

A M E N D M E N T  
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Hendricks County Zoning Ordinance  
Hendricks County, Indiana  
Ordinance No. 1974- 1

WHEREAS, the acts of the General Assembly of 1947 granted certain powers to County Plan Commissions and Boards of County Commissioners, relative to the zoning and rezoning of lands within their jurisdiction; and

WHEREAS, the Hendricks County Plan Commission of Hendricks County, Indiana, held a public hearing on March 11, 1974, 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 Zoning Ordinance, and all amendments thereto, be amended by hereby temporarily rezoning to "Local Business", until completion of the Planned Community Development Project known as "Prestwick", the following described real estate:

A 100' x 100' tract of ground lying in the Southeast corner of the following described real estate, to-wit:

A part of the West half of the South West quarter of Section 3, Township 15 North of Range 1 East, bounded and described as follows, to-wit:-Beginning at the Southwest corner of said half quarter Section, and running thence North on and along the West line thereof 20 chains and 23 links (which point is 20 chains and 25 links South of the Northwest corner of said half quarter); thence East to the East line of said half quarter Section, and to a point which is 20 chains and 71 links North of the Southeast corner of said half quarter; thence South on and along the East line of said half quarter 20 chains and 71 links, and to the Southeast corner of said half quarter; thence West on and along the South line of said half quarter to the place of beginning, containing 40 acres, more or less.

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

Passed and approved by the Board of Commissioners of  
Hendricks County, Indiana, this 18th day of March, 1974.

BOARD OF COUNTY COMMISSIONERS,  
HENDRICKS COUNTY, INDIANA

BY: Arthur Himsel  
Arthur Himsel, President

BY: Lowell Franklin  
Lowell Franklin, Commissioner

BY: Howard Gibbs  
Howard Gibbs, Commissioner

Attest: Mary Jane Weathers  
Mary Jane Weathers,  
Auditor of Hendricks County

This instrument was prepared by Lee T. Comer, Attorney-at-Law, Danville, Indiana.

AMENDMENT  
SUBDIVISION CONTROL ORDINANCE  
HENDRICKS COUNTY, INDIANA  
ORDINANCE NO. 1974 2

Whereas the Acts of the General Assembly of 1947 granted certain powers to County Plan Commissions and Board 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 January 14, 1974 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 3.03 of Chapter 3 "Lots" by adding subsection numbered eight (8) which reads as follows:

8. As a general principal, the depth of any lot shall not be more than three (3) times as much as the width of the lot (ie a lot with 120 feet of frontage shall not be more than 360 feet in depth).

Lots with a depth greater than three (3) times the width may be allowed by the Hendricks County Plan Commission under conditions of extreme hardship and/or unusual conditions of topography.

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

Passed and approved by the Board of County Commissioners  
of Hendricks County, Indiana, this 21 day of Jan,  
1974.

BOARD OF COUNTY COMMISSIONERS  
HENDRICKS COUNTY, INDIANA

Arthur Hines  
President

Lawell Franklin

Howard Hebl

ATTEST:

Mary Jane Weathers  
Auditor

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

AN ORDINANCE ESTABLISHING MAXIMUM WEIGHT LIMITS UPON COUNTY HIGHWAYS, AND POSTING OF SAID WEIGHT LIMITS, GRANTING USE PERMITS AND PROVIDING FOR THE ENFORCEMENT AND OBSERVANCE OF SAID SIGNS AND FIXING A PENALTY FOR THE VIOLATION THEREOF.

Whereas, the Board of Commissioners of Hendricks County Indiana, after having inspected the county highways and conferred with the County Engineer and County Road Superintendent, has found that in order to protect the road surface of county highways from unreasonable destruction and damage caused by over weight vehicles during inclement weather conditions, and to promote the safety of the public in the use of said highways, it is Ordained as follows:

Section 1. Definitions:

(a). County highway shall mean any public roadway now or hereafter coming under the jurisdiction and control of the Hendricks County Highway Department.

(b). Vehicle shall mean every device in, upon, or by which any person or property is, or may be, transported and drawn upon a county highway.

Section 2.

It shall be unlawful for any reason to move, operate or control any vehicle over, upon or across any county highway, having a total gross weight in excess of 30,000 pounds at any time that said county highway or highways have been posted, giving notice of such load limit.

Section 3.

The Board of Commissioners of Hendricks County, Indiana, shall have authority, upon proper application in writing and upon good cause shown, to grant permits for transmitting vehicles whose total gross weight exceed 30,000 pounds, whenever in their discretion such highway will not be seriously damaged thereby, even though said highway is then posted. Any such permit shall be issued for a single trip or for a definite period of time not exceeding sixty (60) days, and such permit may designate the route to be traversed and contain any other instruction or conditions determined necessary.

Section 4.

A violation of the terms or conditions of this Ordinance shall constitute a misdemeanor and any person found guilty thereof shall be assessed a fine of not less than \$25.00 for the first offense. Upon the conviction of any subsequent offense committed during any two (2) year period, the fine to be assessed shall be not more than \$1,000.00.

Inasmuch as an emergency exists, this Ordinance shall be in full force and effect immediately upon its adoption and publication as required by law.

Adopted this 23rd day of January, 1974.

BOARD OF COMMISSIONERS OF  
HENDRICKS COUNTY, INDIANA

Arthur Hinsel

Samuel Franklin

Howard Gills

ATTEST:

Mary Jane Keathern  
Auditor

AMENDMENT

SUBDIVISION CONTROL ORDINANCE

HENDRICKS COUNTY, INDIANA

ORDINANCE NO. \_\_\_\_\_

5672

ENTERED FOR RECORD

BOOK 67 DEC 30 1974 No. 1032

DEC 30 1974

*Mary Margaret Anderson*

*Mary Margaret Anderson*  
RECORDER HENDRICKS COUNTY

AUDITOR HENDRICKS COUNTY

AN ORDINANCE AMENDING THE SUBDIVISION CONTROL ORDINANCE OF HENDRICKS COUNTY, INDIANA, AS AMENDED, PASSED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF HENDRICKS, INDIANA ON THE 6TH DAY OF FEBRUARY, 1961:

11-4-74

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA, UNDER AUTHORITY OF CHAPTER 174, ACTS OF 1947, AND ALL ACTS AMENDATORY OR SUPPLEMENTAL THERETO, GENERAL ASSEMBLY OF THE STATE OF INDIANA:

That Paragraph 4, Section 2.06 of Chapter 2 of said Ordinance be amended by deleting therefrom the entire Paragraph 4, which reads as follows:

Proof of Compliance

Upon the completion of all improvements and installations as required by Chapter 4 of this ordinance, the applicant shall furnish the Commission, and any other appropriate governmental units having a legal responsibility for the completion of said improvements and installations, with sufficient written proof that said improvements and installations have been constructed, installed and completed in compliance with the requirements of this ordinance.

and by adding thereto, a new Section 4, in four sub-paragraphs which reads as follows:

Section 4.  
Proof of Compliance

Upon the completion of improvements and installations as required by this Ordinance, the design engineer shall submit certified affidavits to the Commission, stating that said improvements and installations have been constructed, installed, and completed in compliance with the requirements of this Ordinance and approved plans. The certified completion affidavits shall be submitted at the following intervals.

4.01

First certification shall be pursuant to requesting any Improvement Location Permits for the project, said certification shall read, I \_\_\_\_\_, Duly Licensed Professional Engineer, and or Licensed Land Surveyor, do hereby certify that the existing and constructed grades were established under my supervision and all required improvements do comply with the construction plans, erosion control plans, and specifications for said project, in my opinion, the surface drainage is satisfactory for residential construction.

4.02

Second certification shall be pursuant to requesting any bond reductions for the project, said certification shall read, I \_\_\_\_\_, Duly Licensed Professional Engineer, and or Licensed Land Surveyor, have inspected the above stated project and do hereby certify that party of (or all) the improvements and installations as required by Chapter 9 of the Hendricks County Subdivision Control Ordinance have been constructed, installed, and completed in compliance with the requirements of this Ordinance and do hereby recommend a reduced bond in the amount of \$ \_\_\_\_\_ to insure the proper and final completion of said project.

4.03

Third certification shall be prior to the acceptance thereof for public maintenance by the appropriate governmental agency, said certification shall read, I, \_\_\_\_\_, Duly Licensed Professional Engineer, and or Licensed Land Surveyor, have inspected the project and hereby certify to the best of my knowledge and belief that the project conforms to all applicable subdivision control ordinance, zoning ordinance, and all other requirements of Hendricks County and hereby recommend that final acceptance of said project be granted by the Commissioners of Hendricks County, Indiana, The Hendricks County Drainage Board, Indiana, for the purpose of public use and maintenance.

And that said Subdivision Control Ordinance of Hendricks County, Indiana should be further amended by deleting therefrom, Subparagraph (d) (3), of Paragraph 1, Section 2.06 of Chapter 2, which reads as follows:

A plan of proposed erosion control for ditches and road sideslopes.

And by substituting therefor, a new Subparagraph (d) (3), which reads as follows:

An erosion control plan shall be established in accordance with the Hendricks County, Indiana Soil and Water Conservation District.

And that said Subdivision Control Ordinance of Hendricks County Indiana should be further amended by amending Subparagraph 3.(e), of Section 2.06 of Chapter 2, which reads as follows:

Provide that for a period of three (3) years after the date of the Commission's hearing at which said final plat was approved, the applicant will at his own expense make all repairs to said improvements and installments, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications or requirements of this ordinance.

to read as follows, to-wit:

Provide that for a period of two (2) years after the date of the Commission's hearing at which said final plat was approved, the applicant will at his own expense make all repairs to said improvements and installments, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications or requirements of this ordinance.

If any section, clause, paragraph, provision or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, paragraph, provision or portion of this ordinance.



This ordinance shall be in full force and effect from and after its passage and approval according to law.

Passed and approved by the Board of County Commissioners of Hendricks County, Indiana, this 4<sup>th</sup> day of ~~October~~, 1974.  
November,

BOARD OF COUNTY COMMISSIONERS  
Hendricks County, Indiana

Arthur Hensel

Lowell Franklin

Howard Hill

ATTEST:

Mary Jane Keathen  
County Auditor

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

RECEIVED

JAN 25 1974

Mary Jane Weather  
AUDITOR HENDRICKS COUNTY

RESOLUTION

11200

ENTERED FOR RECORD  
BOOK 65 JAN 25 1974 AT 9:40  
PAGE 534-5

Mary Margaret  
RECORDER HENDRICKS COUNTY

Per

WHEREAS the acts of the General Assembly of 1947 granted certain powers to County Plan Commissions relative to County Zoning of land, and

WHEREAS the Hendricks County Plan Commission of Hendricks County, Indiana, pursuant to notice, held a public hearing on the 14th day of January, 1974, and

WHEREAS said Plan Commission, after having heard the testimony of the Plan Commission staff and having heard remonstrators, determined that there was a need to regulate the size of lots in Hendricks, County, Indiana.

NOW THEREFORE BE IT RESOLVED that it be recommended to the Board of Commissioners of Hendricks County, Indiana that the Ordinance attached hereto and made a part hereof be adopted as an addendum to the Zoning Ordinance of Hendricks County, Indiana to be in full effect from and after its date of passage.

Respectfully submitted,

E E Faudray III  
Chairman

Attest:

Nancy W Sutton  
Clerk

12593

RESOLUTION

ENTERED FOR RECORD

BOOK

66

MAR 26 1974

AL 1123

PAGE 121-2

121

*Mary Margaret Wilson*  
RECORDER HENDRICKS COUNTY

WHEREAS, the acts of the General Assembly of 1947 granted certain powers to County Plan Commissions relative to County Zoning of land; and

WHEREAS, the Hendricks County Plan Commission of Hendricks County, Indiana, pursuant to notice, held a public hearing on the 11th day of March, 1974; and

WHEREAS, said Plan Commission, after having heard the petition and testimony for rezoning presented by Planned Community Development Company et al, and having given time for remonstrance, determined that the real estate, as described in the said petition, should be temporarily rezoned to Local Business until completion of the project of Planned Community Development Company.

NOW THEREFORE, BE IT RESOLVED, that it be recommended to the Board of Commissioners of Hendricks County, Indiana, that the Ordinance attached hereto and made a part hereof be adopted as an addendum to the Zoning Ordinance of Hendricks County, Indiana, to be in full effect from and after its date of passage.

Respectfully submitted,

*E. E. Foudray III*

E. E. Foudray III, Chairman

Attest:

*Michael F. Graham*  
Michael F. Graham,  
Acting Clerk

RESOLUTION AMENDING THE SUBDIVISION CONTROL  
ORDINANCE OF HENDRICKS COUNTY, INDIANA

FILED  
DEC 10 1974  
MAY JAMES  
CLERK  
WHEREAS, Chapter 174 of the Acts of the General Assembly for 1947, as amended, granted certain powers to County Plan Commissions, relative to the platting of lands within its jurisdiction, and

WHEREAS, the Hendricks County Plan Commission of Hendricks County, Indiana, held a public hearing on September 9, 1974, pursuant to notice and after having considered the Subdivision Control Ordinance of Hendricks County, Indiana, and now being duly advised finds that Paragraph 4, Section 2.06 of Chapter 2 of said Ordinance should be amended to clarify and enforce that Section; and further finds that Sub-paragraph (d) (3) of paragraph 1, Section 2.06 of Chapter 2, of said Ordinance should be amended to specify how an erosion control plan shall be established; And further finds, that Sub-paragraph (3) (e) of Section 2.06 of Chapter 2, should be amended to reduce the time in which the applicant shall at his own expense, make all repairs to said improvements, from three (3) years to two (2) years.

NOW THEREFORE, be it recommended by the Hendricks County Plan Commission 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 as follows, to-wit:

Paragraph 4, Section 2.06 of Chapter 2 of said Ordinance be amended by deleting therefrom the entire Paragraph 4, which reads as follows:

Proof of Compliance

Upon the completion of all improvements and installations as required by Chapter 4 of this ordinance, the applicant shall furnish the Commission, and any other appropriate governmental units having a legal responsibility for the completion of said improvements and installations, with sufficient written proof that said improvements and installations have been constructed, installed and completed in compliance with the requirements of this ordinance.

and by adding thereto, a new Section 4, in four sub-paragraphs which reads as follows:

Section 4. Proof of Compliance

Upon the completion of improvements and installations as required by this Ordinance, the design engineer shall submit certified affidavits to the Commission, stating that said improvements and installations have been constructed, installed, and completed in compliance with the requirements of this Ordinance and approved plans. The certified completion affidavits shall be submitted at the following intervals.

- 4.01 First certification shall be pursuant to requesting any Improvement Location Permits for the project, said certification shall read, I \_\_\_\_\_, Duly Licensed Professional Engineer, and or Licensed Land Surveyor, do hereby certify that the existing and constructed grades were established under my supervision and all required improvements do comply with the construction plans, erosion control plans, and specifications for said project, in my opinion, the surface drainage is satisfactory for residential construction.
- 4.02 Second certification shall be pursuant to requesting any bond reductions for the project, said certification shall read, I \_\_\_\_\_, Duly Licensed Professional Engineer, and or Licensed Land Surveyor, have inspected the above stated project and do hereby certify that part of (or all) the improvements and installations as required by Chapter 9 of the Hendricks County Subdivision Control Ordinance have been constructed, installed, and completed in compliance with the requirements of this Ordinance and do hereby recommend a reduced bond in the amount of \$ \_\_\_\_\_ to insure the proper and final completion of said project.
- 4.03 Third certification shall be prior to the acceptance thereof for public maintenance by the appropriate governmental agency, said certification shall read, I, \_\_\_\_\_, Duly Licensed Professional Engineer, and or Licensed Land Surveyor, have inspected the project and hereby certify to the best of my knowledge and belief that the project conforms to all applicable subdivision control ordinance, zoning ordinance, and all other requirements of Hendricks County and hereby recommend that final acceptance of said project be granted by the Commissioners of Hendricks County, Indiana, The Hendricks County Drainage Board, Indiana, for the purpose of public use and maintenance.

And that said Subdivision Control Ordinance of Hendricks County Indiana should be further amended by deleting

therefrom, Subparagraph (d) (3), of Paragraph 1, Section 2.06 of Chapter 2 which reads as follows:

A plan of proposed erosion control for ditches and road sideslopes.

And by substituting therefor, a new Subparagraph (d) (3), which reads as follows:

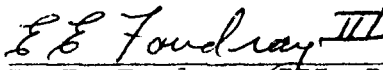
An erosion control plan shall be established in accordance with the Hendricks County, Indiana Soil and Water Conservation District.

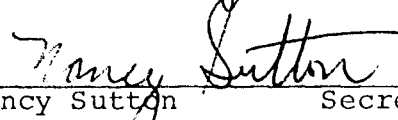
And that said Subdivision Control Ordinance of Hendricks County Indiana should be further amended by amending Subparagraph 3.(e), of Section 2.06 of Chapter 2, which reads as follows:

Provide that for a period of three (3) years after the date of the Commission's hearing at which said final plat was approved, the applicant will at his own expense make all repairs to said improvements and installments, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications or requirements of this ordinance.

to read as follows, to-wit:

Provide that for a period of two (2) years after the date of the Commission's hearing at which said final plat was approved, the applicant will at his own expense make all repairs to said improvements and installments, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said applicant or occasioned by the inadequacy of the standards, specifications or requirements of this ordinance.

  
E. E. Foudrey, III President

  
Nancy Sutton Secretary

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