a single-family dwelling may be constructed provided the yard area (minimum of-one (1) acre) and setback requirements are met.

6-1-15 ZONING PERMITS

1. Zoning Permit Required:

Zoning Permits shall be required in accordance with the following.

- a. No land shall be occupied or used, and no building hereafter erected or structurally altered shall be occupied or used in whole or in part for any purpose whatsoever, until a Zoning Permit is issued by the Zoning Administrator, stating that the building and use comply with the provisions of this Ordinance.
- b. No change of use shall be made in any building or part thereof, now or hereafter erected or structurally altered, unless such changes are in conformity with the provisions of this Ordinance and a Zoning Permit is issued therefore by the Zoning Administrator.

- c. Nothing in this section shall prevent the continuance of a nonconforming use as hereinbefore authorized, unless discontinuance is necessary for the safety of life or property.
- d. In accordance with this section, zoning permits shall be obtained from the Zoning Administrator before starting or proceeding with the erection, construction, moving in, or the structural alteration of a building or structure. Zoning Permits shall be issued to complying applicants after application is made. The appropriate records and copies of Permits shall be maintained as a matter of public record.
- e. A Zoning Permit shall become null and void twelve (12) months after the date on which it is issued unless within such twelve (12) month period construction, building, moving, remodeling or reconstruction of a structure is commenced or a use is commenced.

2. Zoning Permit Application Procedure:

Applicants for a Zoning Permit shall be required to provide the following:

- a. A complete written application and payment of the appropriate fees. No fee will be required for permits for agricultural uses.
- b. A sketch, drawing, or plat, in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon or used, the size, shape and location of the building to be erected, the dimensions of the required yards, parking and open spaces, and a vicinity map of the lot to be built upon or used.
- c. Such information as may be necessary to provide for the enforcement of this Ordinance.

6-1-16 ADMINISTRATION AND ENFORCEMENT

1. Organization:

The administration of this Ordinance is vested in the following four (4) offices of the government of Wright County: Board of Supervisors, Planning and Zoning Commission, Board of Adjustment, and the Zoning Administrator.

2. Basis of Regulations:

Regulations are made in accordance with the Comprehensive Plan and designed to preserve the availability of agricultural land; to consider the protection of soil from wind and water erosion; to encourage efficient urban development patterns; to lessen congestion in the street; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to promote the conservation of energy resources; to promote reasonable access to solar energy; and to facilitate the adequate provision of transportation, water sewerage, schools, parks, and other public requirements.

3. Board of Supervisors:

- a. Jurisdiction. The Board of Supervisors of Wright County, Iowa, shall discharge the following duties under this Ordinance:

- i. Appoint a Zoning Administrator whose responsibilities it will be to enforce the provisions of this Ordinance.
- ii. Appoint members of the Board of Adjustment as provided for in this Ordinance.
- iii. Appoint members to the Planning and Zoning Commission as provided for in this Ordinance.
- iv. Receive and decide upon all recommendations concerning amendments, supplements, and changes presented by the Planning and Zoning Commission.
- v. Receive from the Planning and Zoning Commission all recommendations on the effectiveness of this Ordinance.
- vi. To decide all matters upon which it is required to pass under this Ordinance, or by Statute or Regulation.

4. Board of Adjustment:

- a. Creation. The Board of Adjustment, as established under applicable provisions of the Iowa State Statutes, is the Board of Adjustment referred to in this Ordinance.
- b. Appointment-Terms-Removal. The Board of Adjustment shall consist of five (5) members to be appointed by the Board of Supervisors for a term of five (5) years, except when first created then the terms shall be staggered. A majority of the members of the Board of Adjustment shall be persons residing within the county but outside the corporate limits of any city. Members of the Board of Adjustment shall not be elected county officials, members of the Planning and Zoning Commission or other official position in the County and may be removed from office by the Board of Supervisors for cause upon written charges and after public hearing. Vacancies shall be filled by the Board of Supervisors for the unexpired term of the member affected.
- c. Powers and Duties. The Board of Adjustment is hereby vested with the following powers and duties:
 - i. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance. The Board of Adjustment will also interpret this Ordinance, as is necessary.
 - ii. To hear and decide all applications for special exceptions and temporary use permits in the manner prescribed in this Ordinance.
 - iii. To hear and decide all applications for variances from the terms provided in the Ordinance in the manner prescribed and subject to the standards herein.
- d. Meetings and Rules. The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this article. Meetings shall be held at the call of the chairperson and at such other times as the board may determine. The chairperson, or in his/her absence, the acting chairperson, may administer oaths and compel attendance of witnesses. All meetings shall be open to the public. The presence of three (3) members shall constitute a quorum. Meetings requiring action will require that the Board of Adjustment hold

at least one (1) public hearing, notice of which shall be given by local newspaper not less than four (4) nor more than twenty (20) days before the date of the hearing. As a courtesy, and to the best ability of the county, landowners within five hundred (500) feet of the property in question shall be notified by regular mail about the proposed action. Failure of a surrounding property owner to receive a courtesy notice shall not stay the review and consideration process.

The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each agenda item requiring action, or if absent, or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record and be filed in the office of the Zoning Administrator.

The concurring vote of three (3) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this title, or to effect any variation in application of this title.

e. Finality of Decisions of the Board of Adjustment. All decisions and findings of the Board of Adjustment on appeals applications for a variance, or application for a special exception, after a hearing, shall, in all instances, be final administrative decisions and shall be subject to judicial review as by law may be provided.

f. Appeals of Staff Interpretations and Decisions.

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the County affected by a decision of the Zoning Administrator or official in enforcement of this Ordinance. Such appeal shall be taken to the Board within a reasonable time, as prescribed by the Board's Rules of Procedure. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from is taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board, after notice of appeal shall have been filed, that by reason of the facts stated in the certificate a stay would, in the Administrator's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order that may be granted by the Board or by a court of record on application of notice to the Zoning Administrator and due cause shown.

Before an application is filed with the Board of Adjustment, the applicant shall pay a nonrefundable fee to Wright County to cover the publishing and administration costs of said request, per the adopted fee schedule established in this Ordinance.

In exercising the above-mentioned powers, the Board may, in conformity with the provisions of the law, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination as it believes proper and to that end will have the powers of the Zoning Administrator. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter which it is required to pass under this Ordinance, provided that the action of the Board shall not become effective until after the written decision or resolution of the Board, setting forth the full reason for its decision and the vote of each participating member has been recorded in the minutes. Said written decision

or resolution shall be filed in the office of the Zoning Administrator and shall be open to public inspection.

- g. Appeals from the Board of Adjustment. Any person or persons, or any board, taxpayer, department, board or bureau of the county aggrieved by any decision of the Board of Adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the state.

5. Special Exceptions:

- a. Purpose. The development and administration of this Ordinance is based upon the division of the County into Zoning Districts, within which Districts the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular District or Districts, without consideration in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular locations. Such special exceptions fall into two categories:
 - i. Uses publicly operated or traditionally affected with a public interest, and
 - ii. Uses entirely private in character, but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.
- b. Initiation of Special Exceptions. Any person having a freehold interest in land, a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest of an exclusive possessory interest, either of which is specifically enforceable, may file an application to use such land for one (1) or more of the special exceptions provided for in this Ordinance in the zoning district in which the land is located.
- c. Application for Special Exception. An application for a special exception shall be filed with the Zoning Administrator on a form as the Zoning Administrator shall prescribe. The application shall be accompanied by such plans and/or data prescribed by the Board of Adjustment and shall include a statement indicating the section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested.
- d. Hearing on Application. Upon receipt in proper form of the application and statement referred to, the Board of Adjustment shall hold at least one (1) public hearing on the proposed special exception. Notice of time and place of such hearing shall be published not less than four (4) days nor more than twenty (20) days in advance of the public hearing in a newspaper of general circulation in Wright County. As a courtesy, and to the best ability of the county, landowners within five hundred (500) feet of the property in question shall be notified by regular mail about the proposed action. Failure of a surrounding property owner to receive a courtesy notice shall not stay the review and consideration process. Before an appeal is filed with the Board of Adjustment, the appellant shall pay to the County the fees as specified in the Schedule of Fees on file at the office of the Zoning Administrator.
- e. Authorization. For each application for a special exception the Zoning Administrator shall prepare and file with the Board of Adjustment findings and recommendations, including the recommended stipulations of additional conditions and guarantees that are deemed necessary for the protection of the public interest.

- f. Standards. No special exception shall be granted by the Board of Adjustment unless such Board shall make written findings of fact:

That the establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

- i. That the special exception will not be injurious to the use and enjoyment of other property already permitted, nor substantially diminish and impair property values within the neighborhood;
- ii. That the establishment of special exceptions will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- iii. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- iv. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- v. That the special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Adjustment; and
- vi. That the special exception shall conform to the Wright County Comprehensive Plan.

- g. Conditions. Prior to the granting of any special use, the Board of Adjustment shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special exception as is deemed necessary for the protection of the public interest and to secure compliance with the Standards and requirements specified in Subsection (f) above. In all cases in which special exceptions are granted, the Board of Adjustment shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being complied with.

- h. Reapplication for and Revocation of Special Exceptions.

- i. Reapplication for Special Exception after Denial. No application for a special exception that has been denied wholly or in part by the Board of Adjustment shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Board of Adjustment.

- ii. Revocation of a Special Exception. In any case where a special exception has not been established within one (1) year after the date of granting, the Board of Adjustment may review and authorize that the exception be made null and void.

6. Variances:

- a. Purpose and Findings of Fact. The Board of Adjustment, after a public hearing, may determine and vary the regulations of this Ordinance in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the Board of Adjustment makes written findings of fact in accordance with the standards hereinafter prescribed and

further, finds that there are no practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this Ordinance.

- b. Application for Variances. An application for a variance shall be filed in writing with the Zoning Administrator. Said application shall contain such information as the Board of Adjustment may, by rules, require.
- c. Hearing on Application. Upon receipt in proper form of the application and statement referred to, the Board of Adjustment shall hold at least one (1) public hearing on the proposed variance request. Notice of time and place of such hearing shall be published not less than four (4) days nor more than twenty (20) days in advance of the public hearing in a newspaper of general circulation in Wright County. As a courtesy, and to the best ability of the county, landowners within five hundred (500) feet of the property in question shall be notified by regular mail about the proposed action. Failure of a surrounding property owner to receive a courtesy notice shall not stay the review and consideration process. Before an appeal is filed with the Board of Adjustment, the appellant shall pay to the County the fees as specified in the Schedule of Fees on file at the office of the Zoning Administrator.
- d. Standards for Variances. The Board of Adjustment shall not vary the regulations of this Ordinance, as authorized in this Section, unless there is evidence presented to it in each specific case that:
 - i. Special conditions and circumstances exist which are unique to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - ii. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance. In other words, an unnecessary hardship would result from a literal enforcement of the Ordinance.
 - iii. Special conditions and circumstances do not result from the actions of the applicant.
 - iv. Granting the variance requested will not confer on the applicant any special privilege regarding another parcel.
 - v. The Board of Adjustment shall make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - vi. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the surrounding landowners, or otherwise detrimental or contrary to the public welfare.
 - vii. The Board of Adjustment shall make a finding that granting a variance will be in conformance with the Wright County Comprehensive Plan.
 - viii. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this title and punishable under this Ordinance.

- ix. Under no circumstances shall the Board of Adjustment grant a variance to allow for use not permissible under the terms of this Ordinance in the District involved, or any use expressly or by implication prohibited by the terms of this Ordinance in the District.
- x. If a variance is sought to permit building within four (4) feet or less of a property line, the request must be accompanied by a certified survey.
- e. Reapplication for Variances after Denial. No application for a variance that has been denied wholly or in part by the Board of Adjustment shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Board of Adjustment.

7. Other Powers of the Board of Adjustment:

The Board of Adjustment is hereby vested with the following additional authority and jurisdiction:

- a. Interpretation of District Map. Where the application of the rules for interpretation of district boundaries contained in this Ordinance leaves a reasonable doubt as to the boundary between two (2) Zoning Districts, the Board of Adjustment after notice to the owners of the property and after public hearing, shall interpret the Map in such a way as to carry out the intent and purposes of this Ordinance.
- b. Temporary Uses and Permits. The Board of Adjustment may issue a permit for the temporary use of a building or premises in any district for a purpose or use that does not conform to the regulations prescribed by this Ordinance, provided that such use be of a true temporary nature and does not involve the erection of substantial buildings. Such permit shall be granted in the form of a temporary and revocable permit for not more than a twelve (12) month period, subject to such conditions as will safeguard the public health, safety, convenience, and general welfare.

8. Planning and Zoning Commission:

- a. Creation. The Planning and Zoning Commission of Wright County, as established under the applicable provisions of the Iowa State Statutes, is the Planning and Zoning Commission referred to in this Ordinance. With the adoption of this Ordinance, the existing Wright County Planning Commission shall hereby be renamed and recognized as the Planning and Zoning Commission in this Ordinance, as well as be assigned all duties and responsibilities thereof.
- b. Membership. The Planning and Zoning Commission shall consist of seven (7) members to be appointed by the Board of Supervisors for a term of five (5) years each, except when first created then the terms were staggered. Members of the Commission shall not be elected county officials or members of the Board of Adjustment. A majority of the members of the Planning and Zoning Commission shall persons residing within the county but outside the corporate limits of any city. Vacancies shall be filled by the Board of Supervisors for only the unexpired term of the member affected. All members of the Commission shall serve without compensation except for actual expenses, which shall be subject to the approval of the Board of Supervisors.

Following the effective date of this Ordinance, the members of the Planning and Zoning Commission shall meet, organize, elect such officers as it may deem necessary, and adopt

and later change or alter, rules and regulations of organization and procedure consistent with County Ordinances and state laws. The Commission shall keep written records of its proceedings that shall be open at all times to public inspection.

- c. Powers and Duties. The Planning and Zoning Commission shall hold the following powers and discharge the following duties under this Ordinance:
- i. Make such surveys, studies, maps, plans, or charts of the whole of the County, which in the opinion of the Commission bears relation to the Comprehensive Plan and shall bring to the attention of the Board of Supervisors, and may publish its studies and recommendations.
 - ii. Review all plans, plats, or re-plats or subdivision or re-subdivision of land embraced in the County, laid out in lots or plats with the streets, alleys, or other portions intended for public dedication to the County.
 - iii. Make careful and comprehensive studies of present conditions and future growth of the County with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the County and its environment which will promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development.
 - iv. Hold at least one (1) public hearing prior to consideration of any such Comprehensive Plan, or amendment thereto, notice of which shall be given by local newspaper not less than four (4) nor more than twenty (20) days before the date of the hearing. The recommendation of the plan or amendment shall be by resolution of the Commission carried by the affirmative vote of a simple majority of the members.
 - v. Consider any proposed amendments or modifications of the adopted Comprehensive Plan. If the Planning and Zoning Commission disapproves the proposed change, said change may only be adopted by the Board of Supervisors with the affirmative vote of at least two-thirds (2/3) of the Board of Supervisors members.
 - vi. Recommend to the Board of Supervisors changes in the zoning regulations or districts, per Section 6-1-16(11).
 - vii. File recommendations, within thirty (30) days, in connection with any proposed changes in the zoning regulations or districts made by the Board of Supervisors.
 - viii. Expend all sums of money appropriated, and expend all gifts, donations or payments received by the county for county plan purposes.
 - ix. Hold at least one (1) public hearing prior to any action item, pertaining to this Ordinance, that is to be considered by the Board of Supervisors, notice of which shall be given by local newspaper not less than four (4) nor more than twenty (20) days before the date of the hearing. As a courtesy, and to the best ability of the county, landowners within five hundred (500) feet of the property in question shall be notified by regular mail about the proposed action. Failure of a surrounding property owner to receive a courtesy notice shall not stay the review and consideration process. A formal recommendation from the Planning and Zoning Commission to the Board of

Supervisors shall then be made.

9. Zoning Administrator:

- a. Designation of Zoning Administrator. The Zoning Administrator, or Administrative Officer, shall be designated by the Wright County Board of Supervisors.
- b. Powers and Duties of the Zoning Administrator. The Zoning Administrator shall enforce this Ordinance and in addition thereto and in furtherance of said authority, shall:
 - i. Provide and process all applications for permits, variances, special exceptions, and rezoning for referral to the Board of Adjustment and Planning and Zoning Commission.
 - ii. Collect applicable fees.
 - iii. Respond to complaints of alleged violations to the Ordinance.
 - iv. Provide and maintain a public information service relative to all matters arising out of this Ordinance.
 - v. Review site plans for conformance with the Ordinance.
 - vi. Carry out the administrative duties for both the Planning and Zoning Commission and the Board of Adjustment.
 - vii. Shall act as the Secretary to the Planning and Zoning Commission and the Board of Adjustment.
 - viii. Insure that public notices of hearings are properly advertised in local newspapers, and that notice is provided to the parties of interest.

10. Secretary of the Planning and Zoning Commission and the Board of Adjustment:

- a. Jurisdiction. The Secretary of the Planning and Zoning Commission and the Secretary of the Board of Adjustment shall be the Zoning Administrator.
 - i. The Secretary of the Planning and Zoning Commission shall attend all meetings of the Commission, take full and accurate minutes of the proceedings, prepare all necessary reports and documents for and on behalf of the Commission, and perform such duties and functions as may be necessary for the orderly recording of the business of the Commission.
 - ii. The Secretary of the Board of Adjustment shall attend all meetings, take full and necessary reports and documents for and on behalf of the Board of Adjustment, and perform such other duties and functions as may be necessary for the orderly recording of the business of the Board of Adjustment.

11. Amendments to this Ordinance:

- a. Procedure. The regulations, restrictions, zoning designation and boundaries may from time to time, be amended, supplemented, changed, modified, or repealed, but no such amendments

shall be made without public hearings first before the Planning and Zoning Commission and then the County Board of Supervisors. The notice of the time and place of the hearing shall be published not less than four (4) days nor more than twenty (20) days in advance of the public hearing in a newspaper of general local circulation, but in no case shall the public hearing be held earlier than the next regularly scheduled Board of Supervisors meeting following the published notice. As a courtesy, and to the best ability of the county, landowners within five hundred (500) feet of the property in question shall be notified by regular mail about the proposed action. Failure of a surrounding property owner to receive a courtesy notice shall not stay the review and consideration process. Following the hearings, the County Board of Supervisors shall conduct the necessary readings regarding the Ordinance amendment, as outlined in the Code of Iowa.

In case the Planning and Zoning Commission does not approve the change, or, in the case of a protest filed with the Board of Supervisors against such change signed by the owner of twenty (20) percent or more, either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending the depth of one (1) lot or not to exceed five-hundred (500) feet there from, or of those directly opposite thereto, extending the depth of one (1) lot or not to exceed five hundred (500) feet from the street frontage of such opposite lots, such amendment shall not be passed except by the favorable vote of two-thirds ($\frac{2}{3}$) of all members of the Board of Supervisors.

As part of an ordinance changing land from one zoning district to another zoning district or an ordinance approving a site development plan, the Board of Supervisors may impose conditions on a property owner which are in addition to existing regulations if the additional conditions have been agreed to in writing by the property owner before the public hearing required under this section or any adjournment of that hearing. The conditions must be reasonable and imposed to satisfy public needs which are directly caused by the requested change in zoning district.

12. Applications for Rezoning, Variances, and/or Special Exceptions:

Applications shall contain, or have attached to them, the following items:

- a. The name of the applicant/owner.
- b. The legal description and local address, if available, of the property to be rezoned.
- c. The present zoning classification and the zoning classification requested for the property.
- d. The existing use and proposed use of the property.
- e. The names and addresses of the property owners within five hundred (500) feet of the property in question.
- f. A statement of the reasons why the applicant feels the present zoning classification should be changed or why a variance or special exception is necessary.
- g. A sketch or plat showing the locations, dimensions, and use of the applicant's property and all property within five hundred (500) feet thereof, including streets, alleys, railroads, and other physical features.
- h. Assurances that all applicable fees are paid.

- i. When requesting rezoning, notice shall be given indicating that rezoning shall constitute an official amendment to the Official Zoning Map(s), thus requiring publication of the address and legal description of the property in question.
 - j. The signature of the property owner. If different, the applicant will also be asked to sign the application.
13. Reapplication for Rezoning After Denial: No application for rezoning that has been denied wholly or in part by the Board of Supervisors shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Board of Supervisors.

6-1-17 VIOLATION AND PENALTY

For each and every Violations of the provisions of this Ordinance the owner, contractor, or other persons interested as general agent, architect, engineer, land surveyor, building contractor, owner, tenant, or any other persons who commit, take part, or assist in any violation of this Ordinance or who maintain any building or premises or uses of any land in violation of this Ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of special exceptions or variances) shall constitute a simple misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than seven hundred twenty-five dollars (\$725) or imprisoned for not more than thirty (30) days or both, at the discretion of the judicial officer before whom such a conviction may be had. Each day said violation continues shall be considered a separate offense. Nothing herein contained shall prevent Wright County from taking such other lawful action as is necessary to prevent or remedy any violation.

6-1-18 ENFORCEMENT AND FEES

1. Enforcement:

The Board of Supervisors shall appoint a Zoning Administrator, or Administrative Officer, and it shall be the duty of said officer to enforce this Ordinance. Such Administrator may be a person holding other public office in the County, or in a city or other governmental subdivision within the County. The Board of Supervisors is authorized to pay to such officer out of the general fund such compensation as it shall deem fit.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure, or land is used in violation of this Ordinance, the Board of Supervisors, in addition to other remedies, shall institute any proper action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct business, or use in or about such premises.

2. Fees:

Fees pertaining to permits and actions required by this Ordinance shall be in accord with the Schedule of Fees, as adopted by resolution by the County Board of Supervisors. A copy of the current Schedule of Fees shall be on file in the Zoning Administrator's office. The following fees will be charged by the County:

- a. Rezoning application fee.

- b. Variance application fee.
- c. Special exception application fee.
- d. Zoning permit application fee.
- e. Home occupation and home industry application permit fees, both initial and renewal fees.
- f. Temporary Use Permit application fee.
- g. Certificate of Occupancy fee.
- h. Appeal of the Zoning Administrator's opinion application fee.

6-1-19 REPEALER AND SEVERABILITY

1. Repealer:

All ordinances, including all amendments thereto; resolutions; policies; or any part thereof, in conflict with all or any part of this Ordinance are hereby repealed.

2. Severability:

If any section or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, that decision shall not affect the validity of the Ordinance as a whole. Only the language in the Ordinance that was declared to be invalid or unconstitutional shall be severed from the Ordinance.

6-1-20 EFFECTIVE DATE

This Ordinance, adopted as Ordinance _____, shall be in full force and effect in the unincorporated area of Wright County on _____.

Planning Commission Action:

Public Hearing held on: April 28th, 2022

Recommended for Approval to the Board of Supervisors on: April 28th, 2022

Board of Supervisors Action:

Public Hearing and First Reading: _____, 2022

Second Reading: _____, 2022

Third and Final Reading: _____, 2022

Final passage and adoption of this Ordinance was documented on the _____ of _____, 2022.

Chair
Wright County Board of Supervisors

ATTEST:

Wright County Auditor