

Ordinance No. 2022-31

An Amendment to the Hendricks County Zoning Ordinance, 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 7.12(B) 7 Accessory Dwelling Units and Chapter 4 Zoning Districts;

Whereas, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment TZA 01-22 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:

Chapter 7.12(B) 7. Dwelling, Accessory Apartments. It is the intent of this section to permit, in the appropriate 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 apartment is permitted as a special exception in certain districts.
 1. One accessory apartment may be permitted as a special exception either within an accessory structure or as an independent accessory structure
 2. The owner(s) of the single-family lot upon which the accessory apartment is located shall occupy at least one (1) of the dwelling units on the premises.
 3. Occupation of accessory apartments may be limited by the Board of Zoning Appeals.
 4. The accessory apartment shall not exceed 75% of the primary dwelling footprint and be subject to the development standards for the district.
 5. An accessory apartment shall be constructed closer to the primary/principal dwelling than to any property line.
 6. An accessory apartment 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
 7. A minimum of two (2) off-street parking spaces, including the driveway, shall be provided.
 8. A screening plan shall be provided with the special exception application
- b. An accessory apartment is permitted in certain districts.
 1. One accessory apartment may be permitted either within an accessory structure or as an independent accessory structure

2. The owner(s) of the single-family lot upon which the accessory apartment is located shall occupy at least one (1) of the dwelling units on the premises.
3. The accessory apartment shall not exceed 75% of the primary dwelling footprint and shall be subject to the development standards for the district.
4. An accessory apartment shall be constructed closer to the primary/principal dwelling than to any property line.
5. An accessory apartment shall be constructed to maintain the existing appearance of the property as a single-family residence and shall meet the Residential Design Standards (8.1)

Chapter 4

Dwelling, Accessory Apartment is a permitted use in AGR Agricultural Residential district.

APPROVED by the Board of Commissioners of Hendricks County, Indiana this 28th day of June, 2022.

BOARD OF COMMISSIONERS

Phyllis A. Palmer
Phyllis A. Palmer, President

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Bob Gentry, Vice President

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Dennis W. Dawes, Member

Attest:

Nancy Marsh

Nancy Marsh, Auditor