

CHAPTER 11 - TEMPORARY USES AND STRUCTURES

SEC. 11.0 GENERAL

- A. Temporary Structures: Structures or buildings around and in conjunction with construction work may be erected provided a temporary use permit is received from the Zoning Administrator for a period not to exceed six months. A building permit for a primary residence or structure must be attained before a temporary use permit is issued. Once a temporary use permit is issued, the applicant must obtain a building permit for a temporary structure from the building department within sixty (60) days. Temporary buildings or structures shall be removed upon the expiration of the time limit stated in the permit.

SEC. 11.1 APPLICATIONS

- A. The Zoning Administrator may issue a temporary use permit for the above listed uses or structures if it meets the review criteria of this section and if no written objections are received from the surrounding property owners within sight or sound of the temporary use within twenty (20) days from the date a "Notice of Request" is posted on the property.
- B. Such notices shall be posted on any side of the property abutting a right-of-way.
- C. Notices will also be published once in the local newspaper, posted at Town Hall, and provided to the Town Council, and the Planning Commission.
- D. If said written objection is received within the twenty (20) days posting period, the matter shall be placed on the agenda of the first available Planning Commission meeting for decision.
- E. If the proposed Temporary Use Permit will be on property contiguous to a residential use, the applicant will provide the names and addresses of the property owners. The Town shall notify the owners of the property before the start of the application protest period.

SEC. 11.2 TEMPORARY CONSTRUCTION SITE STRUCTURES

- A. Construction sites: One temporary building, mobile home or recreational vehicle used for residential and/or security purposes, per lot or parcel, used in conjunction with construction work only during such construction subject to the following:
1. The property owner or his/her duly authorized representative shall obtain zoning clearance and building permit authorization for construction prior to the issuance of a Temporary Use Permit.
 2. The temporary building, mobile home or recreational vehicle shall be located on the lot or parcel on which construction is occurring; shall be occupied and/or used only by the property owner or a duly authorized representative; shall be located no closer than sixty (60) feet to any property line; and shall be landscaped on any side of the structure facing a right-of-way. Such landscaping may be in ground or above ground in planters.
 3. Any Temporary Use Permit for such temporary building, mobile home or recreational vehicle issued by the Zoning Administrator shall have the concurrence of the Town Council and shall not exceed one year from the date of such approval, but said permit may be renewed upon the property owner submitting a request to the Planning Commission for the renewal of said permit and the submittal of satisfactory evidence to the Commission indicating that the need for such temporary building, travel trailer or mobile home continues to exist.
 4. Unless such Temporary Use Permit is renewed, the mobile home shall be removed from the property upon completion of construction or the expiration of the previously issued Temporary Use Permit or within ten (10) days after expiration of the authorized building permit for the construction work, whichever occurs first. If a recreational vehicle has been utilized for temporary residential use during construction, it shall be removed or returned to its accessory use pursuant to this ordinance. If an accessory building has been utilized for temporary residential use during construction, the building shall be returned to its accessory use state.

SEC. 11.3 TEMPORARY REAL ESTATE OFFICE STRUCTURES

- A. Any Temporary Use Permit for a real estate office shall be subject to the following:
- B. Such office shall be located on the property being subdivided for sale and its use shall be limited to the sale of these subdivision units.
- C. Such office shall be subject to the height, yard, intensity of use and parking regulations for the zoning district in which it is located and shall conform to the Town's lighting code. The office shall not feature any banner or hanging signs affixed to the building or otherwise on the site. There shall be no outdoor sound amplification, blinking lights or moveable marketing devices on the site.
- D. Any Temporary Use Permit for such office shall be limited to one year from the date of such approval.
- E. Such offices shall be removed from the property being subdivided upon expiration of the Temporary Use Permit or when the lots in said property are sold, whichever occurs first.

SEC. 11.4 REVIEW CRITERIA

- A. The authorization of a temporary use permit shall not be made unless the evidence presented is such to establish:
 - 1. That such use will not, under the specific circumstances of the particular case, be detrimental to the health, safety or general welfare of the surrounding area, and;
 - 2. That the proposed use is necessary or desirable or provides a service or facility that contributes to the general well-being of the area.
 - 3. That the proposed use does not directly create traffic or area congestion with an already approved Temporary Use Permit.