

ORDINANCE NO. 2019-08

AN ORDINANCE AMENDING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; AMENDING SECTION 62-355 MOBILE HOMES AND TEMPORARY OFFICES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Hilliard has granted special exceptions for citizens to locate mobile homes in districts that do not specifically allow mobile homes pursuant to chapter 62 of the Town Code for several decades;

WHEREAS, the Town of Hilliard has granted these mobile home special exceptions based upon findings of both financial and medical hardships;

WHEREAS, the mobile home special exceptions have been granted at varying times, ranging from February 1989 through April 2018, with many in between;

WHEREAS, there are still seven (7) active special exceptions recognized by the Town of Hilliard and one (1) shall be terminated in the coming months;

WHEREAS, the remaining mobile home exceptions have existed for so long that they have exceeded the limited duration contemplated under the Town Code;

WHEREAS, the Town of Hilliard believes it would be inequitable to revoke the special exceptions since they have lasted for so long and, in any event, the Town of Hilliard has some concerns about the legality of revoking such exceptions at this point; and

WHEREAS, the Town of Hilliard finds that it is necessary to amend Section 62-355 of the Town Code to provide clarity to its citizens as to the application of mobile home special exceptions.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Hilliard, Florida that the following Section of the Hilliard Town Code, Chapter 62, Zoning and Land Development Regulations, shall be amended as follows:

Section 1.

Sec. 62-355. - Mobile homes and temporary offices – is hereby amended to read as follows:

- (a) *Temporary office.* A mobile home or trailer may be used in any zoning district as a temporary office or shelter for materials or tools incidental to construction or development of the premises upon which the mobile home or trailer is located, provided a permit for such construction or development has been issued, and such permit includes authorization for temporary use of a mobile home or trailer. Such use

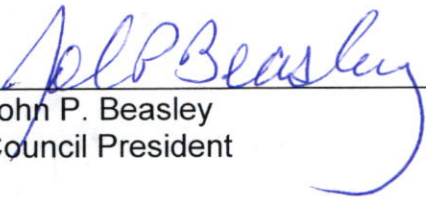
of a mobile home or trailer shall not be permitted for more than one month after the completion of such construction or development.

- (b) *Temporary public use.* Any agency of local, municipal, state or federal government may utilize a mobile home or trailer for temporary public purposes in any zoning district, provided such use shall not include a residential use.
- (c) *Sales office.* A mobile home may be used as a sales office on a mobile home sales lot in any zoning district permitting such use.
- (d) *Special exception.* Existing mobile homes on a lot of record prior to December 17, 1987, may be upgraded or replaced as the primary residence of the property owner, by special exception.
- (e) *Mobile home on individual lot in certain districts.* Mobile homes shall not be located in any district which does not specifically allow mobile homes as a permitted or permissible use except where granted as a special exception by the planning and zoning board to alleviate a hardship. All special exceptions granted for hardship reasons, for mobile home installations, shall be granted under the following guidelines:
 - (1) All special exceptions granted ~~will~~ shall be for a temporary period of time.
 - (2) All special exceptions granted for financial hardship reasons will be for a period designated by the planning and zoning board but in no case shall the special exception exceed three years, inclusive of any extensions or renewals. All special exceptions may be granted only after petitioner has provided proof of need for such an exception, consistent with rules promulgated by the planning and zoning board pursuant to section 62-94.
 - (3) All special exceptions granted will be reviewed by the planning and zoning board bi-annually twice per year for justification of continuation. The review process will be as follows:
 - a. The town clerk and the land use administrator will keep separate call up files and advise the planning and zoning board chairperson when a review is due.
 - b. The special exception grantee will be notified of the review date and will come before the planning and zoning board and present documentation that verifies that the hardship still exists and that the special exception should continue.
 - c. The grantee or a representative's failure to participate in this review will result in termination of the special exception.
 - d. This review process is retroactive.
 - (4) All special exceptions granted for mobile homes pursuant to this section 62-355 or its predecessor(s) prior to September 1, 2019, shall be terminated and, in their stead, the properties subject to those special exceptions shall be deemed nonconformities pursuant to section 62-62.

Section 2.


This ordinance shall become effective upon passage.

Adopted this 19th day of September, 2019, by the Hilliard Town Council, Hilliard, Florida.



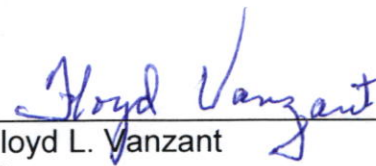
John P. Beasley
Council President

ATTEST:



Lisa Purvis
Town Clerk

APPROVED:



Floyd L. Vanzant
Mayor

| | |
|---|--------------------------------|
| Planning & Zoning Board Introduction: | July 2, 2019 |
| Town Council Introduction: | July 18, 2019 |
| Town Council First Reading: | August 1, 2019 |
| Planning & Zoning Board Publication: | August 14, 2019 |
| Town Council Publication: | August 14, 2019 |
| Planning & Zoning Board Public Hearing: | September 3, 2019 |
| Planning & Zoning Board Public Hearing: | September 10, 2019 Rescheduled |
| Town Council Public Hearing: | September 19, 2019 |
| Town Council Final Reading: | September 19, 2019 |