

**LARAMIE COUNTY CLERK
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM PROCESSING FORM**

1. DATE OF PROPOSED ACTION: March 17, 2015

2. AGENDA ITEM: ☐ Appointments ☐ Bids/Purchases ☐ Claims

☐ Contracts/agreements/leases ☐ Grants ☐ Land Use: Variances/Board App/Plats

☐ Proclamations ☐ Public Hearings/Rules & Reg's ☐ Reports & Public Petitions

☐ Resolutions ☒ Other

3. DEPARTMENT: Laramie County Commissioners

APPLICANT: Planning Dept.

AGENT: Dan Cooley

4. DESCRIPTION: Consideration of an administrative appeal from the Laramie County Director of Planning and Development.

Amount \$

From

To

5. DOCUMENTATION: 1 Original

RECEIVED AND APPROVED AS
TO FORM ONLY BY THE
LARAMIE COUNTY ATTORNEY

Commissioner

Clerks Use Only:

Signatures

Ash _____

Heath _____

Holmes _____

Kailey _____

Thompson _____

Action _____

Postponed/Tabled _____

Co Attny _____

Assist Co Attny _____

Grants Manager _____

Outside Agency _____



Administrative Appeal

Laramie County Planning and Development Office
3966 Archer Pkwy
Cheyenne, WY 82009

Phone: 307-633-4303

Fax: 307-633-4616

planning@laramiecounty.com

INCOMPLETE APPLICATIONS CAN NOT BE ACCEPTED

Date of decision or action under appeal: February 20, 2015			
Regulations that are the subject of the appeal: 2-2-105(c), Laramie County Land Use Regulations			
OWNER INFORMATION Please attach a separate sheet if there are additional property owners			
Name: Charles Rowher		Phone: 630-3187	
Address: 6343 Osage	City: Cheyenne	State: WY	Zip Code: 82007
Email: N/A			
APPLICANT INFORMATION			
Name: Mark D. Rowher		Phone: 256-8146	
Address: 250 Cribbon Ave.	City: Cheyenne	State: WY	Zip Code: 82007
Email: markdrohwer@yahoo.com			
LOCATION INFORMATION			
Legal Description: Portions of Tracts 5 & 6, Wallick and Murray Tracts			
Site Address: 3818 S. Greeley Hwy	Site Area: 18.36 Acres	or Site Area	Sq Ft
Site Location Description (If Address is Unavailable)			
Current Zoning: MR Medium Density Residential		Current Land Use: Residential	
APPEAL INFORMATION			
What application, action or decision is being appealed? Administrative Determination that Legal Non-Conforming Status of Mobile Home has been abandoned (see attached letter from LC Planning and Dev.).			
Describe the reason for the appeal and any related issues. Please see attached letter from us submitted in conjunction with a previous application.			
<i>I hereby certify that I have familiarized myself with the rules and regulations with respect to the filing of this application and that the foregoing statements and answers contained on the application and in required documents are true and accurate to the best of my knowledge. The undersigned do hereby agree to pay all fees associated with this application.</i>			
ORIGINAL SIGNATURE OF BOTH THE OWNER AND THE APPLICANT ARE REQUIRED FOR SUBMISSION OF THIS APPLICATION			
Signature of Owner <i>Charles Rowher</i>		Date <i>3/4/15</i>	
Printed Name: Charles Rowher			
Signature of Applicant <i>M. D. Rowher</i>		Date <i>3/4/15</i>	
Printed Name: Mark Rowher			



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

February 20, 2015

Mark Rohwer
250 Cribbon Ave.
Cheyenne, WY 82007

Dear Mr. Rohwer,

On February 3, 2014, this office received your application for a special Planning Commission approval for a non-conforming manufactured home for a portion of Tract 5 and 6, Wallick and Murray Tracts, Laramie County, Wyoming (3818 S. Greeley Hwy). Unfortunately, upon further discussion and investigation, it has been determined that the application for which you applied is not appropriate to the situation at hand in that it applies to the non-conforming status regarding the physical condition and construction of the manufactured home itself, not the use per se. Thus, this letter is being issued stating the determination of this office is that any legally non-conforming use of the manufactured home on this property has been abandoned.

Any legally non-conforming status that the manufactured home had as a residential unit was abandoned when that use ceased per 2-2-105c of the Laramie County Land Use Regulations (LCLUR) which states:

Amortization of Nonconforming Uses - If any nonconforming use ceases its operation for a continuous period of twelve (12) months, it shall be deemed abandoned and all use thereafter shall be in conformance with this regulation.

Any legally non-conforming status as an accessory structure has also been abandoned per 2-2-122g which states:

Manufactured or Mobile Homes as Accessory Structures - Manufactured or mobile homes shall not be allowed, permitted or used for accessory purposes or as storage buildings after the effective date of this article. Those manufactured or mobile homes used as accessory structures or for storage prior to the effective date of this article shall be deemed legal non-conforming uses and permitted to continue until such time as the use of those structures are discontinued for 180 days.

Additionally, 2-2-105e states:

Determination of Nonconforming Rights and Status - If nonconforming rights are challenged, or if there is a request to expand a nonconforming use or structure, it shall be the property owner's responsibility to provide proof through business records or other records and data that the nonconforming use has not ceased

operation and has continued in operation without a twelve (12) month lapse. It shall also be the property owner's responsibility to provide proof that the nonconforming use legally existed at the time this regulation was adopted.

2-2-101b states:

Principal Buildings: Residential, Single-family detached - Only one principal building and its customary accessory building(s) may be erected on any one (1) division of land.

Your property is in the **MR Medium Density Residential District**. While accessory living quarters are allowed with Board Approval (County Commissioners, *ref. 4-2-104b(x)*), a manufactured home cannot be used as an accessory structure (again, see 2-2-122g above). That is, while it is possible to have another residential unit on your property, with Board Approval, it would have to be either a modular home (constructed to the IRC standards), or a "stick-built" home (constructed to the IRC standards).

You have stated that you have already purchased a brand new manufactured home which is currently being constructed and scheduled for completion and placement in the coming weeks. In order for the structure to be compliant with the LCLUR, the only option would be to subdivide the land so that the requirement outlined in 2-2-101b (above) is met, with the manufactured home being the principal building on the newly created lot.

It is the determination of this office that the accessory use of a manufactured home for either residential or storage purposes is not allowed. It is also the determination of this office that any legally non-conforming status of those uses has been abandoned, especially given that this office has not been *provided proof through business, rental, utility, or other records and data that the nonconforming use has not ceased operation*.

Under Section 1-2-102 of the *Land Use Regulations*, you may appeal my Administrative Decision by filing the attached form with the Office of the Laramie County Clerk within seven (7) calendar days.

Please contact Brett Walker in this office if you have any questions.

Sincerely,



Dan Cooley, Planning and Development Director



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

Cc: Brett Walker, AICP; Planning Manager
Barbara Kloth; Senior Planner
Mark Voss; County Attorney
Laramie County Clerk's Office

Att: Administrative Appeal Form
2-2-122 Manufactured Home Standards
2-2-106 Non-Conforming Uses and Structures

Special Approval Request for:

3820 South Greeley Hwy, Cheyenne Wy 82007

1/30/2015

Dear, Laramie County Planning and Development Office/Personal

Allow us to introduce ourselves My name is Mark Rohwer (applicant) and my grandfather is Charles Rohwer (property owner) we are the current owners of 3818 S, Greeley Hwy and 3820 S, Greeley Hwy which is on a portion of Tract 6 of our total 18 acres, we are writing this letter to explain and ask for special approval regarding a situation we are now in that was not foreseeable at the time of family planning and discussion of purchasing a new mobile home for family living quarters on our property of 3820 S, Greeley Hwy.

From approximately June through August of 2014 we started planning on purchasing a new mobile home/ double wide aka manufactured home built to HUD standards from Clayton Homes to replace the single wide trailer that has been in place since 1977 at 3820 S Greeley Hwy which has been used as a primary residence for Son Randy Rohwer till his family grew out of the home, then my self Mark Rohwer lived in the home for over 13 years as my primary residence till my family also grew out of the home. Then at that time it was used for other single family members or hired hands.

When we started this process in 2014 we did our due diligence to see what was required of us at that time to bring this new home on our property, and to make sure things were done properly and to make sure everything would be up to current code stipulations.

The owner of the property Charles Rohwer and his son Randy Rohwer went to the County Planning Dept and asked what we had to do to complete this process.

**LARAMIE
COUNTY**

FEB -2 2015

**PLANNING & DEVELOPMENT
OFFICE**

At that time we were told by Barbara Kloth the Senior Planner and another planning and development employee, that we meet current requirements and could move our home on the property but were not allowed to use the current septic tank on the property because we were within 400 feet of water and sewer main hook ups so we had to conform to those new requirements, which we were also told the same thing by south Cheyenne water and sewer department that we had to tap into the mains, and that they would give us/clayton homes our permit to move our home on the property. We were also told at that time we had to dispose of the current single wide no longer in use and we had six months from the date of the permit to follow through with the disposal of the old home, and were given our home set permit application forms and a demolition permit for tearing down or removing the old home, which also included the 2012 international residential code requirements as an attachment so we knew what the codes were to have our home meet all inspection requirements at that time.

We started the process and moved the old home off the lot as requested by Laramie County planning and Development and prepped the land for the new home.

We then contacted Laramie county water and sewer department to see what we had to do to tap into the water and sewer mains they explained the process and fees at that time, when the fee scale was explained we realized we would have to slow the process and save up some more money because it was going to be approximately \$6000.00 dollars to have the taps done and we didn't think it would cost that much and didn't have it in the budget at that time, the mobile home purchase was then also put on hold till we could arrange payment for the water and sewer tap/developmental fees first. And hire a contractor to do the installation of our water and sewer from tap origins to the current home location.

In January of 2015 we had gathered the funds for the taps and contractor and also again started the mobile home purchase process with Clayton homes, after getting to the point where we needed our permits to have our new home moved on the property of 3820 S. Greeley Hwy we again went to Laramie County planning and development to obtain permits, it was at this time and only at this time where we were told that we were unable to move our home on the property because we didn't meet the requirements that were adopted on

February 15th 2011, no one at the Laramie County Planning and Development offices thought they needed to make us aware of this info at the initial start of this whole process in June of 2014 so we were misguided and miss informed by Laramie County Planning and development, at that time we were told that we did meet all needed requirements to have our new home moved onto our property and just had to dispose of old mobile home within six months of issued permit date and to tap into the water and sewer mains.

We moved the mobile home that was located at 3820 S Greeley Hwy that has been in its place and used as a residence since 1977 in late July early August of 2014 as requested by Barbara Kloth, to start land prep for new home.

The mobile home had been vacant since 2011 and at this time it was winterized and utilities were shut off to the home and it was not currently being used as a rental. Knowing in the future it would be replaced with a new home.

It was also brought to the counties attention that the property owner wanted to put a new home on that location in the future back in July of 2013 when the current family members at 3818 S Greeley Hwy had to attend meetings regarding a main sewer line that was broken underground in front of 3818 S Greeley Hwy and the county just wanting to reroute the sewer line from 3818 S Greeley Hwy to a different area either north or south of them rather than replace it since it was the only home on that main.

My brother Chad Rohwer explained to the county that it needed to be replaced properly and by the county due to the fact that we had future plans to develop that land and replace the current rental on the property and that new home would have to be tapped into the mains to meet codes due to the septic tank it was currently hooked up to.

Barbara Kloth then started to explain that since the home had been moved per her request please keep that in mind, and was gone longer than 180 days and also with no proof of utilities to home with in the last 12 months or 180 days that we were now no longer within the legal non-conforming guidelines which detail:

Page 93 Section E: **Non-conforming manufactured or mobile homes-** Non conforming manufactured or mobile homes legally located with the unincorporated area of Laramie County on the effective date of this article and

in use for residential purposes may continue at that certain location and continue to be used for residential purposes. The non-conforming manufactured or mobile home may not be relocated to any other property unless it has been inspected and brought into conformance with this article and issued a manufactured home permit. At such time as any legal non-conforming manufactured or mobile home ceases to be used for residential purposes it must be removed from the property.

*As we did again per Barbra's request and guidance. Now it seems that all the stuff we were told to do to get our new home on the land is now being used against us as reasons we can no longer put our new home on our property.

Page 93 Section F: **National Manufactured housing construction and safety standards act certification-** Manufactured and mobile homes located within the county on effective date of this article which have not been certified under national Manufactured housing Construction and Safety standards Act of 1974, u.s.c SS 5401, et seq., as amended, are hereby declared legal nonconforming structures, but shall not be replaced by another manufactured or mobile home that is not in compliance with the Applicable HUD standards unless the replacement manufactured or mobile home has been inspected and brought into conformance with this article issued a manufactured home permit.

Reasons we have been told we **cannot** put our new home on our land as of 2015.

1. It's a manufactured home not a modular home, when in 2014 we were given a manufactured home set permit application by Laramie County Planning and Development office employees when they knew what we were wanting to do and that was to replace an existing home with a new home.
2. Since no utilities have been connected for over 180-365 days to said old home, which is kind of an oxymoron due to the fact that it had been winterized and not being used as a home or rental, why would we continue to pay a bill for services that are not needed. Keep in mind it had been winterized and water shut off to the home to keep pipes from

freezing and causing unneeded expenses and the utilities were shut off to keep unneeded utility costs down to the owners since it was vacant.

Our new mobile home meets all required applicable HUD standards per page 93 Section F of this article it actually meets and exceeds requirements and will meet all inspected requirements as well. This being said means we are just replacing the home with a new one not trying to bring the old one up to code. Barbara is stating that our new home is a mobile home not a modular home and doesn't meet the requirements as to which she is stating must meet building requirements of a stick built home.

All we wanted to do was replace an old outdated 1950's trailer with a new 2015 double wide mobile home that looks just like a stick built home.

We don't understand how things are being made to be so hard, all we want to do it is to continue to use our property as it was intended and that's to be a residential area for our family.

My wife and I were given an inheritance by a family member we decided to use it to buy a home we went down the whole purchase a home in a neighborhood or buy land and purchase a mobile home for it but why should we have to do that when we already have land and acreage that's intended for that purpose already and the land is already prepped for this type of home.

We have talked to South Cheyenne water and sewer department and they have already Ok'd what we want to do as far as tapping into the water and sewer mains located on the S Greeley Hwy service Rd right in front of our property, we have paid them our tap fees already. They have already had locates done.

My wife and I have hired MSI to do the water and sewer pipe laying from the tap origins to the readied home plot, they are ready to break ground

and we are all just at a standstill now till we can get this issue at hand taken care of.

We have talked to Cheyenne Light Fuel and Power they have also said that they can ok it for our new home to go where we want it and they would connect the lights and gas to the home when it arrives.

They only issue we foresee is the current one with the Laramie County planning and development office, and their current reasoning's as to why we can't move our new home on the property.

This home purchase has already been approved by Clayton homes and is being manufactured already, we put our down payment on this home already and cannot back out now. When we went to get our permits as requested by Clayton home in January is the only time these reasoning's were brought to our attention.

We are asking for you to be compassionate and to approve this request to allow us to add this new home to our family owned property.

We will do whatever we have to make sure all guidelines are meet and that all codes are meet and that we conform to regulations you may have or may set in the future.

Please and Thank You,

Mark and Tara Rohwer (applicants)

Charles Rohwer (property owner)

Rohwer Non-Conforming Mobile Home

Special PC Approval PZ-15-00016

Laramie
County,
Wyoming

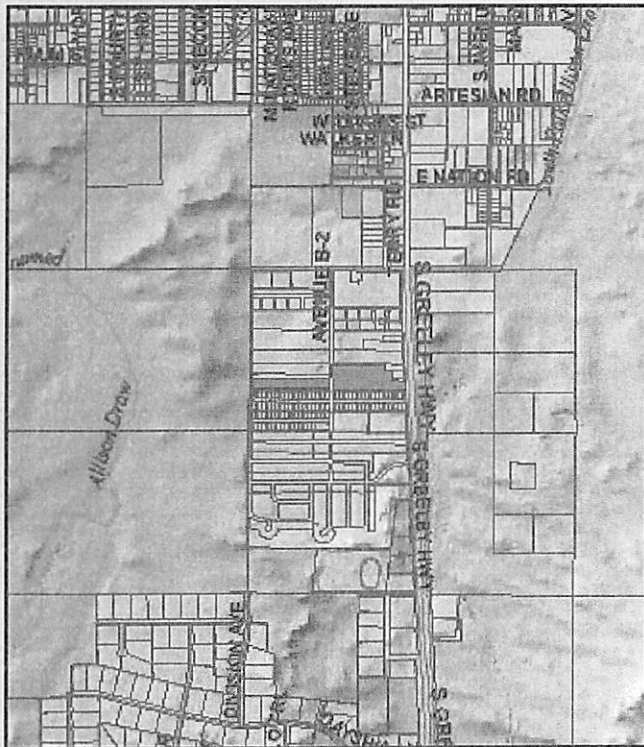


Date: 2/3/2015



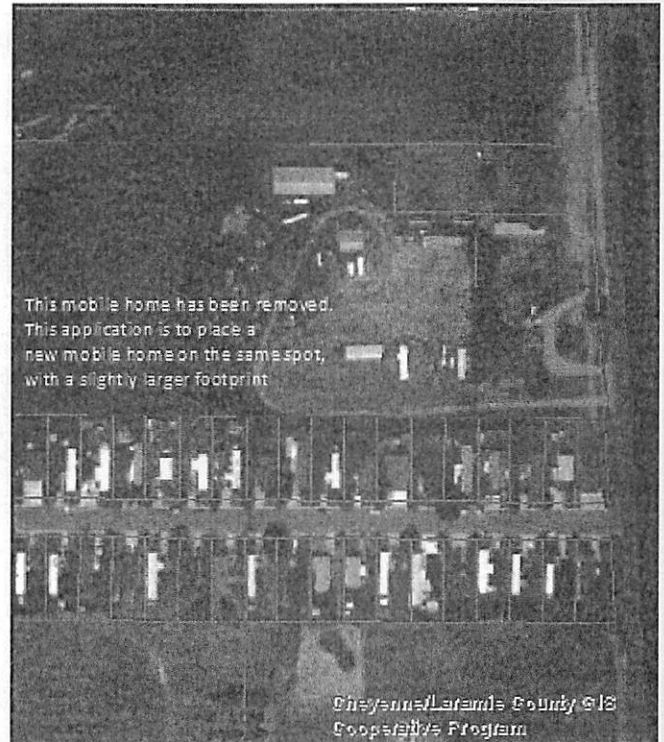
Location

1 inch = 3,000 feet



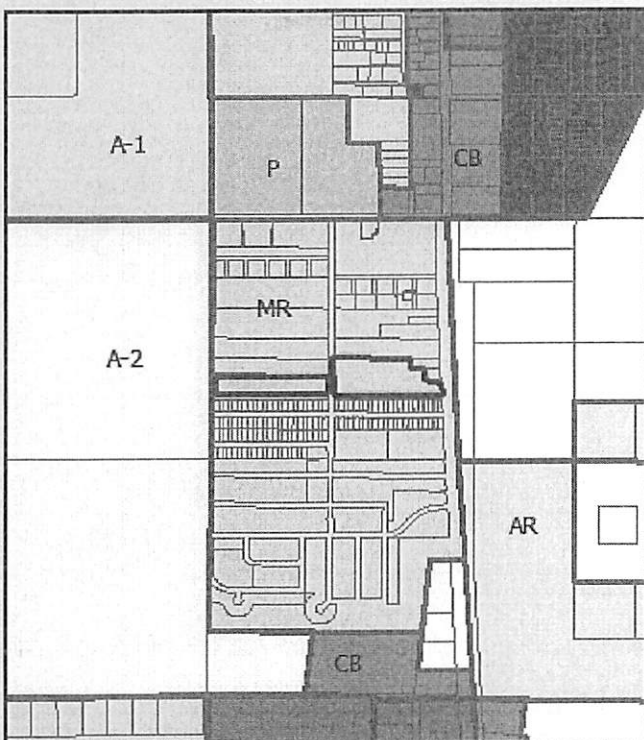
Aerial

1 inch = 300 feet



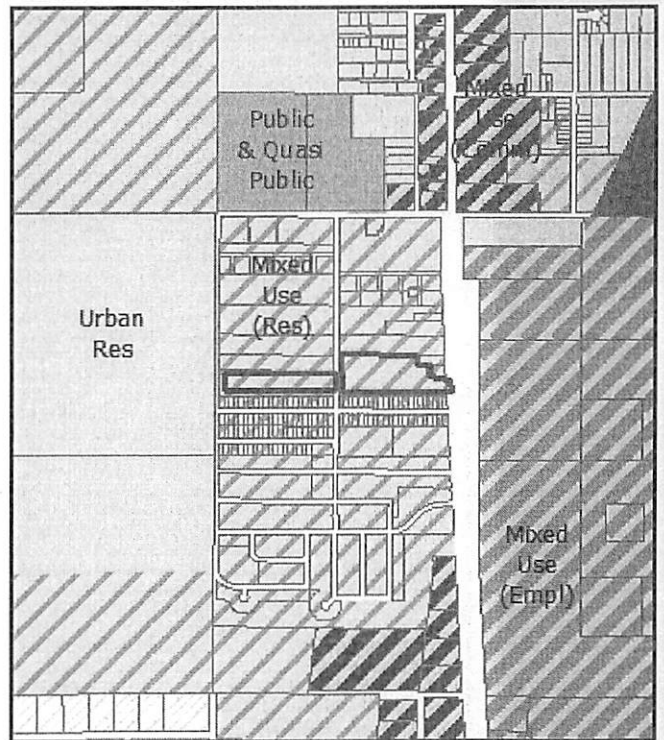
Zone Districts

1 inch = 2,000 feet



Plan Cheyenne FLUP

1 inch = 2,000 feet




This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCOGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCOGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCOGIS furthermore assumes no liability associated with the use or misuse of this information.

2-2-122 MANUFACTURED HOME STANDARDS

Manufactured Home - A factory built, single-family structure that is manufactured under the authority of 42 U.S.C. Section 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis and is used as a place of habitation, but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site and which does not have wheels or axles permanently attached to its body or frame.

Mobile Home - A single-family residential dwelling manufactured prior to June 15, 1976, that was not required to be constructed in accordance with the National Manufactured Home Construction and Safety Standards Act. A Mobile Home is transportable in one or more sections, and, in traveling mode is eight (8) body feet or more in width and forty (40) body feet or more in length. When erected on a site four hundred (400) or more square feet and built on a permanent chassis, a Mobile Home is designed to be used as a permanent residence on a temporary or permanent foundation, when connected with the permanent utilities including plumbing, heating, air conditioning and electrical systems.

- a. **Purpose** - It is the intent of this article to promote land use compatibility, protect property values, provide for the health safety and welfare of manufactured home residents and ensure an adequate minimum living standard as related to manufactured homes. This article sets forth the conditions under which manufactured homes will be allowed within the unincorporated areas of Laramie County.
- b. **Applicability** - This article shall be applicable to all manufactured and mobile homes (as defined herein) within all areas of the unincorporated areas of Laramie County.
- c. **Manufactured and Mobile Homes Allowed** - It is unlawful within unincorporated Laramie County for any person to place or park any manufactured or mobile home on any street, alley, highway or other public place, or on any tract of land owned by any person, firm, or corporation, occupied or unoccupied, except as provided in this article. Manufactured and mobile homes used for residential purposes may be installed, located or relocated within the unincorporated area of Laramie County, provided that all of the following conditions are met:
 - i. The home is newer than twenty (20) years as measured from the date of the required date plate of manufacture, according to the standards established by the United States Department of Housing and Urban Development (HUD) under the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. §5401, et seq., as amended (currently codified at 24 C.F.R. 3280) in effect at the time of manufacture and bearing certification to that effect ("Applicable HUD Standards") and is certified for the appropriate wind, thermal and roof standards for Wyoming; 

- ii. The manufactured or mobile home is twenty (20) years or older, as measured from the date of either the required date plate of manufacture or from the date of application for permit for the proposed installation, location or relocation and has been issued a Manufactured Home Permit and specific approval to be installed, located, or relocated by the Laramie County Chief Building Official ("CBO"). The CBO shall inspect all 20-year and older manufactured and mobile homes in conformance with the installation, location and relocation criteria found in this article. No manufactured or mobile home shall be installed, located or relocated that does not meet the Applicable HUD Standards in effect at the time the home was manufactured or that does not meet minimum criteria of this article.
- iii. The manufactured home shall be located within a manufactured housing park in conformance with this regulation; or
- iv. The home shall be related to the housing of staff for agricultural use; or
- v. The manufactured home shall be the only manufactured or mobile home upon any single lot or tract within a platted county subdivision, and the subdivision plat as approved by the County Commissioners contains a written provision allowing manufactured or mobile homes within the subdivision; or
- vi. The manufactured home shall meet the compatibility standards of this article. (see below)
- vii. The manufactured or mobile home shall meet all applicable zone district requirements.
- viii. The manufactured or mobile home shall be installed on a foundation using a typical blocking installation of masonry, concrete or other approved material. Installation instructions as provided by the manufacturer of the manufactured or mobile home shall be deemed a typical blocking installation. Any foundation system design, other than typical blocking, shall be stamped and signed by a Wyoming licensed professional engineer.
- ix. The manufactured or mobile home must meet the minimum standards for fire safety and protection in conformance with the Applicable HUD Standards at the time of original construction or as established by the Wyoming State Fire Marshall.

d. **Installation** - The installation and location of a Manufactured or Mobile Home for uses other than residential shall be performed in accordance with the construction and permitting requirements of the International Building Codes as adopted and amended and all other local, state and federal requirements.

e. **Non-conforming manufactured or mobile homes** - Non-conforming manufactured or mobile homes legally located within the unincorporated area of Laramie County on the effective date of this article and in use for residential purposes may continue at that certain location and continue to be used for residential purposes. The non-conforming manufactured or mobile home may not be relocated to any other property unless it has been inspected and brought into conformance with this article and issued a Manufactured Home Permit. At such time as any legal non-conforming manufactured or mobile home ceases to be used for residential purposes, it must be removed from the property.

Nonconforming Use - The lawful use of a building, structure or land on the effective date of this regulation or amendments thereto, which does not conform to the provision of this regulation for the zoning district in which it is located.

f. **National Manufactured Housing Construction and Safety Standards Act Certification** - Manufactured and mobile homes located within the County on the effective date of this article which have not been certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401, et seq., as amended, are hereby declared legal nonconforming structures, but shall not be replaced by another manufactured or mobile home that is not in compliance with the Applicable HUD Standards unless the replacement manufactured or mobile home has been inspected and brought into conformance with this article and issued a Manufactured Home Permit.

g. **Manufactured or Mobile Homes as Accessory Structures** - Manufactured or mobile homes shall not be allowed, permitted or used for accessory purposes or as storage buildings after the effective date of this article. Those manufactured or mobile homes used as accessory structures or for storage prior to the effective date of this article shall be deemed legal non-conforming uses and permitted to continue until such time as the use of those structures are discontinued for 180 days.

h. **Use of Manufactured or Mobile Homes for Child Care Centers** - The use of mobile homes for Family Child Care Centers (FCCC) or Child Care Centers (CCC) shall not be permitted within Laramie County without the issuance of a Manufactured Home Permit.

i. Compatibility Standards

The compatibility standards for manufactured or mobile homes relate to architectural features that have a significant impact on the overall value of the structure. This ensures that when a qualified manufactured or mobile home is placed in a rural residential area it is compatible with existing homes located within a one mile or less radius from the proposed location of the qualified manufactured or mobile home. For the purposes of this article, a rural residential area is defined as any area of the County that is not within a specific zone district. A qualified manufactured or mobile home shall be one that has been inspected for conformance with these regulations and for which a Manufactured Home Permit has been issued. The compatibility standards are as follows:

- i. Roof - The roof should mimic or simulate a roof comparable and/or compatible with site-built single-family structures in the one-mile radius. The roof must be covered with appropriate and approved roofing material. If eaves are present on homes within the one-mile radius, the manufactured or mobile home should also provide similar eaves.
- ii. Siding - The manufactured or mobile home shall have siding on all exterior walls which provides a consistent, continuous facade from the bottom of the soffit (top of the wall section) downward to the top of the exposed perimeter foundation. The exterior siding of the finished home must have the same appearance as materials commonly used on site-built single-family residential dwellings within the one-mile radius of the proposed home. Metal siding is allowed and must be painted or anodized to a natural color.
- iii. Minimum Size - The manufactured or mobile home shall have a minimum of floor area of 420 square feet.

iv. Installation

- A. The home shall be installed on a permanent foundation constructed of masonry, concrete or other approved material and shall comply with the adopted building code. The foundation system shall be designed and constructed to sustain, within the stress limitations specified in the building code, all loads specified in the building code. The installation instructions as provided by the manufacturer of the manufactured home shall be used to determine permissible points of support for vertical loads and points of attachment for

anchorage systems used to resist horizontal and uplift forces. The foundation system design shall be stamped and signed by a Wyoming licensed professional engineer.

B. The transportation mechanisms, including the hitch, must be removed.

j. Planning Commission Approval of Nonconforming Manufactured or Mobile Homes - The Laramie County Planning Commission may approve manufactured or mobile home housing that does not conform to one or more of the standards listed in this section if the Commission finds the following:

- i. The manufactured or mobile home is reasonably compatible to the extent possible with existing housing within a one-mile radius of the proposed home;
- ii. That no health or safety issues are present and the home meets all applicable construction and building codes;
- iii. The home supports fulfillment of goals found in the Laramie County Comprehensive Plan. Such approval or denial by the Planning Commission shall constitute the final action of an administrative order. Any decision of the Planning Commission may be further appealed to the District Court for the First Judicial District pursuant to the Wyoming Administrative Procedures Act.

k. Inspection/Permit Requirements for Construction, Installation and Relocation Within the County.

- i. A manufactured or mobile home shall not be installed, located or relocated within the unincorporated limits of Laramie County without the issuance of a Manufactured Home Permit from Laramie County.
- ii. Manufactured or mobile homes meeting the criteria in this regulation newer than 20 years old and being installed, located or relocated to a County approved manufactured housing park or subdivision designated for manufactured or mobile homes) do not require a Manufactured Home Permit.
- iii. Electrical permits for hookups within manufactured housing parks and designated subdivisions may be required at the discretion of the CBO upon consultation with the appropriate utility provider.

- iv. Building permits for additions, alterations, modifications or any physical change to a manufactured or mobile home are required regardless of location.
- v. The Chief Building Official has the authority to inspect all new, installed, located and relocated manufactured and mobile homes for compliance with the provisions of this article.
- vi. All applications for a Manufactured Home Permit and any issuance of that permit shall be in conformance with the Applicable HUD Standards as required at the time of original manufacture of the manufactured or mobile home and in conformance with the International Residential Code, as amended for any modifications, alterations, additions or deletions of the structure.
- vii. After the effective date of this article, no person shall occupy any new or relocated manufactured or mobile home nor permit any other person to occupy the same unless the Manufactured or Mobile Home has been installed, located or relocated in compliance with this article or is a legal nonconforming use under this article.

I. Authority of the Chief Building Official

- i. In addition to any other enforcement powers that the Chief Building Officer may have, the Chief Building Officer may issue a written order to any person to do the following:
 - A. immediately cease and desist any work or activity to install, locate or relocate any manufactured or mobile home in violation of this article; or
 - B. immediately cease and desist from the use or occupancy of any manufactured or mobile home installed, located or relocated in violation of this article.
- ii. Such written order shall constitute an administrative action which may be appealed to the Board of County Commissioners as a contested case within thirty (30) days of the written order. Any decision of the Board of County Commissioners may be further appealed to the District Court for the First Judicial District pursuant to the Wyoming Administrative Procedures Act.

m. Inspection Criteria for Manufactured Homes Older Than 20 Years

All manufactured and mobile homes twenty (20) years and older as measured from the date of application for Manufactured Home Permit or the required date plate installation must be inspected by the Laramie County Chief Building Official prior to moving, locating, relocating or installation, and a Manufactured Home Permit application must be provided to the County. No such manufactured or mobile home may be occupied prior to the issuance of a Manufactured Home Permit and payment of appropriate fees.

Before a Manufactured Home Permit will be issued, any such manufactured or mobile home shall be inspected for compliance with the following minimum criteria:

- i. All electrical wiring shall be in compliance with the applicable codes in place at the time the building was manufactured. Any new, altered, modified or replaced wiring shall be in compliance with the current, adopted version of the National Electrical Code.
- ii. Home will be equipped with appropriate operational fire alarms.
- iii. All floors shall be solid and stable. Any penetrations of the floor shall be sealed.
- iv. All roofs shall be solid and stable without any sag.
- v. No evidence of significant wood rot or mold shall exist.
- vi. The exterior of the building shall be properly maintained and painted.
- vii. Any additions, modifications, or alterations to the building shall have been constructed in a safe and appropriate manner. Any new or proposed additions, modifications, or alterations require a building permit.
- viii. The manufactured or mobile home maintains the same structural integrity it had when it was manufactured.
- ix. There shall be no broken windows.
- x. All HVAC systems shall be working and installed in accordance

with the regulations in place at the time the building was manufactured. All new installations shall be in conformance with the most recent adopted edition of International Building Codes.

- xi.** Owner must have proof that the manufactured or mobile home meets the established thermal, wind and roof load requirements for Laramie County Wyoming.

Manufactured or mobile homes not meeting these criteria shall be:

- i.** left in place and considered a non-conforming structure;
- ii.** moved or relocated outside of the unincorporated area of Laramie County; or
- iii.** repaired to meet the above criteria.
 - A.** The CBO shall determine if the repairs are minor or major.
 - B.** Minor repairs may be made without a building permit. Major repairs require a building permit.
 - C.** All repairs and construction shall be in conformance with the International Building Codes as adopted.
 - D.** The CBO may allow a manufactured or mobile home needing repairs to be relocated, provided a building permit has been issued for the repairs and application has been made for a Manufactured Home Permit.
 - E.** The CBO may require surety from the applicant to cover the cost of removing the manufactured or mobile home from Laramie County if the repairs are not completed.
 - F.** All repairs must be completed within six (6) months of the building permit issuance and prior to any occupancy of the repaired structure. Failure of the applicant to complete repairs in the designated time will constitute a violation of this article.
 - G.** The County may use the surety to cause the manufactured or mobile home to be removed from Laramie County as a result of a violation.

- H. All repaired manufactured or mobile homes must undergo a final inspection by the CBO prior to being moved, located, relocated or installed in the unincorporated area of Laramie County.

n. Appeals

The Laramie County Board of Commissioners shall hear and act on any appeal of decisions or determinations made in conformance with these regulations after consideration and hearing before the Planning Commission with the exception of those decisions made by the Planning Commission in accordance with this article. The Planning Commission may recommend and the Board may approve the installation, location or relocation of a manufactured or mobile home and the issuance of a Manufactured Home Permit that does not meet the criteria of this article, provided the Commission and the Board find all of the following:

- i. The manufactured or mobile home is compatible with existing housing within the general area of the proposed home;
- ii. No health or safety issues are present and the home generally meets all applicable construction and building codes;
- iii. The home supports fulfillment of goals found in the Laramie County Comprehensive Plan.

o. Compliance with Other Regulations

To the extent not specifically enumerated, described or modified herein, all manufactured and mobile homes and new placement shall comply with this regulation, as amended, and all other applicable federal, state and local regulations and codes.

2-2-105 NONCONFORMING USES AND STRUCTURES

There are uses of land which were lawful before this regulation was passed or amended, but which would be affected by the terms of this regulation or future amendments. Therefore, it is the intent of this regulation to permit these nonconforming uses to continue. Further, these nonconforming uses and structures shall not be used as grounds for allowing other uses prohibited elsewhere.

a. Nonconforming Buildings or Structures

- i. A nonconforming building or structure may be maintained, repaired, or ~~expanded~~ as provided for in this section.
- ii. An addition to a structure, or placement of an accessory building which does not further a violated requirement may be granted upon the approval of the Planning and Development Director, if it is found the addition or placement of said structure meets the intent of this regulation.
- iii. A nonconforming building or structure shall not be moved in whole or in part to any other location on the property on which it is situated unless every portion of such building or structure is made to conform to all the regulations of the district in which it is located.
- iv. The Planning and Development Director must find the following in order to approve any further encroachment of an existing violated requirement:
 - A. The strict application of the provisions of this regulation would deprive the applicant of reasonable use of the land.
 - B. That the existing encroachment is not the result of actions of the applicant taken subsequent to the adoption of this regulation.
 - C. That the encroachment will not alter the character of the neighborhood.
 - D. The encroachment would not deprive an adjacent property owner of reasonable use of his or her property.

- v. Any appeal of the Director's decision shall be in accordance with these regulations.
- b. **Nonconforming Uses** - The nonconforming use which lawfully existed at the time this regulation or subsequent amendments became effective may be continued.
- c. **Amortization of Nonconforming Uses** - If any nonconforming use ceases its operation for a continuous period of twelve (12) months, it shall be deemed abandoned and all use thereafter shall be in conformance with this regulation.
- d. **Reconstruction of Nonconforming Structures** - A nonconforming building or structure damaged by fire or other act of nature may be restored to its original condition provided such restoration is started within one (1) year. An extension for a defined period of time may be granted by the Planning and Development Director for a building or structure, provided written request for such extension is received from the property owner prior to the end of the initial one-year period.
- e. **Determination of Nonconforming Rights and Status** - If nonconforming rights are challenged, or if there is a request to expand a nonconforming use or structure, it shall be the property owner's responsibility to provide proof through business records or other records and data that the nonconforming use has not ceased operation and has continued in operation without a twelve (12) month lapse. It shall also be the property owner's responsibility to provide proof that the nonconforming use legally existed at the time this regulation was adopted.