

The Madison County Plan Commission met on the above date at 9:00 A.M. with Wesley Likens, President, presiding.

Members Present: Wes Likens, Mark Gary, Phil Isom, Pat Manship, John Simmermon, Lisa Hobbs, Kathleen Sprouse, and Amanda Bousman.

Members Absent: Steffanie Owens

Also Present: Brad Newman, Director, Jeff Graham, Attorney, and Elizabeth Bruns, Board Secretary

Current Business

1. Prayer – Pat Manship
2. Pledge of Allegiance
3. Roll call taken with one member absent (Steffanie Owens in DC for bridge money).

President Likens asked for any corrections or additions to the April 14, 2015 minutes. The date of the meeting should read April 14, 2015. Member Manship made a motion to approve the minutes with this correction. **Minutes approved with date correction.**

Director Newman presented the proposed corrections within the County Ordinance to the Board.

The Board had a discussion regarding several items including but not limited to two family dwellings, mini warehouses, and questions regarding shared septic systems.

President Likens asked if all of the items in this proposed Ordinance change were all a matter of corrections and not revisions. Director Newman stated that these are corrections only. There were no remonstrators present.

Member Hobbs made a motion to forward the proposed Ordinance Corrections to the Board of Commissioners with one revision in Article 3 Section 3.9 Two Family Dwellings shall be amended to require a Special Use approval. Member Gary seconded the motion. A roll call vote was taken. Seven members voted in favor of the motion, and one Abstained (Member Manship) for lack of time to review. The motion will be placed on the next County Commissioners Agenda for their consideration. (See attached pages 702-710)

Director Newman presented several areas in the Ordinance that need reviewed/revised. The Board asked for a spreadsheet reflecting the current and proposed changes at their next meeting.

Member Sprouse agreed to meet with Director Newman to discuss the Farm Animal Standards and Animal Capacity Requirements.

Adjournment: 10:13 a.m.

Member Isom made a motion to adjourn, seconded by Member Hobbs.

Wesley Likens, President

Elizabeth Bruns, Board Secretary

Attachments on pages 702-710

**CERTIFICATION OF PROPOSED AMENDMENT TO
THE ZONING ORDINANCE OF MADISON COUNTY,
INDIANA, CONTAINED IN THE MADISON COUNTY
LAND USE AND DEVELOPMENT CODE**

The Madison County Plan Commission hereby certifies with a favorable recommendation the Amendment attached hereto to the Madison County Zoning Ordinance contained in the Madison County Land Use and Development Code.

SO CERTIFIED THIS 12TH DAY OF MAY, 2015.

MADISON COUNTY PLAN COMMISSION

BY: Wesley Likens
WESLEY LIKENS, President

FILED
MAY 12 2015
Madison County Commissioner

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ORDINANCE NO. _____

**ORDINANCE AMENDING THE MADISON
COUNTY ZONING ORDINANCE ADOPTED
PURSUANT TO I.C. 36-7-4-602**

WHEREAS, the Board of Commissioners has adopted, pursuant to I.C. 36-7-4-602, a Zoning Ordinance, which specifies the intent, permitted uses, special uses, development standards, and other information concerning various land use districts in Madison County; and,

WHEREAS, the Zoning Ordinance contains multiple ambiguities and errors in the listing of permitted uses and special uses in various land use districts, which creates uncertainty among the Madison County Planning Department and the citizens of Madison County; and

WHEREAS, the Board of Commissioners deems it prudent to correct errors and clarify ambiguities contained the various listings of permitted uses and special uses contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED that Article 3, Section 3.1 AP - Agricultural Protection District, shall be amended such that all Residential Uses listed as "Special Uses" shall be deleted and not replaced with additional language. All Residential Uses listed as "Permitted Uses" shall remain in effect.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.3 AG - Agricultural District, that "Residential Uses - dwelling, single family (accessory as an additional dwelling)" is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.3 AG - Agricultural District, the language "Industrial Use" (low impact) shall be added as a Special Use to the AG Land Use District.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.5 CR - Conservation Residential, shall be amended such that Residential Uses - dwelling, single family (accessory, as an additional dwelling) listed as "Special Uses" shall be deleted and not replaced with additional language. All Residential Uses listed as "Permitted Uses" shall remain in effect.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3 Section 3.5 CR - Conservation Residential District, shall be amended to add private airstrip as a Special Use to the CR Land Use District.

ORDINANCE NO. _____
Ordinance Amending the Madison County
Zoning Ordinance
Page Two

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.7 R1 - Single-Family Residential District, shall be amended such that Residential Uses - dwelling, single family (accessory, as an additional dwelling) listed as "Special Uses" shall be deleted and not replaced with additional language. All Residential Uses listed as "Permitted Uses" shall remain in effect.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.9 R2 - Single-Family Residential District, shall be amended such that Residential Uses - dwelling, single family (accessory, as an additional dwelling) listed as "Special Uses" shall be deleted and not replaced with additional language. All Residential Uses listed as "Permitted Uses" shall remain in effect.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3 Section 3.9 R2 - Single Family Residential District, shall be amended to add Two family dwelling as a Special Use to the R2 Land Use District. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.11 R3 - Single & Two-Family Residential District, shall be amended such that Residential Uses - dwelling, single family (accessory, as an additional dwelling) listed as "Special Uses" shall be deleted and not replaced with additional language. All Residential Uses listed as "Permitted Uses" shall remain in effect.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.13 MR - Multifamily Residential District, that "Residential Uses - dwelling, two-family" is currently listed as a Permitted Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Permitted Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.13 MR - Multifamily Residential District, that "Residential Uses - dwelling, single-family (accessory, as an additional dwelling)" is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.15 MH - Manufactured Home Park District, that "Residential Uses - dwelling, single-family (accessory, as an additional dwelling)" is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

ORDINANCE NO. _____
Ordinance Amending the Madison County
Zoning Ordinance
Page Three

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3 Section 3.15 MH - Manufactured Home Park District, shall be amended to add Manufactured Home Type I as a Permitted Use to both the MH Land Use District and the Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Permitted Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3 Section 3.15 MH - Manufactured Home Park District, shall be amended to add Manufactured Home Type II as a Permitted Use to the on both the MH Land Use District and the Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Permitted Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.17 PR - Parks & Recreation District, that “Residential Uses - dwelling, single-family (accessory, as an additional dwelling)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.17 PR - Parks & Recreation District, that “Residential Uses - dwelling, single-family (as an accessory to agricultural uses)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.17 PR - Parks & Recreation District, lists Government Office/Facility as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.17 PR - Parks & Recreation District, lists Water Tower as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.19 IS - Institutional District, that “Residential Uses - dwelling, single-family (as an accessory to agricultural uses)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

ORDINANCE NO. _____
Ordinance Amending the Madison County
Zoning Ordinance
Page Four

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.19 IS - Institutional District, that “Residential Uses - dwelling, single-family (accessory, as an additional dwelling)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.19 IS - Institutional District, lists School as a Permitted Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Permitted Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.21 LC - Local Commercial District, that “Residential Uses - dwelling, single-family (as an accessory to agricultural uses)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.21 LC - Local Commercial District, that “Residential Uses - dwelling, single-family (accessory, as an additional dwelling)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.21 LC - Local Commercial District, shall be amended to add Parks and Recreation as a Special Use to the LC Land Use District.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.23 GC - General Commercial District, that “Residential Uses - dwelling, single-family (as an accessory to agricultural uses)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.23 GC - General Commercial District, that “Residential Uses - dwelling, single-family (accessory, as an additional dwelling)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

ORDINANCE NO. _____
 Ordinance Amending the Madison County
 Zoning Ordinance
 Page Five

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.23 GC - General Commercial District, lists Government Office/Facility as a Permitted Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Permitted Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.23 GC - General Commercial District, shall be amended such that Institution Uses (small scale) are currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.23 GC - General Commercial District, lists School as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.25 HC - Highway Commercial District, that “Residential Uses - dwelling, single-family (as an accessory to agricultural uses)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.25 HC - Highway Commercial District, that “Residential Uses - dwelling, single-family (accessory, as an additional dwelling)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.25 HC - Highway Commercial District, lists Institution Uses (small scale) as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.27 LI - Light Industrial District, that “Residential Uses - dwelling, single-family (as an accessory to agricultural uses)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

ORDINANCE NO. _____
Ordinance Amending the Madison County
Zoning Ordinance
Page Six

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.27 LI - Light Industrial District, that “Residential Uses - dwelling, single-family (accessory, as an additional dwelling)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.27 LI - Light Industrial District, shall be amended to add Mini-warehouse storage facilities as a Permitted Use to the LI Land Use District.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.27 LI - Light Industrial District, shall be amended to add Private Air Strip as a Special Use to the LI Land Use District.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.29 GI - General Industrial District, that “Residential Uses - dwelling, single-family (as an accessory to agricultural uses)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Article 3, Section 3.29 GI - General Industrial District, that “Residential Uses - dwelling, single-family (accessory, as an additional dwelling)” is currently listed as a Special Use for this land use district intent. The Land Use Matrix contained in Section 3.31 of the Zoning Ordinance shall be amended to reflect this Special Use.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Section 3.29 GI - General Industrial District, shall be amended to add Private Air Strip as a Special Use to the GI Land Use District.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Sections 3.1 through 3.29, shall be amended to add Solid Fill Use as a Special Use Sections 3.1 through 3.29.

ORDINANCE NO. _____
Ordinance Amending the Madison County
Zoning Ordinance
Page Seven

This Ordinance was recommended for adoption by the Plan Commission of Madison
County, Indiana on the 12th day of May, 2015.

Wesley Likens
Wesley Likens, President

Mark Gary
Mark Gary, Vice-President

ATTEST:

Elizabeth Bruns
Elizabeth Bruns, Secretary

Kathleen Sprouse

Amanda Louman

Lisa Hobbs

John Semmer

Phillip Lee

ORDINANCE NO. _____
Ordinance Amending the Madison County
Zoning Ordinance
Page Eight

THIS ORDINANCE HAVING BEEN APPROVED AND ADOPTED by the Board of
Commissioners of Madison County on this _____ day of _____, 2015.

BOARD OF COMMISSIONERS OF
MADISON COUNTY, INDIANA

John M. Richwine, President

ATTEST:

Steffanie L. Owens

Auditor of Madison County, Indiana

Jeffrey L. Hardin

Prepared by:

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