

AMENDMENT 1

AN AMENDMENT TO THE GILPIN COUNTY BUILDING CODE REGULATING ON-SITE TEMPORARY HOUSING DURING HOME CONSTRUCTION

1. Intent

It is the intent of this amendment to provide regulations under which on-site temporary housing may be permitted for the purpose of providing temporary housing to property owners while their permanent house is under construction.

2. Definitions

- 2.1. Temporary shall mean not longer than 12 months unless extended by appeal to the Board of Adjustments (BOA).
- 2.2. Percentage complete: 50% complete shall mean fully enclosed; 75% complete shall mean wired, plumbed and dry-walled.

3. Eligibility:

To be eligible for an On-site Temporary Housing Permit, all of the following must be true:

- 3.1 The occupant of on-site temporary housing shall be the owner of the property on which said temporary housing is located.
- 3.2 The property on which temporary housing is located shall display a valid building permit for a single family house, or house addition, issued to the property owner.

4. Permit Conditions:

- 4.1 Temporary housing permit shall be valid for a period of 4 months with the ability to secure two 4-month extensions administratively.
 - The first extension may be granted by the Community Development Department only if construction is 50 % complete or greater.
 - A second and third extension may be granted by the Community Development Department only if construction is 75% complete or greater.

4.2 A temporary housing permit may be extended for an indefinite period of time, at any time, by appeal to the Gilpin County Board of Adjustment (BOA) with the following conditions:

- A public hearing shall be held with a minimum of 14 days notice. Notice shall be by newspaper and certified mail to adjacent property owners.
- Hardship must be demonstrated.
- Approved ISDS shall be in place and operational.
- Yearly progress reports shall be submitted to the building inspector. Non-compliance shall be interpreted as no progress.
- Upon citizen request, the BOA may ask for a hearing to review a temporary housing permit. Said permit may be revoked by the BOA based on a finding of no progress.
- A temporary housing permit shall become null and void when a building permit is placed on inactive status.

4.3 Temporary housing shall adhere to applicable setbacks but should be located a minimum of 30 feet from side and rear property lines; and, a minimum of 100 feet from the front property line or the nearest road, whichever is greater. Final location must be approved by the Community Development Department in order to minimize neighborhood impacts.

4.4 The Gilpin County Public Health Department must approve the sanitation system prior to permit approval and any permit extension approvals.

5. Fees:

5.1 \$500 for initial On-site Temporary Housing Permit

5.2 \$250 for each 4-month extension.

5.3 \$500 per year for every year beyond first year.

6. Conflict with Other Gilpin County Codes and Regulations

This amendment shall supersede any and all conflicting codes and regulations to the contrary, including but not limited to:

Gilpin County Zoning Regulations

Gilpin County Mobile Home Park Regulations