

Ordinance 2017-42

An Amendment to the Hendricks County Zoning Ordinance by Amending Chapter 7

Whereas, the Board of County Commissioners of Hendricks County, Indiana adopted the Hendricks County Zoning Ordinance on August 12, 2008 and which became effective October 1, 2008;

Whereas, the Hendricks County Area Plan Commission has recommended that the Zoning Ordinance be amended as to Chapter 7 Development Standards;

Whereas, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment TZA 03/17 and voted to forward a favorable recommendation to the County Commissioners;

Whereas, the County Commissioners have received and reviewed the Plan Commission's report, have considered the Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety, and convenience of the people of Hendricks County; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

AMEND "Section 7.12.B.7 to read;

Accessory Dwelling Units. It is the intent of this section to permit, in the correct context, secondary dwellings as an alternative single family living arrangement. It is the intent that the occupancy is associated with the primary dwelling, and that the dwelling be held to the standards below. The restrictions herein are designed so that it remains clear that the property is a single lot and use, that the accessory dwelling appear subordinate in size and/or location, and that any potential nuisance is mitigated.

- a. An accessory dwelling unit is permitted as a special exception in certain districts
- b. One accessory dwelling unit may be permitted either within an accessory structure or as an independent accessory structure
- c. Occupation of accessory dwelling units may be limited by the Board of Zoning Appeals.
- d. The owner(s) of the single-family lot upon which the accessory dwelling unit is located shall occupy at least one (1) of the dwelling units on the premises.
- e. The Accessory Dwelling Unit shall not exceed 75% of the primary dwelling footprint and shall not exceed the greater of 600 square feet and 5% of lot coverage
- f. An Accessory Dwelling Unit shall be constructed no farther than 100 linear feet from the primary/principal dwelling
- g. An Accessory Dwelling Unit shall be constructed so as to maintain the appearance of the property as a residence and the approving body should consider the Residential Design Standards, Chapter 8.1
- h. A screening plan shall be a part of the approval process
- i. A minimum of two (2) off-street parking spaces, including the driveway, shall be provided.

REMOVE 7.14.A. 5,6,&7

REMOVE 7.14.C.3. b.&c.

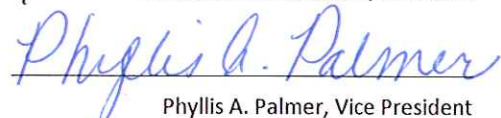
AMEND 7.14.C to read;

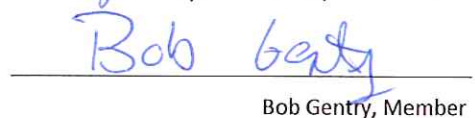
- C. Outdoor Storage- Outdoor storage, in compliance with the requirements of this section is a permitted use and shall be considered primary or accessory to the principal use.
1. General. Standards that are applicable to all outdoor storage.
 - a. Screening. Outdoor storage of the types described below shall be screened with an opaque fence, split face block wall, continuous evergreen screen, or a combination of the three. The screen must measure a minimum of 7 feet in height. The fences or walls shall be compatible with or constructed from the same building material as the primary structure, and integrated into the design of the primary structure.
 - b. Primary- Outdoor storage shall be permitted as a primary part of a permitted use in the LI and MI zoning districts.
 - c. Accessory- Outdoor storage is accessory to a permitted principal use in all non-residential districts when it does not exceed the greater of 25% of the building footprint or 600 square feet.
 2. Bulk Storage.
 - a. In any district in which bulk storage is permitted, structures, buildings, or above-ground tanks used for bulk storage of flammable or explosive liquids, gases or other materials, shall be located no closer than 50 feet to the property line.
 - b. Additional information regarding evidence of safety measures may be required in order to determine the public safety therein.

APPROVED by the Board of Commissioners of Hendricks County, Indiana this 26th day of September, 2017.

BOARD OF COUNTY COMMISSIONERS


Matthew D. Whetstone, President


Phyllis A. Palmer, Vice President


Bob Gentry, Member

Attest:



Nancy Marsh, Auditor

NOTICE OF PUBLIC HEARING
HENDRICKS COUNTY AREA PLAN COMMISSION

Notice is hereby given of a public hearing to be held by the Hendricks County Area Plan Commission on Tuesday, September 12, 2017, at 6:30 PM in the Hendricks County Government Center, 355 South Washington Street, Danville Indiana in Meeting Rooms 4 and 5, to consider;

Ordinance TZA 03/17, an Amendment to the Hendricks County Zoning Ordinance Chapter 7

AMEND "Section 7.12.B.7 to read;

Accessory Dwelling Units. It is the intent of this section to permit, in the correct context, secondary dwellings as an alternative single family living arrangement. It is the intent that the occupancy is associated with the primary dwelling, and that the dwelling be held to the standards below. The restrictions herein are designed so that it remains clear that the property is a single lot and use, that the accessory dwelling appear subordinate in size and/or location, and that any potential nuisance is mitigated.

- a. In any districts where an accessory dwelling unit is a special exception may be granted one accessory dwelling unit to be constructed within an accessory structure or as an independent accessory structure
- b. Occupation of accessory dwelling units may be limited by the Board of Zoning Appeals.
- c. The owner(s) of the single-family lot upon which the accessory dwelling unit is located shall occupy at least one (1) of the dwelling units on the premises.
- d. The Accessory Dwelling Unit shall not exceed 75% of the primary dwelling footprint and shall not exceed the greater of 600 square feet and 5% of lot coverage
- e. An Accessory Dwelling Unit shall be constructed no farther than 100 linear feet from the primary/principal dwelling
- f. An Accessory Dwelling Unit shall be constructed to maintain the existing appearance of the property and the approving body should consider the Residential Design Standards (8.1 I think)
- g. A screening plan shall be a part of the approval process
- h. A minimum of two (2) off-street parking spaces, including the driveway, shall be provided.

REMOVE 7.14.A. 5,6,&7

REMOVE 7.14.C.3. b.&c.

AMEND 7.14.C to read;

- C. Outdoor Storage- Outdoor storage, in compliance with the requirements of this section is a permitted use and shall be considered primary or accessory to the principal use.
 1. General. Standards that are applicable to all outdoor storage.
 - a. Screening. Outdoor storage of the types described below shall be screened with an opaque fence, split face block wall, continuous evergreen screen, or a combination of the three. The screen must measure a minimum of 7 feet in height. The fences or walls shall be

compatible with or constructed from the same building material as the primary structure, and integrated into the design of the primary structure.

- b. Primary- Outdoor storage shall be permitted as a primary part of a permitted use in the LI and MI zoning districts.
- c. Accessory- Outdoor storage is accessory to a permitted principal use in all non-residential districts when it does not exceed the greater of 25% of the building footprint or 600 square feet.

2. Bulk Storage.

- a. In any district in which bulk storage is permitted, structures, buildings, or above-ground tanks used for bulk storage of flammable or explosive liquids, gases or other materials, shall be located closer than 50 feet to the property line.
- b. Additional information regarding evidence of safety measures may be required in order to determine the public safety therein.

and referring to all of Hendricks County under the jurisdiction of the Hendricks County Area Plan Commission. Interested persons may appear and be heard at this public hearing. A hearing may be continued from time to time as may be found necessary. Interested persons may appear and be heard at this public hearing.

A copy of this ordinance and all files pertaining thereto are on file and available for examination prior to the hearing in the office of the Planning and Building Department in the Government Center, 355 South Washington Street, Danville Indiana 46122, between the hours of 8:00 AM and 4:00 PM, Monday through Friday. Written comments to a proposal may be filed with the Secretary of the Area Plan Commission within ten (10) days after this publication at the above address and such comments will be considered.

For special accommodations needed by handicapped individuals planning to attend, please call the secretary of the Hendricks County Area Plan Commission at (317) 745-9346 or the Hendricks County Auditor's Office at (317) 745-9301 at least forty-eight (48) hours prior to the hearing.

HENDRICKS COUNTY AREA PLAN COMMISSION
Tim Dombrosky, Director of Planning & Building

This legal should be advertised one (1) time.

Flyer Publication Date: August 30, 2017

Republican Publication Date: August 31, 2017

One (1) proof of publication and billing should be sent to:

Mrs. Joanne I. Garcia
Hendricks County Planning and Building Department
355 South Washington Street #212
Danville, Indiana 46122-9391
317-745-9384