

CITY OF DYER, ARKANSAS

ORDINANCE NO. 02-19-2008-1

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR DYER, ARKANSAS; REPEALING CONFLICTING PROVISIONS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DYER, ARKANSAS, AS FOLLOWS:

SECTION 1: In order to bring the Zoning Ordinance for Dyer, Arkansas, into compliance with the Affordable Housing Accessibility Act of 2003, the following changes shall be made to the ordinance and all conflicting ordinance provisions or any other conflicting ordinances are hereby repealed.

SECTION 2: The following subsections shall be added to the existing ordinance:

Article V Section 3A 2.c. Mobile Homes on Individually Owned Lots

Article V SubSection 3-A

2. Mobile Homes on Individually Owned Lots

a. Location

Mobile homes may be located on individually owned lots in an R-4 Mobile Home District under the provisions of this Subsection

b. Lot Area

One family dwelling; Minimum 8,500 square feet.

c. Yard Requirements

(1) Front yard: 25 feet from property line or 50 feet from center line of existing right-of-way, whichever is greater.

(2) Side yard: minimum 7 ½ feet from each property line. Exception: open attached carport may be constructed to within five (5) feet of one side yard boundary.

(3) Side yard street: 15 feet from street property line or 35 feet from centerline of existing right-of-way, whichever is greater.

(4) Rear yard: minimum of 20 feet from property line or center of alley where one exists

d. Width

Minimum width of a lot at the front yard line or building line shall be 66 feet for one family dwelling.

e. Height

Maximum height of a structure shall be two stories and not to exceed 35 feet.

f. On-Lot Parking Space

One family: One on-lot parking space shall be provided.

considers the Planning Commission's findings and decisions are in error. Such appeal shall be filed with the City Clerk within fifteen (15) days from the date of the Planning Commission action.

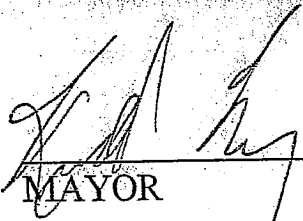
5. In order for an application to be approved by the Planning Commission the applicant must demonstrate that the proposed Mobile Home installation will comport with the following requirements:
 - a. All other requirements of R-1 Districts pertaining to lot area, yards, width, height, and parking;
 - b. That no objectionable characteristics will be created or otherwise caused to exist by the proposed installation;
 - c. The proposed installation is compatible with and will not adversely affect other property in the area where it is proposed to be located;
 - d. All units constructed in or set up in this district, whether by new construction, addition to an existing unit, placement or combination of multiple homes, shall have a minimum dimension on each side of at least fourteen (14) feet.
 - e. All units constructed or set up in this district with a crawl space shall have continuous masonry underpinning around said crawl space.
 - f. All units constructed or set up in this district shall have the front door oriented toward the front yard unless approved as a planned unit development.
 - g. All units constructed or set up in this district shall have shingle roofs unless specifically approved by the Planning Commission or Board of Zoning Adjustment.
 - h. All units constructed or set up in this district that do not have a built-in porch as part of the structure, shall have a covered front landing accessible by stairs and handrails if necessary. The landing shall be at least six feet by six feet, and shall be oriented to the front yard.
 - i. All units constructed or set up in this district shall have a gravel drive and parking area capable of meeting the parking requirements of this zone.
 - j. All units constructed in this district shall have foundation systems that meet the City's building code, or in the case of mobile homes be anchored in accordance with the manufacturer's instructions or the regulations of the Arkansas Manufactured Home Commission.
 - k. All transport elements shall be removed.
 - l. All units moved into this district from off site shall be new and under warranty or inspected by the city's code enforcement officer

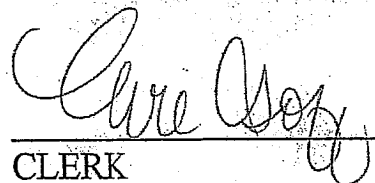
prior to being moved on site to ensure compliance with the following standards.

- (1) All roofing material shall be secure without gaps or damaged shingles;
 - (2) All windows shall be operative without broken panes or damaged trim or screening;
 - (3) All exterior siding shall be in place and undamaged. No dented, torn, burned, loose, or mildewed siding shall be allowed;
 - (4) All kitchen and bathroom facilities shall be fully operational and all mechanical equipment shall be in good working order;
 - (5) Any attached gutters shall be secure and functional;
 - (6) All cornice materials shall be in place and undamaged;
 - (7) Paint shall be uniform and unblemished;
 - (8) Doors shall be plumb and fully operational; No damaged screening or door fixtures shall be allowed;
 - (9) All flooring shall be structurally undamaged, and secure. Holes in flooring, or flooring that is missing, dented, broken, or in a state of damage or decay will not be allowed.
1. Upon approval of the application by the Planning Commission, a certificate of occupancy shall also be applied for by the applicant under the procedure contained in Article VII Section 2 3.

SECTION 3: This ordinance is deemed important for the immediate protection and preservation of the public peace, health, safety, and welfare of the citizens of Dyer, Arkansas, because a number of families are currently without housing due to a lack of housing opportunities that this ordinance creates. Therefore an emergency is hereby declared and this ordinance shall be and take effect and be in full force after its passage, approval, and publication.

PASSED AND APPROVED THIS 19th DAY OF February, 2008.


MAYOR


CLERK

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