

11-5-73

AMENDMENT TO
ZONING ORDINANCE
HENDRICKS COUNTY, INDIANA
ORDINANCE NO. 1973-_____

An Ordinance amending the Zoning Ordinance of Hendricks County, Indiana, as amended, passed by the Board of County Commissioners of Hendricks County, Indiana, on the 5th day of November, 1957.

WHEREAS the Acts of the General Assembly of 1947, Chapter 174, granted certain powers to County Plan Commissions and Boards of County Commissioners, relative to County zoning of land, and

WHEREAS the Hendricks County Plan Commission of Hendricks County, Indiana held a public hearing on the 8th day of October, 1973, pursuant to notice and made certain recommendations to the Board of Commissioners of Hendricks County, Indiana, and

WHEREAS said recommendations have been reviewed by the County Commissioners and should be adopted,

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Hendricks County, Indiana, by authority of Chapter 174, Acts of 1947, the General Assembly of the State of Indiana, and all acts amendatory thereto, that the Zoning Ordinance of Hendricks County, Indiana be amended as follows:

SECTION 1. That the second sentence in Section 5 of ARTICLE V - ADMINISTRATION, of said Zoning Ordinance of Hendricks County, which reads as follows: "Application for an Improvement Location Permit shall be accompanied by a fee of two dollars.", is hereby deleted.

SECTION 2. That the second sentence in paragraph d of Section 7 Certificate of Occupancy, of ARTICLE V - ADMINISTRATION, which reads as follows: "fee of one dollar (\$1.00) shall be charged for each original certificate and fifty cents (50¢) for each copy thereof.", is hereby deleted.

SECTION 3. A new section, Section 8. Fees, is hereby added to ARTICLE V - ADMINISTRATION of said Zoning Ordinance of Hendricks County which reads as follows:

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Section 8. Fees

- a. Applications and Petitions shall be accompanied by a check or money order made payable to the Hendricks County Plan Commission, in an amount which is in accordance with the filing fees set forth in paragraph c herein.
- b. Until all applicable fees have been paid in full, no application shall be processed by the Building Commissioner.
- c. No part of any of the following filing fee paid pursuant to this Section shall be returnable to the applicant.

APPLICATION FOR IMPROVEMENT LOCATION PERMIT AND BUILDING PERMIT

- | | |
|--|--|
| 1. Single Family Dwelling | \$ 45.00 |
| 2. Two-Family Dwellings | \$ 55.00 |
| 3. Multi-Family Dwelling, Group House, Apartment Building, Garden Apartments, Condominiums, Co-operative, any type of Multi-family Housing - Each Building | \$ 65.00 |
| 4. Industrial & Commercial Buildings
(Max. Charge - \$500.00) | |
| A. Each structure | \$35.00 per building plus 1¢/sq. Ft. total floor area. |
| B. Addition to existing structure | \$20.00 per building plus 1¢/sq. ft. total floor area |
| C. Off-Street Parking Lots
(operated by private enterprise for revenue purposes excludes local, State, Federal Government Units) | \$.50 per parking stall |
| 5. Contingent Uses other than Governmental Uses, and Educational Institutions | \$30.00 per building plus 1¢/sq. ft. total floor area. |
| 6. Additions to existing structures Fee applies per room up to a total of 3. Greater improvements consider as (1) above (for Residential Dwellings) | \$5.00 |
| 7. Detached Garages, Carports, and other Accessory Buildings | \$5.00 for 1 or 2 car garage or other Accessory Building
\$2.00 for each additional car |
| 8. Accessory Items: | |
| A. Multi-purpose buildings
(Portable or Stationary) | \$5.00 |
| B. Swimming Pools
(Includes in or above ground, portable or stationary, 2' depth and 12' diameter minimum dimensions) | \$5.00 |

9. Demolition of Building Structures	\$10.00 1st building \$7.50 each additional (on same lot)
10. Moving or changing the location of a building	\$20.00 Principal Building \$10.00 Accessory Building
11. Sign Erection	\$5.00

APPLICATION FOR APPEALS, CONDITIONAL USES FEE

1. Variance	\$25.00
2. Amendment: Change of Zone Classification or Change of Text	\$100.00
3. Change in Development Plan (which previously has been approved)	\$50.00
4. Conditional Use	
A. Service Stations (Includes Car Wash, Auto Service Center, etc.)	\$50.00
B. Apartments, Condominiums, Mobile Home Parks, Co-operatives, any type of Multi-family Housing, Shopping Centers (which are processed as Conditional Uses)	\$100.00
C. Other than above A. or B.	\$15.00

APPLICATION FOR CERTIFICATE OF OCCUPANCY FEE

1. Certificate of Occupancy or Temporary Certificate of Occupancy	
A. Commercial or Industrial	\$30.00
B. Residential (No charge for Accessory Building or Use which is not permanently attached to the ground and the retail cost of which is less than \$800.00.)	\$10.00 per family unit
C. Contingent Use or Conditional Use	\$30.00
D. Accessory Items & Sign Permits	\$10.00
E. Any person requesting a building inspection prior to completing work for that inspection phase shall be charged twenty dollars (\$20.00).	
F. Any person requesting an additional building inspection on an approved phase of a structure shall be charged twenty dollars (\$20.00).	
G. Also, any person who shall initiate construction prior to obtaining an Improvement Location Permit (or a Certificate of Occupancy) or any other permit required, shall pay twice the amount of the filing fees set forth herein.	
H. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, realtor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided."	

SECTION 4. That Section 7 of Article IV which reads as follows:

"Section 7. Use to Conform After Discontinuance. In the event that a nonconforming use of any building or premises is discontinued for a period of two (2) years, the use of the same shall thereafter conform to the uses permitted in the district in which it is located."

Shall be changed to read as follows:

"Section 7. Use to Conform After Discontinuance. In the event that a nonconforming use of any building or premises is discontinued for a period of ten (10) days, the use of the same shall thereafter conform to the uses permitted in the district in which it is located."

Dated this 5th day of November, 1973.

Lowell Franklin

Arthur Himself

Arthur Himself

Howard Gibbs

Howard Gibbs

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA

ATTEST:

Mary Jane Weathers

Mary Jane Weathers,
Auditor

Prepared by E. Alonzo Deckard, Attorney at Law, Danville, Indiana.

AMENDMENT
SUBDIVISION CONTROL ORDINANCE
HENDRICKS COUNTY, INDIANA
ORDINANCE NO. 1973 _____

9797
ENTERED FOR RECORD
BOOK NOV 19 1973 ^{3:07}
-65
Mary Margaret Ordner
RECORDER HENDRICKS COUNTY

11-19-73

Whereas the Acts of the General Assembly of 1947 granted certain powers to County Plan Commissions and Boards of County Commissioners, relative to the platting of lands within their jurisdiction, and

Whereas the Hendricks County Plan Commission of Hendricks County, Indiana, held a public hearing on November 12, 1973 pursuant to notice, and made certain recommendations to the Board of Commissioners of Hendricks County, Indiana, and

Whereas said recommendation should be adopted.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana, that the Hendricks County Subdivision Control Ordinance, entitled "Subdivision Control Ordinance of Hendricks County, Indiana" enacted by the Board of Commissioners of Hendricks County, Indiana on February 6, 1961, and all amendments thereto, be amended by amending Section 3.04 of Chapter 3 "Building Set Back Lines" which reads as follows:

SECTION 3.04. BUILDING SET BACK LINES

Building setback lines shall be regulated by the setback provisions of the zoning ordinance applicable to said area proposed to be platted, with the exception that front building setback lines shall be as follows:

(1) Expressway, Parkway or Primary Thoroughfare.

No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right of way line of an expressway, parkway or primary thoroughfare.

(2) Secondary Thoroughfare.

No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of any secondary thoroughfare.

(3) Collector Street.

No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of any collector street.

(4) Local Street, Marginal Access Street or Cul-de-sac.

No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer

than twenty-five (25) feet to any right-of-way line of any local street, marginal access street or cul-de-sac, with the exception of the vehicular turnaround thereof. No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of the vehicular turnaround of any cul-de-sac.

To read as follows:

SECTION 3.04 BUILDING SET BACK LINES

Building setback lines shall be regulated by the setback provisions of the zoning ordinance applicable to said area proposed to be platted, with the exception that the minimum front building setback lines shall in no instance be less than the following:

(1) Expressway, Parkway or Primary Thoroughfare.

No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than fifty (50) feet to any right of way line of an expressway, parkway or primary thoroughfare.

(2) Secondary Thoroughfare.

No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than forty (40) feet to any right-of-way line of any secondary thoroughfare.

(3) Collector Street.

No part of any structure (except an eave or cornice overhang not exceeding four (4) feet) shall be built closer than thirty (30) feet to any right-of-way line of any collector street.

(4) Local Street, Marginal Access Street or Cul-de-sac.

No part of any structure (except an eave or cornice overhang not exceeding (4) feet) shall be built closer than twenty-five (25) feet to any right-of-way line of any local street, marginal access street or cul-de-sac.

And, that said Ordinance be further amended by amending Paragraph 5, Section 2.02 of Chapter 2, which said paragraph reads as follows:

Fee

At the time of the filing of an application for plat approval, the applicant shall pay to the Commission as a fee for the checking and verifying of such plat, a sum computed from the following schedule:

1 or more lots \$50.00 fee plus \$1.00 per lot.

To read as follows:

Fees

The applicant for a Preliminary Plan of a Subdivision and a Final Plat of a Subdivision shall be accompanied by a check or money order made payable to the Hendricks County Plan Commission in an amount which is in accordance with the following filing fees.

- | | |
|---|--------------------------------|
| 1. Preliminary Plan | \$75.00 |
| 2. Re-submitted Preliminary Plan
(which previously has been re-
jected) | \$75.00 |
| 3. Final Plat | \$75.00 plus
\$2.00 per lot |
| 4. Amendment to Approved Plat | \$50.00 |

No part of these filing fees shall be returned to the applicant.

This Ordinance shall be in full effect from and after its passage and approved according to law.

Passed and approved by the Board of County Commissioners of Hendricks County, Indiana, this 19th day of November, 1973.

BOARD OF COUNTY COMMISSIONERS
HENDRICKS COUNTY, INDIANA

Lawell Franklin
President

Howard Kelly

Arthur Himesel

ATTEST:

Mary Jane Keathers
Auditor

This instrument prepared by E. Alonzo Deckard, Attorney at Law, Danville, Indiana.

9799

ENTERED FOR RECORD

BOOK 65 NOV 19 1973 At 3:09 P.M. Page

Mary Margaret Parker
RECORDER HENDRICKS COUNTY

AMENDMENT TO ZONING ORDINANCE OF
HENDRICKS COUNTY, INDIANA AS
AMENDED AND PASSED BY THE BOARD OF
COUNTY COMMISSIONERS OF HENDRICKS
COUNTY, INDIANA THIS 19th day of
November, 1973

11-19-73

WHEREAS the Acts of the General Assembly of 1947, Chapter 174 granted certain powers to County Plan Commissions and Boards of County Commissioners relative to County zoning of land, and

WHEREAS the Hendricks County Plan Commission of Hendricks County, Indiana held a public hearing on the 12th day of November, 1973 pursuant to notice and made certain recommendations to the Board of Commissioners of Hendricks County, Indiana, and

WHEREAS the purpose of this amendment is to provide minimum regulation of all flood hazard areas for all rivers, streams and lakes within the jurisdictional limits of the County of Hendricks, Indiana, for the purpose of decreasing existing flood damage, mitigating future flood damages and promoting the health, safety and general welfare of the people of Hendricks County, Indiana, and

WHEREAS the degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based upon engineering and scientific considerations. Larger floods can and will occur on occasion. Flood heights may be increased due to man made or natural causes. This ordinance does not imply that areas outside of the flood hazard areas will be free from flooding or flood damages, and

WHEREAS said recommendations have been reviewed by the County Commissioners and should be adopted:

NOW THEREFORE be it ordained by the Board of County Commissioners of Hendricks County, Indiana, by authority of Chapter 174, Acts of 1947 of the General Assembly of the State of Indiana and all acts amendatory thereto, that the zoning ordinance of Hendricks County, Indiana be amended by adding:

Article XI "Flood Hazard Areas Designation and Restriction".

Section 1. Flood Hazard Areas Defined.

"Flood Hazard Area" means those areas which have or contain soils identified as "bottom land soils" as shown by the "National Co-operative Soil Survey of Hendricks County" and any amendment or corrections thereto.

Section 2. Jurisdiction Divisions.

Any person desirous of constructing a building or other structure within the flood hazard area in Hendricks County, as hereinbefore defined, shall obtain permit for the same in the following manner:

1.1 Requests for permits in sites in Flood Hazard Areas having a drainage area of more than one (1) square mile shall first be submitted to and a permit or letter of approval and/or recommendation obtained from the Natural Resources Commission. After approval has been obtained from the Natural Resources Commission, the request for a permit shall be submitted to the Plan Commission for approval and issuance of the appropriated county permit.

1.2 Requests for permits on sites in Flood Hazard Areas having a drainage area of one (1) square mile or less shall be submitted directly to the Plan Commission. The Burden of proof of acceptability of the proposed construction shall lie with the person desiring to construct. Complete and thorough plans and specifications for the proposed construction, prepared and certified by a Professional Engineer, shall be submitted with any request for permits.

Passed and approved by the Board of County Commissioners of Hendricks County, Indiana this 19th day of November, 1973.

BOARD OF HENDRICKS COUNTY COMMISSIONERS
HENDRICKS COUNTY, INDIANA

Lawell Franklin
President

Howard Goble

Arthur Hinsel

ATTEST:

Mary Jane Keathers
Auditor

This instrument prepared by E. Alonzo Deckard, Attorney at law, Danville, Indiana.

HENDRICKS COUNTY HIGHWAY DEPARTMENT
DALE ELSBURY, SUPERINTENDENT

P. O. BOX 124

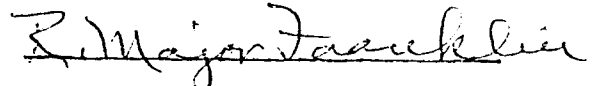
DANVILLE, INDIANA 46122

January 22, 1973

IN THE MATTER OF LOAD LIMITS ON COUNTY ROADS

In order to protect the road surface of county highways from unreasonable destruction and damage caused by overweight vehicles during inclement climatic conditions, and to promote the safety of the public in the use of said highways, set out in Ordinance No. 66-1, dated March 7, 1966.

Becoming effective January 22, 1973 said ordinance will be in effect until such a time as the County Surveyor shall deem the ground to be in such condition that the limit may be lifted.


R. Major Franklin, Surveyor