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LINN COUNTY ORDINANCE # 4-5-2020

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, LINN COUNTY, IOWA
BY AMENDING PROVISIONS IN CHAPTER 107**

BE IT ENACTED by the Board of Supervisors, Linn County, Iowa:

SECTION 1. SEE ATTACHMENT A

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

SECTION 3. SEVERABILITY. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. SAVING. The Code of Ordinances, Linn County, Iowa, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Public hearing and first consideration on the 4th day of May, 2020

Second consideration on the 6th day of May, 2020

Third and final passage on the 13th day of May, 2020.

Published in the Gazette on the ____ day of May, 2020.

LINN COUNTY BOARD OF SUPERVISORS

Chairperson

Supervisor

Supervisor

ATTEST:

Joel D. Miller, Linn County Auditor

STATE OF IOWA)
)SS
COUNTY OF LINN)

I, _____, County Auditor of Linn County, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance passed by the Linn County Board of Supervisors at a regular meeting of said Board held on _____, 2020 and published as provided by law on _____, 2020.

Linn County Auditor

Subscribed and sworn to me this _____ day of _____, 2020.

Notary Public, State of Iowa

ATTACHMENT A

AN ORDINANCE AMENDING THE LINN COUNTY CODE OF ORDINANCES

Article III, Section 107-48, subsection 4:

- (4) *Alteration of a nonconforming structure.* A nonconforming structure may be structurally altered or enlarged, provided it is structurally altered or enlarged in a way that will not increase or extend its nonconformity, and provided either subsections (a) or (b) of this section applies, ~~and any related special exception is approved by the board of adjustment:~~

Article IV, Section 107-74, subsection (c)(1):

- (c) *Standards for granting special exceptions.* No variation to the application of the provisions of this chapter shall be made unless and until the board of adjustment shall be satisfied that all of the following criteria are met:
- (1) Strict compliance with the restrictions governing setback, frontage, height, or other bulk provisions of this chapter would result in a practical difficulty upon the owner of such property and only where such exception does not exceed 50 percent of the particular limitation or number in question ~~or is from a yard requirement to permit an addition to an existing legal nonconforming building, and such addition extends no further into the required yard than the existing building;~~