

**VILLAGE OF ELIZABETH
STATE OF LOUISIANA
ORDINANCE NUMBER 26C**

BE IT ORDAINED, by the Mayor and the Board of Aldermen of the Village of Elizabeth, Louisiana, that the Village of Elizabeth hereby enacts this ordinance to read as follows:

**AN ORDINANCE TO AMEND ORDINANCE NO. 26 OF THE
CODE OF ORDINANCES FOR VILLAGE OF ELIZABETH**

Section One: Purpose

The Village of Elizabeth is subject to zoning districts and regulations as set forth in Ordinance No. 26 which were established in accordance with a comprehensive plan for the purpose of promoting health, safety, morals and the general welfare of the community.

The purpose of this Ordinance is to amend Ordinance No. 26 to address the use of Manufactured Homes, such as trailer homes, which may only be used in areas zoned for such use and to revise the Zoning Map for the Village of Elizabeth.

Section Two: Revisions to Ordinance 26

A. Definition of Dwelling

Section 2-10 defines the word "Dwelling" and is amended to read as follows:

10. Dwelling means a building used entirely for residential purposes. A single-family dwelling is a building that contains only one living unit; a two-family dwelling is a building that contains only two living units; and a multiple dwelling is a building that contains more than two living units.

B Definition of Manufactured Home

Section 2-35, which formerly defined the word "Trailer," is amended to now define the term "Manufactured Home" as follows:

35. Manufactured Home means any prefabricated residence and includes, but is not limited to, trailer houses/homes (single or double-wide), mobile homes, modular homes, and campers.

C Manufactured Homes – Non-conforming uses

Section 4 of Ordinance 26, entitled Non-Conforming Uses, is revised to include an additional section 4(e) which reads:

(4)(e)(1) Residents who, at the time of the passage of the 2021 zoning amendment, reside in a Manufactured Home in conformance with pre-amendment Ordinance 26, but not in conformance with the amended zoning requirements, shall be allowed to continue to reside in the Manufactured Home pursuant to a permitted non-conforming use, but only as provided herein.

(4)(e)(2) A permissible non-conforming use of a Manufactured Home which is discontinued or stopped shall not be re-established; provided, however in the event a Manufactured Home is damaged or destroyed due to weather, flooding, or a similar "Act of God," the resident will have a period of **twenty-four (24) months** to re-establish the non-conforming use with either the same Manufactured Home or a replacement.

(4)(e)(3) A resident living in a Mobile Home pursuant to a permissible non-conforming use may, at any time during their continued non-conforming use, replace their Manufactured Home with a more recent (newer) model Manufactured Home. This would not amount to a discontinuation of the non-conforming use provided replacement of the Manufactured Home occurs within **sixty (60) days**.

(4)(e)(4) In no circumstance may a resident who is not residing in a Manufactured Home at the time of the passage of this Amended Ordinance establish a non-conforming use or assume another resident's non-conforming use. Non-conforming use is non-transferrable.

D. Additional Zoning Classifications

The following zoning districts shall be added to Section 5:

A-2 Single Family Residential - Manufactured Homes Park

A-3 Manufactured Homes Area

E. Zoning Classification Descriptions

The following subsections shall be added to Section 6 to read as follows:

(6)(1.1) Premises in the A-2 district shall be permitted the same uses as District "A" and, in addition, Manufactured Homes may be occupied as residences in District A-2 by either the owner of the home or a tenant/lessee. Manufactured Homes must be properly permitted and maintained in conformity with Section 14. Owners of such Manufactured Homes are responsible for obtaining and maintaining a **Conforming Use Permit**, regardless of whether they reside in the home.

A2- MINIMUM LOT AREA PER FAMILY, FOR RESIDENTIAL USES 15,246 SQUARE FOOT / .35 ACRES

(6) (1.2) Premises in the A-3 district shall be permitted the same uses as District "A"

A3- MINIMUM LOT AREA PER FAMILY FOR RESIDENTIAL USE 43,560 SQUARE FOOT / 1 ACRE - • Property can be rented by property owner of both land and dwelling – **Conforming Use Permit** will be required for mobile homes / manufacture home being USED as rental properties. Permits are required to be submitted before utilities are connected. There will be no permitting fee for existing properties at the passing of this ordinance. All future rental properties will be required to pay a \$25 permitting fee associated with movable property ordinance.

F. Conforming Use Permitting

Section 14 is added to read:

14. CONFORMING USE PERMITTING

1. Upon the adopting of this ordinance, all Manufactured Homes being used as rental property within the Village of Elizabeth, whether in accordance with the revised zoning ordinance or pursuant to a permissible non-conforming use, will be required to obtain and thereafter maintain a valid Conforming Use Permit. Renting in a Manufactured Home that does not have a Conforming Use Permit is prohibited.
2. A Conforming Use Permit may be issued by the Mayor or Mayor's designee upon compliance with the procedures set forth herein.
3. A Conforming Use Permit may not be transferred from one Manufactured Home to another.
4. A Conforming Use permit for placement of a Manufactured Home upon a lot or parcel within an area designated for residential use shall not be issued by the mayor or its designee except upon filing of an appropriate application and unless the following standards and conditions are found to be present: Conforming Use Permits are NOT required for owners of properties and dwelling currently being occupied by Owner at the passing of this ordinance. If a property is abandoned or has inactive utilities during the passing of this ordinance the OWNER will be required to apply for a Conforming Use Permit before utilities are connected.
5. (a) The Manufactured Home, in order to receive a Conforming Use Permit, must be clean, well maintained and in generally good condition. The use of Manufactured Homes in poor

repair or in dilapidated, poorly maintained condition is prohibited. Examples of poor maintenance which would prevent permitting include, but are not limited to:

- i. Broken or cracked windows;
- ii. Missing or damaged siding or skirting;
- iii. Damaged or unsafe porch or steps;
- iv. Damaged or rotten boards, window frames, shutters, etc.

(b)The Manufactured Home shall utilize properly installed and well-maintained skirting. Use of a Manufactured Home without proper skirting is strictly prohibited.

(c)A certification as to the facts in the application has been signed by the owner of the Manufactured Home and owner of the lot or parcel before a Notary Public.

6. Applicants shall complete a written application provided by the mayor or its designee and shall, at minimum, provide the following documentation:
 - a. Certificate of Title or Registration for the Mobile Home OR a notarized statement of intent to obtain a Certificate of Title in the name of the applicant which sets forth the make, model and year of manufacture of the mobile home;
 - b. Deed, Tax Assessment or other sufficient documentation of ownership of the lot or parcel OR notarized statement of intent to obtain a Deed to said lot or parcel;
 - c. A plat of survey or similar documentation setting forth the dimensions of the lot or parcel on which the Manufactured Home is situated.
7. In the event a Certificate of Title or Registration or a Deed or Tax Assessment is not provided by the Applicant at the time of application, then the holder of the Conforming Use Permit shall provide such documentation to the Mayor or Mayor designee within thirty (30) days of the issuance of Conforming Use Permit. Failure to do so shall render the Conforming Use Permit null and void.
8. The application shall contain a certification of intent to comply with all ordinances applicable to the setup, maintenance and use of Manufactured Homes.
9. The Mayor or Mayor designee shall certify in writing compliance with the standards and procedures to the Board of Aldermen. Any Alderman may object to the issuance of the Special Use permit by presenting such objection in writing to the mayor within three (3) days business days of receipt of the certification from the mayor. In such event, the mayor shall present the application for Special Use permit to the Board of Aldermen for approval or rejection. In the absence of a timely objection, the Special Use permit may be issued by the mayor or its designee.

10. Any applicant whose application for CONFORMING Use permit is denied by the Mayor or Mayor designee under the provisions of this Subsection shall have a right to appeal the denial directly to the Board of Aldermen.
11. A Conforming Use Permit issued herein shall contain the following information:
 - a. The name(s) of the person(s) to whom the Conforming Use Permit is issued;
 - b. The municipal address and legal description of the lot or parcel subject of the CONFORMING Use permit;
 - c. The make, model and serial number of the Manufactured Home subject of the Conforming Use Permit;
 - d. The date of issuance of the Conforming Use Permit;
 - e. The name(s) of the person(s) who shall occupy the Manufactured Home subject of the Conforming Use Permit and their relationship to the Owner of the Manufactured Home.
12. Unless otherwise specified in a Conforming Use Permit, permits will expire after 36 months. Prior to expiration, the owner shall apply for and obtain a renewal of said permit by applying at the Elizabeth Town Hall from the Mayor or his/her designee. There shall be no charge for permit renewal.
13. In the event of a violation of this Section, the Mayor shall provide the owner and last known resident of the Manufactured Home with 30 days' notice to correct the violation. If the violation is not remedied within 30 days of notice, the Village of Elizabeth may remove the home at the violator's cost and/or fine said violator in the amount of no more than \$500. In the event that the Manufactured Home is occupied by a non-owner of the property upon which it is situated, both the owner of the property upon which the Manufactured Home is situated, and the owner of the Manufactured Home will be deemed a violator.
14. There will be no cost for obtaining or renewing a Conforming Use Permit in connection with a mobile home which was in use at its current location at the time of adoption of this amended ordinance. The cost of obtaining or renewing a permit in all other instances is \$25.

F. Revised Zoning District Map

Revised Zoning Districts in and for The Village of Elizabeth are hereby established in accordance with the attached zoning map which is incorporated as part and parcel of this amended ordinance.

G. Zoning Change Application Form

1. Applicants may apply for a Zoning change by filling out the Zoning Application Request Form, paying fee schedule listed in application and complying with the notice provisions set forth in subsection 3 of this section.
2. This application will then be considered by the council at a public hearing held during a council meeting and decision will be voted on by council with a 2/3 majority vote to allow the requested change to zoning. Zoning change requests may be denied by majority 2/3 vote of council. If application is approved such approval shall constitute an amendment of the zoning ordinance and such change shall take effect immediately.
3. Notice Requirements: At the outset of the public hearing to consider the application for Zoning Change the applicant must present proof of compliance with the following notice requirements:

a.

Posting of a sign upon the property sought to be re-zoned which reads in letters no less than **4 inches in height** the following notice:

“NOTICE

**APPLICATION HAS BEEN MADE TO REZONE
THIS PROPERTY FROM ____ TO ____.**

**CALL ELIZABETH CITY HALL AT (318)634-5100
FOR MORE INFORMATION”**

- b. Mailing letters to all property owners within a radius of three (300) feet from the boundaries of the property subject of the application notifying each such owner as follows:

“Notice: Application has been made to rezone property located at [*insert physical address of property subject of the application*] from the current classification of [*insert current classification*] to a classification of [*insert zoning classification requested in application*]. A public hearing will be held to consider this application. Contact Elizabeth City Hall at (318)634-5100 for more information.”

This Ordinance 26C is an amendment to Ordinance 26.

Ordinance amendment introduced on the 10th day of October 2022 by Alderman Ken Kelly.

Notice of the proposal of this Ordinance was published in the official journal on the 10th day of October 2022.

Public Hearing on this Ordinance was held on the 14th day of November, 2022 at 5:30 P.M. at Elizabeth Community Center, Elizabeth, Louisiana.

The above and foregoing Ordinance was read and called for a vote by the Mayor at a meeting of the Village Aldermen & alderwomen called for said purpose on the 14th day of November, 2022. Motion was made by Alderwoman Angela Smith and seconded by Alderwoman Kelly Stalsby to adopt said ordinance.

The vote thereon: Kelly Stalsby-yea Angela Smith-yea Ken Kelly-absent

APPROVED:/s/Mandy L Green, Mayor

ATTEST:/s/Denise Lee, Clerk

Village of Elizabeth, Louisiana
Conforming Use Permit

Attachment 1

Applicants Information

Applicant Name: _____ Phone: _____

Mailing Address: _____ Cell #: _____

Are you the owner of the home? Yes ___ No ___

If No, Owner Name: _____ Phone: _____

Owner Mailing Address: _____

Are you the landowner? Yes ___ No ___

If no, Landowner Name: _____

Landowner mailing address: _____

Location

Physical Address: _____ Lot #: _____

Parcel # _____ Number of Lots: _____ or Square Foot _____

Do you currently have utilities: Yes or No

If yes please provide utility company's name: _____

Home Description

Make/ Model _____ (if applicable)

Serial _____ (if home applicable)

Size _____ Year _____ HUD # _____

Tax Assessor Decal # _____

Applicant Signature

Permit #

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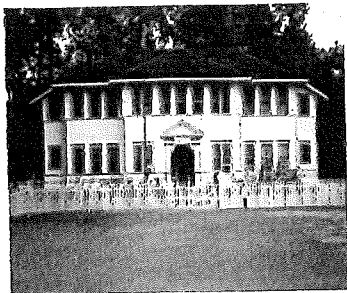
Official Use Only

Employee who handled Application: _____ Date: _____

Payment (CHECK OR MONEY ORDER #) _____ (Please make a copy attach to permit)

ZONING AREA _____

CIRCLE ALL THAT APPLIES: RENTER / OWNER OCCUPIED / COMMERCIAL / RESIDENTIAL / MANUFACTURED HOME



Village of Elizabeth

P.O. Box 457

Elizabeth, LA. 70638

Zoning Application Packet

Elizabeth
★
LA

* Designed by TownMapsUSA.com

If you should have any questions, please contact Village Hall:

P: 318-634-5100 F: 318-634-7881

Email: dlee@villageofelizabeth.com or mgreen@villageofelizabeth.com

Zoning Application Check List

All the following steps must be completed and returned to Village Hall Office **30 days prior to your scheduled hearing**. Incomplete applications will not be heard.

- **Step 1:** Fill out Zoning Application
- **Step 2:** Determine and pay appropriate fees.
- **Step 3:** When completed “Zoning Application” is returned and fee is paid, the Compliance office will assign a hearing date if necessary.
- **Step 4:** *Obtain a list of property owners within 300 feet of the land subject to application.
- **Step 5:** *Complete and notarized the affidavit affirming that the certified list of property owners was obtained.
- **Step 6:** Provide the Code Compliance Officer with first class stamped business sized envelopes for the purpose of notifying all owners of located within 300 of the land subject to application.

***These items are not required if applying for Temporary Use or Minor Subdivision**

Village of Elizabeth

P.O. Box 457 • 210 Main Street • Elizabeth • LA • 70638

(318)-634-5100 phone • (318)-634-7881 fax

ZONING APPLICATION

APPLICANT: Name: _____

Mailing Address: _____

Telephone: _____

Fax/Email: _____

OWNER*: Name: _____

Mailing Address: _____

Telephone: _____

Fax/Email: _____

(* If different from the Applicant)

Nature of the Request: (Please check the appropriate box or boxes)

- Conforming Use Permit
- Temporary Use Permit
- Zoning Variance
- Rezoning
- Sign Variance
- Minor Subdivision
- Other
- Residential
- Nonresidential

BRIEFLY DESCRIBE YOUR REQUEST: _____

LEGAL DESCRIPTION OF PROPERTY: _____

(** Use attachments if necessary)

Address of Property: _____

Present use of Property: _____

I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I am petitioning for variance or special use permit it in conformance with the Village of Elizabeth Unified Development Ordinance (UDO). I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the variance or special use permit I also understand that assigned hearing dates are tentative and may have to be postponed by the Mayor or Board for administrative reasons.

Signature

Date

APPLICATION FEE SCHEDULE:

Conforming Use/Temporary Use Permit:

Residential:
\$50.00
Nonresidential:
\$100.00

Variance from Zoning or Sign Ordinance:

Residential:
\$150.00
Nonresidential:
\$250.00

Rezoning:

Residential:
\$200.00
Nonresidential:
\$300.00

Minor Subdivision:

Residential:
\$250.00
Nonresidential:
\$350.00

Site Plan Review:

Minor (less than 40,000 sq. feet of nonresidential floor area): \$500.00

RE-ZONING VERIFICATION

Village of Elizabeth, Louisiana

THIS CERTIFIES THAT PARCEL

0000000000

PHYSICAL ADDRESS: _____

Has officially been rezoned to district _____ in accordance
with Zoning Ordinance 26B. (Square Foot: _____)

Effectively: DATE

Approved by:

Mandy L. Green, Mayor

Attest by:

Denise Lee, Clerk

Code Compliance -- Donna McIntosh

Issued Date: _____