

## CHAPTER 155 ZONING ORDINANCE

### 155.01 GENERAL DISTRICTS.

The intent of this Section is to identify designations and specifications of zoning districts throughout the community. The districts are designed and intended to promote appropriate and orderly growth and development for the property in that particular zoning.

### 155.02 TABLE OF PERMITTED USES.

The range of uses permitted by right and by special exception in each district established in Chapter 154 is summarized in Table 5-1. Any use not listed in the Table shall not be permitted unless the petitioner secures Special Exception Use approval from the Board of Zoning Appeals, through the process outlined in Section 152.23 of this Ordinance. In the event of a conflict between Table 5-1 and the text of these regulations, the text shall control.

### 155.03 HIERARCHY OF DISTRICTS.

The districts established in this Ordinance are classified from "highest" to "lowest" in terms of levels of development regulations, and they are listed in the following order:

"highest"	Residential R-12 District	<b>R-12</b>
	Residential R-8 District	<b>R-8</b>
	Residential R-6 District	<b>R-6</b>
	Residential Multifamily District	<b>MF</b>
	Government Use District	<b>GU</b>
	Agricultural District	<b>AG</b>
	Local Business District	<b>LBD</b>
	General Business District	<b>GB</b>
	Downtown Business District	<b>DD</b>
	Light Industry District	<b>LI</b>
"lowest"	General Industry District	<b>GI</b>

### 155.04 **R-12 RESIDENTIAL**

This district is the most restrictive of the residential districts and is intended for detached, single family dwellings on individual lots, and vacant land which is to be developed for detached, single family residential neighborhoods. This designation is meant primarily for new development. The regulations are designed to keep single family residential neighborhoods stable and to provide a suitable environment for family living. The minimum lot size in this district is 12,000 square feet. Maximum residential density for this district is 3.7 dwelling units per acre.

### 155.05 PERMITTED USES:

- (A) Single family dwellings, detached
- (B) Farm dwellings
- (C) Farm, general
- (D) Public park or recreational facilities
- (E) Public and utility rights-of-way
- (F) Church, Synagogue, or similar place of worship
- (G) Off street parking facilities as required in Chapter 153 of this Ordinance

- (H) Signs as regulated under Chapter 153 of this Ordinance
- (I) Private Swimming pools

155.06 SPECIAL EXCEPTION USES:

- (A) Bed and breakfast or similar establishment
- (B) Country Club or golf course
- (C) Home occupation
- (D) Day Care facility
- (E) Planned unit development

155.07 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Residential R-12 districts shall conform to the applicable development standards established in this Section and in Chapter 153 of this ordinance.

- (A) Area, yard and developmental regulations shall be as follows:

(1) Maximum Residential Density (dwelling units per acre)	3.7
(2) Maximum lot coverage	40%
(3) Minimum lot size	12,000 sf
(4) Minimum ground floor area per dwelling exclusive of garages and outside porches	1,500 total (960 if 2 story)
(5) Yard requirements:	
(a) Front: abutting an arterial street	40 feet
abutting a local street	40 feet
(b) Side	10 feet
(c) Rear	20 feet
(6) Dimension requirements minimum width	100 feet
Dimension requirements minimum depth	100 feet

- (B) Notes for this Section:

- (1) The maximum residential density number controls the allowable number of dwellings units permitted on each acre of land.
- (2) For residential subdivisions of Section 153.20 of this ordinance.
- (3) For subdivisions of 5 acres or less, the requirements of Chapter 156 of this Ordinance apply.

155.08 R-8 RESIDENTIAL

This district provides development areas for single family and two family duplexes on lots no smaller than 8,000 square feet. Maximum residential density for this area is 5.4 dwelling units per acre.

155.09 PERMITTED USES:

- (A) All uses permitted in R-12 and;
- (B) Boarding or lodging house
- (C) Bed and breakfast
- (D) Two family dwelling duplex

- (E) Public library or museum
- (F) Off street parking facilities as required in Chapter 153 of this Ordinance
- (G) Signs as regulated under Chapter 153 of this Ordinance

155.10 SPECIAL EXCEPTION USES:

- (A) Country Club or golf course
- (B) Home occupation
- (C) Day Care facility
- (D) Planned unit development
- (E) Charitable institutions
- (F) Group home, nursing home
- (G) Fire station

155.11 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Residential R-8 districts shall conform to the applicable development standards established in this Section and in Chapter 153 of this ordinance.

(A) Area, yard and developmental regulations shall be as follows:

- |  |                |
|--|----------------|
| (1) Maximum Residential Density (dwelling units per acre)  | 5.4            |
| (2) Maximum lot coverage                                   | 40%            |
| (3) Minimum lot size                                       | 8,000 sf       |
| (4) Minimum ground floor area per dwelling - single family | 1,200 sf       |
|  | 960 if 2 story |
| For two family dwellings                                   | 960            |
| (5) Yard requirements:                                     |                |
| (a) Front:   | 35 feet        |
| (b) Side   | 10 feet        |
| (c) Rear   | 20 feet        |
| (6) Dimension requirements minimum width                   | 80 feet        |
| Dimension requirements minimum depth                       | 100 feet       |

(B) Notes for this Section:

- (1) The maximum residential density number controls the allowable number of dwellings units permitted on each acre of land.
- (2) For residential subdivisions of 10 lots or more, the minimum lot size may be varied subject to Section 153.20 of this ordinance.
- (3) For subdivisions of 5 acres or less, the requirements of Chapter 156 of this Ordinance apply.
- (4) For bed and breakfasts or other overnight lodging, the property shall conform to requirements in Section 153.15, Parking Requirements Table and Section 153.15, 153.16, 153.17, 153.18 of this Ordinance.

155.12 R-6 RESIDENTIAL

This district provides development areas for single family and two family duplexes on lots no smaller than 6,000 square feet. Maximum residential density for this area is 7.2 dwelling units per acre. This designation is created to maintain the character of

the existing neighborhoods. R-6 standards will be used to make sure that the infill development takes the same characteristics as the surrounding neighborhood.

155.13 PERMITTED USES:

- (A) All uses permitted in R-8 district and;
- (B) Orphanage

155.14 SPECIAL EXCEPTION USES:

- (A)Country Club or golf course
- (B)Home occupation
- (C)Day Care facility
- (D)Planned unit development
- (E)Charitable institutions
- (F)Group home, nursing home
- (G)Fire station

155.15 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Residential R-6 districts shall conform to the applicable development standards established in this Section and in Chapter 153 of this ordinance.

(A)Area, yard and developmental regulations shall be as follows:

- (1) Maximum Residential Density (dwelling units per acre)7.2
- (2) Maximum lot coverage 40%
- (3) Minimum lot size 6,000 sf
- (4) Minimum ground floor area per dwelling - single family 800 sf
- For two family dwellings 700 sf
- (5) Yard requirements:
  - (a) Front 25 feet
  - (b) Side 5 feet
  - (c) Rear 15 feet
- (6) Dimension requirements minimum width 60 feet
- Dimension requirements minimum depth 100feet

(B)Notes for this Section:

- (1) The maximum residential density number controls the allowable number of dwelling units permitted on each acre of land.
- (2) For Bed and breakfasts or other overnight lodging, the property shall conform to requirements in Section 153.15, Parking Requirements Table, and Sections 153.15, 153.16, 153.17, 153.18 of the Ordinance.

155.16 **MF - MULTI-FAMILY DISTRICT.**

This district provides for multifamily dwellings on lots no smaller than 8,000 square feet. Each additional unit over two, will require an additional 2,000 square feet of lot area. The maximum density of any multi-family development will be 18 dwelling units per acre.

155.17 PERMITTED USES:

- (A) All uses permitted in R-6 and;
- (B) Mixed use development, conforming to Section 153.20 of this Ordinance

155.18 SPECIAL EXCEPTION USES:

- (A) Country Club or golf course
- (B) Home occupation
- (C) Day Care facility
- (D) Planned unit development
- (E) Charitable institutions
- (F) Group home, nursing home
- (G) Fire station

155.19 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Residential R-8 districts shall conform to the applicable development standards established in this Section and in Chapter 153 of this Ordinance.

(A) Area, yard and developmental regulations shall be as follows:

(1) Maximum Residential Density (dwelling units per acre)	18	
(2) Maximum lot coverage		40%
(3) Minimum lot size		8,000 sf
(4) Minimum ground floor area per dwelling - single family	800 sf	
Two-family dwellings		700 sf
Multi-family dwellings		700 sf
(5) Yard requirements:		
(1) Front:		25 feet
(2) Side		10 feet
(3) Rear		20 feet

(B) Notes for this Section:

- (1) The maximum residential density number controls the allowable number of dwellings units permitted on each acre of land.
- (2) For bed and breakfasts or other overnight lodging, the property shall conform to requirements in Section 153.15, Parking Requirements Table, and Sections 153.15, 153.16, 153.17, 153.18 of this Ordinance.
- (3) All standards set forth in Section 153.20, Planned Unit Developments shall apply to multi-family developments which occur in the designation.

155.20 GU - GOVERNMENT USE DISTRICT.

This Section intends to provide space for government institutions and facilities, such as schools, parks and recreation areas, government buildings and structures, public utility buildings and structures, and other public uses.

155.21 PERMITTED USES:

- (A) Civil/social service agency

- (B)Municipal or government building
- (C)Police or Fire station
- (D)Postal station
- (E)Public garage
- (F)Public library or museum
- (G)Public or employee parking area
- (H)Public park or recreation area
- (I)Public organic disposal site
- (J)Railroad right-of-way
- (K)Railway or motor bus station
- (L)School, public
- (M)Public utility uses

155.22 PROPERTY DEVELOPMENT STANDARDS.

Property development standards for this district shall be determined on an individual basis for each project or proposed development, and will be administered in conformance with Sections 153.20 and 153.21 of this Ordinance.

Each evaluation of a proposed project will use due consideration in determining the property development standards for such project utilizing the following factors:

- (A)The surrounding zoning and land uses
- (B)Any overlay zoning districts applicable to the property
- (C)Conformance to the Master Plan
- (D)Existing conditions

155.24 **AG - AGRICULTURAL DISTRICT.**

This district intends to provide land for farm and agricultural uses. Single-family residence will also be permitted use in AG district, providing the lot is at least two and half (2 1/2) acre in size.

155.25 PERMITTED USES:

- (A)Commercial greenhouse
- (B)Dwelling, farm
- (C)Farm, general
- (D)Home occupation
- (E)Police or Fire station
- (F)Public park or recreational facilities
- (G)Railroad right-of-way and other necessary uses
- (H)Public and utility right-of-way
- (I)Church, Synagogue, or similar place of worship
- (J)Off street parking facilities as required in Chapter 153 of this Ordinance
- (K)Signs as regulated under Chapter 153 of this Ordinance
- (L)Swimming Pools

155.26 SPECIAL EXCEPTION USES:

- (A) Automobile Sale, New-Used
- (B)Auction sales yard
- (C)Bait sales (live)
- (D)Contractor's storage yard
- (E)Country club or golf course

- (F) Farm Implement Sale
- (G) Lawn & Garden Sale
- (H) Lodge or private club
- (I) Mobile Home Sale
- (J) Outdoor commercial or recreational enterprise
- (K) Planned unit development, subject to Section 153.20 of this Ordinance
- (L) Private recreational development
- (M) Public camp
- (N) RV Sales
- (O) Riding stable
- (P) Seasonal hunting or fishing lodge
- (Q) Shooting range, outdoor
- (R) Theater, outdoor
- (S) Wholesale produce terminal
- (T) Kennels

155.27 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Agricultural - AG district shall conform to the applicable development standards established in this Section and in Chapter 153 of this Ordinance.

(A) Area, yard and developmental regulations shall be as follows:

- |   |          |
|---|----------|
| (1) Maximum Residential Density (dwelling units per acre) | 2.5      |
| (2) Maximum lot coverage                                  | 20%      |
| (3) Minimum lot size                                      | 2.5 acre |
| (4) Minimum ground floor area per dwelling                | 1,200 sf |
| (5) Yard requirements:                                    |          |
| (a) Front:  |          |
| abutting an arterial street                               | 50 feet  |
| abutting a local street                                   | 40 feet  |
| (b) Side  | 10 feet  |
| (c) Rear  | 20 feet  |
| (6) Dimension requirements minimum width                  | 200 feet |

(B) Notes for this Section:

- (1) The maximum residential density number controls the allowable number of dwellings units permitted on each acre of land.
- (2) For subdivisions of 10 acres or less, the requirements of Chapter 156 of this Ordinance apply.

155.28 LBD - LOCAL BUSINESS DISTRICT.

This district is to maintain existing business activities which have been historically conducted in neighborhoods that are generally residential. The surrounding residential uses shall be protected by limiting development and expansion of the district, limiting outside storage and signage.

155.29 PERMITTED USES:

- (A) Existing uses and
- (B) Those uses that are of a less obtrusive nature that are currently existing in the district when Ordinance is adopted.

155.30 SPECIAL EXCEPTION USES:

Those uses which are permitted uses in General Business District (specifically excluding Special Exception Uses in Section 155.34.)

155.31 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Local Business District - LBD, shall conform to the applicable development standards established in this Section and elsewhere in this Ordinance.

(A) Area, yard and developmental regulations shall be as follows:

- |      |   |                                  |
|------|---|----------------------------------|
| (1)  | Maximum lot coverage  | no requirements                  |
| (2)  | Minimum lot size  | no requirements                  |
| (3)  | Lot dimensions  | no requirements                  |
| (4)  | Ground floor requirements                                       | no requirements                  |
| (5)  | Building height   | 35 feet                          |
| (6)  | Yard requirements:  |                                  |
|      | (a) Front:  | 25feet                           |
|      | (b) Side  | 10 feet                          |
|      | (c) Rear  | 20 feet                          |
| (7)  | Off-street parking (must be paved)<br>153.21                    | Section 153.20 &<br>153.21       |
| (8)  | Signs   | Section 153                      |
| (9)  | Loading   | Section 153                      |
| (10) | Outside storage (inventory and materials)<br>for operable motor | Prohibited (except<br>vehicles). |

155.32 GB - GENERAL BUSINESS DISTRICT.

This district provides space for all types of commercial uses. Standards in this district will be more strict than other business districts to accomplish two goals: to promote commercial development in an established district, and to safeguard adjacent zones from unsightly development.

155.33 PERMITTED USES:

- (A) Apparel store
- (B) Bakery, retail
- (C) Barber shop
- (D) Beauty shop
- (E) Business or professional office
- (F) Clinic
- (G) Drug store
- (H) Dry cleaning establishment
- (I) Electric appliance sales and service
- (J) Flower shop
- (K) Gift shop
- (L) Grocery
- (M) Hardware store
- (N) Jewelry store
- (O) Police or fire station



- (P)Postal station
- (Q)Public or employee parking area
- (R)Public or private park or recreation area
- (S)Restaurant
- (T)Variety store

155.34 SPECIAL EXCEPTION USES:

- (A)Assembly halls for nonprofit organizations
- (B)Automobile sales, new and used
- (C)Day care facility
- (D)Farm Implement Sale
- (E)Filling or service station
- (F)Lawn & Garden Sale
- (G)Mobile Home Sale
- (H)Outdoor commercial recreation enterprise
- (I)Railroad and public utility rights-of-way
- (J)RV Sales

155.35 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the General Business - GB district shall conform to the applicable development standards established in this Section and in Chapter 153 of this Ordinance.

(A)Area, yard and developmental regulations shall be as follows:

- |  |                             |                  |
|--|-----------------------------|------------------|
| (1) Maximum lot coverage               | no requirements             |                  |
| (2) Minimum lot size                   | no requirements             |                  |
| (3) Lot dimensions                     | no requirements             |                  |
| (4) Ground floor requirements          | no requirements             |                  |
| (5) Building height                    | 35 feet                     |                  |
| (6) Yard requirements:                 |                             |                  |
| (a) Front:                             | abutting an arterial street | 25 feet          |
|  | abutting a local street     | 15 feet          |
| (b) Side                               |                             | 10 feet          |
| (c) Rear                               |                             | 20 feet          |
| (7) Off-street parking (must be paved) |                             | Section 153.20 & |
| 153.21                                 |                             |                  |
| (8) Signs                              |                             | Section 153      |
| (9) Loading                            |                             | Section 153.21   |

155.36 DD - DOWNTOWN DISTRICT.

This district is to promote the business and residential activities in the downtown area. Downtown businesses will not be required to provide off-street parking spaces. Other property development standards will be relaxed, since the space limitations will confine the area to very limited physical change.

155.37 PERMITTED USES:

- (A)All uses permitted in General Business District and;
- (B) Dwelling, single, two, and multi-family when located above permitted commercial use
- (C)Hotel or motel

- (D)Municipal or government building
- (E)Newsdealer
- (F)Public garage
- (G)Railroad and public utility rights-of-way
- (H)Retail showroom
- (I)Tavern
- (J)Theater, in door
- (K)Wholesale business

155.38 SPECIAL EXCEPTION USES:

- (A)All special exception uses permitted in General Business District and;
- (B)Commercial greenhouse

155.39 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Downtown Business District - DD, shall conform to the applicable development standards established in this Section and in Chapter 153 of this Ordinance.

(A)Area, yard and developmental regulations shall be as follows:

- |     |                           |                         |
|-----|---------------------------|-------------------------|
| (1) | Maximum lot coverage      | no requirements         |
| (2) | Minimum lot size          | no requirements         |
| (3) | Lot dimensions            | no requirements         |
| (4) | Ground floor requirements | no requirements         |
| (5) | Building height           | 35 feet                 |
| (6) | Yard requirements:        |                         |
|     | (1) Front:                | no requirements         |
|     | (2) Side                  | no requirements         |
|     | (3) Rear                  | 10 feet                 |
| (7) | Off-street parking        | Section 153.20 & 153.21 |
| (8) | Signs                     | Section 153.            |
| (9) | Loading                   | Section 153.            |

155.40 LI - LIGHT INDUSTRY DISTRICT.

This district provides for light industry areas. The intent of this Section is to create and protect wholesaling and industrial areas for manufacturing, processing and assembly of parts and products, distribution of products at wholesale, transportation terminals, and a broad variety of specialized industrial operations.

155.41 PERMITTED USES:

- (A)Advertising structures
- (B)Automobile repair, indoors
- (C)Automobile sales, new and used
- (D)Boat sales, service, storage
- (E)Contractor's storage yard
- (F)Filling or service station
- (G)Greenhouse, commercial
- (H)Kennel
- (I)Light Industry
- (J)Municipal or government building
- (K)Plant nursery
- (L)Police or fire station
- (M)Public garage

- (N)Public or employee parking
- (O)Railroad and public utility rights-of-way
- (P)Restaurant
- (Q)Signs
- (R)Warehousing
- (S)Wholesale operations

155.42 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the Light Industry District - LI, shall conform to the applicable development standards established in this Section and in Chapter 153 of this Ordinance.

(A)Area, yard and developmental regulations shall be as follows:

- |     |                           |                        |
|-----|---------------------------|------------------------|
| (1) | Maximum lot coverage      | no requirements        |
| (2) | Minimum lot size          | no requirements        |
| (3) | Lot dimensions            | no requirements        |
| (4) | Ground floor requirements | no requirements        |
| (5) | Building height           | 40 feet                |
| (6) | Yard requirements:        |                        |
|     | (1) Front:                | 30 feet                |
|     | (2) Side                  | 20 feet                |
|     | (3) Rear                  | 20 feet                |
| (7) | Off-street parking        | Section 153.20 &153.21 |
| (8) | Signs                     | Section 153.           |
| (9) | Loading                   | Section 153.           |

155.44 GI - GENERAL INDUSTRY DISTRICT.

This district will provide industrial space outside of the LI zones. Because the GI zone will be generally isolated from other industrial uses, strict property development regulations will be used to safeguard adjoining land uses.

155.45 PERMITTED USES:

- (A)All uses permitted in LI district and;
- (B)Petroleum storage and distribution
- (C)Truck freight terminal
- (D)Wholesale produce terminal

155.46 SPECIAL EXCEPTION USES:

- (A)Anhydrous ammonia or similar fertilizers, storage and distribution
- (B)Bottled gas storage and distribution
- (C)Warehousing, storage and sale, whether wholesale or retail, of fireworks that do not comply with IC 22-11-14-8.

155.47 PROPERTY DEVELOPMENT STANDARDS.

All uses permitted in the General Industry District - GI, shall conform to the applicable development standards established in this Section and in Chapter 153 of this Ordinance.

(A)Area, yard and developmental regulations shall be as follows:

(1)	Maximum lot coverage	no requirements
(2)	Minimum lot size	no requirements
(3)	Lot dimensions	no requirements
(4)	Ground floor requirements	no requirements
(5)	Building height	40 feet
(6)	Yard requirements:	
	(1) Front:	no requirements
	(2) Side	5 ft adjoining a street
	(3) Rear	5 ft adjoining a street
(7)	Off-street parking	Section 153.20 & 153.21
(8)	Signs	Section 153.
(9)	Loading	Section 153.

155.48 SPECIAL OVERLAY DISTRICTS

PURPOSE. Overlay districts are zoning districts, which are applied only in conjunction with other zoning districts, and may impose additional use or development requirements upon the underlying zoning districts. The effect is to have both the overlaying district and the underlying zoning controlling the use and development of a lot. Overlay districts are applicable on an area wide basis to support specific public policy objectives and should be consistent with the Master Plan for the community.

155.60 SPECIAL EXCEPTION, REQUIREMENTS AND PROCEDURES

The Special Exceptions listed in the individual Districts and those listed below and their accessory buildings and uses may be permitted by the Board in the Districts, in accordance with the procedures set forth in this section.

155.61 SPECIAL EXCEPTION, ALL DISTRICTS

Uses permitted in any District subject to the requirements of this section:

- Airport or heliport
- Artificial lake of three or more acres
- Cemetery
- Church or Temple
- Hospital
- Mineral Extraction
- Public water wells, water stations, filtration plants, reservoirs and storage tanks
- Radio, T.V. transmitting towers and microwave tower
- Sewage disposal plant (primary use)
- Telephone exchange
- Transmission lines for gas, oil, electricity, or other utilities

155.62 MINIMUM LOT AREA: SPECIAL EXCEPTION USES

A lot on which one of the following uses is located may not be smaller in area than the area prescribed for that use opposite it on the following table:

<u>USE</u>	<u>MINIMUM LOT AREA</u>
Airport	80 acres
Assembly halls	1 acre
Auction sales yard	2 acres

Cemetery or Crematory	20 acres
Charitable institutions	1 acre
Church or temple	1 acre
Clinic	15,000 sq. ft.
Commercial facility for raising and breeding non-farm fowl and animals	3 acres
Commercial greenhouse	25,000 sq. ft.
Heliport	1 acre
Hospital	5 acres
Hotel or motel	25,000 sq. ft.
Junk Yard	10 acres
Kennel	2 acres
Lodge or private club	*
Marina	*
Travel Trailer Park	5 acres (4,000 sq. ft. per unit)
Fraternity or Sorority	*
Farm equipment sales	1 acre
Penal or correctional institution	320 acres
Police station or fire station	20,000 sq. ft.
Public camp	5 acres
Public or commercial garbage disposal plant	5 acres
Public or commercial sanitary fill or refuse dump	10 acres
Public or employee parking lot	1,500 sq. ft.
Riding Stable	20,000 sq. ft. plus 5,000 sq. ft. for every horse over four
Seasonal fishing or hunting lodge	*
Slaughterhouse	6 acres
Stadium or coliseum	5 acres
Storage of disabled vehicles	3 acres
Tourist home	*
Transmission lines for gas, oil, electricity or other utilities	*
Truck service center	1 acre
Warehouse (grain elevator)	3 acres
Wholesale produce terminal	15 acres

\* The requirements of the district in which the use is located apply to the use.

155.63 SETBACKS: SPECIAL EXCEPTION USES

- A. The following uses are subject to the special setbacks prescribed, in feet by the following table. If no figure appears for the front yard setback, the standard setback prescribed for the District applies.

<u>USE</u>	<u>FRONT</u>	<u>SIDE</u>	<u>REAR</u>
Anhydrous Ammonia or similar liquid fertilizer, storage & distribution (commercial)	300	300	300
Assembly halls		20	15
Bottled gas storage and distribution	300	300	300
Cemetery or Crematory		50	50
Charitable institutions		20	15
Clinic		10	30
Commercial facility for raising and breeding non-farm fowl and animals	100	100	100
Commercial greenhouse	100	40	40
Confinement feeding	300	300	300
Home for the aged		10	
Hospital	100	40	40
Hotel or Motel		20	
Industrial Park	100	75*	
		35 (abutting other use)	
Junk Yard	150	150	150
	300*	300*	300*
Kindergarten or day nursery		20	15
Liquid fertilizer storage and distribution (commercial)	300	300	300
Manufacturing, storage or use or explosives	300*	300*	300*
Material storage, open	300*	300*	300*
Mineral extraction, borrow pit, or topsoil removal, and their storage areas	150	150	150
Travel trailer park	100	40	40
Nursing home, orphanage		10	30
Outdoor commercial recreational enterprise		40	40
Penal or correctional institution	100	100	100
Petroleum tank farm (commercial)	300	300	300
Private recreational development		40	40
Public camp	100	40	40
Public or commercial sanitary fill, refuse dump, or garbage disposal plant	300	300	300
Public or commercial sewage disposal plant	300	300	300
Public water wells, water stations, filtration plants, reservoirs and storage tanks		20	15
Race track		40	40
Sales barn for livestock resale	300	300	300
Shooting range		40	40
Slaughterhouse	300	300	300
Stadium or coliseum		50	50
Storage of disabled vehicles	100*	100*	100*
Theater, outdoor	100	40	40
Warehouse (grain elevator)	100	75*	

Wholesale produce terminal	100	35 (abutting other use) 75* 35 (abutting other use)
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\* Abutting residential use

- B. Buildings with the following uses may be located no closer to private interior roads in planned developments that are subject to through traffic than the distance, in feet, respectively prescribed by the following table:

<u>USE</u>	<u>SETBACK</u>
Country club or golf course	85
Industrial park	85
Mobile home park or travel trailer park	50
Outdoor commercial recreational enterprise	40
Public camp	40
Wholesale produce terminal	85

155.64 MINIMUM DISTANCES FROM RESIDENTIAL DISTRICT OR USE SPECIAL EXCEPTION USES

- A. The following uses may not be located close to an RA, R1, R2, R3 or MH District than the distance, in feet, listed opposite in the following table:

<u>USE</u>	<u>FEET</u>
Auction sales yard	25
Airport or heliport	25
Anhydrous ammonia, or similar liquid fertilizer, storage or distribution (commercial)	300
Borrow pit	300
Confinement feeding operation	1320
Manufacturing, storage or use of explosives	300
Material storage, open	300
Mineral extraction area	300
Penal or correctional institution	300
Public or commercial sewage disposal plant	300
Sales barn for livestock resale	300
Slaughterhouse	300
Topsoil removal area (including storage area)	300
Truck freight terminal	100
Wholesale produce terminal	100
Farm equipment sales	50

- B. A parking area or loading berth for any of the following uses may not be located closer to a residential district or use than the distance, in feet, listed opposite it in the following table:

<u>USE</u>	<u>PARKING AREA</u>	<u>LOADING AREA</u>
Airport or heliport	25	100
Clinic	10	
Commercial facility for raising and		

breeding non-farm fowl and animals	25	50
Commercial greenhouse		50
Contractor's storage yard	300	300
Country club or golf course	10	
General industry	25	100
Hospital	25	50
Industrial park	25	100
Junk yard	1320	1320
Light industry	25	100
Mineral extraction, borrow pit, or topsoil removal, and their storage areas		300
Outdoor commercial recreational enterprise	25	50
Penal or correctional institution	300	300
Private recreational development	25	
Public camp	25	
Sales barn for livestock resale	50	100
Slaughterhouse	50	300
Stadium or coliseum	25	50
Theater, outdoor	25	50
Travel trailer park	25	
Truck freight terminal	100	100
Warehouse (grain elevator)	100	100
Wholesale produce terminal	100	100

155.65 FENCES AND WALLS SPECIAL EXCEPTION USES

The following uses shall be fenced or walled as respectively prescribed by the following table at the discretion of the Council:

<u>USE</u>	<u>ENCLOSURE</u>
Airport or heliport	Adequate to protect abutting use
Auction sales yard	Adequate to protect abutting use
Confinement feeding operation	6-foot woven wire fence
Contractor's storage yard	Solid wall or solid painted fence sufficient to hide from view
Kindergarten or day nursery (play area only)	4-foot wire mesh fence
Mineral extraction, borrow pit, topsoil removal, and their storage areas (where they abut residential uses)	6-foot woven wire fence
Outdoor commercial recreational enterprise, if accessible to public	6-foot woven wire fence
Private swimming pool, if accessible to public	6-foot chain link fence
Public or commercial garbage disposal plant	6-foot solid painted fence
Public or employee parking area (along front line and such other boundaries as the Commission considers necessary to protect residential property), except at approved entrances and exits	4-foot masonry wall, 6 inches thick
Slaughterhouse	6-foot solid painted fence



Storage of disabled vehicles	6-foot solid painted fence
Theater, outdoor	8-foot painted board fence
Truck service center	6-foot solid painted fence
Wholesale produce terminal	6-foot wire mesh fence

155.66 SCREEN PLANTING ABUTTING RESIDENTIAL USE - SPECIAL EXCEPTION USES

Tight screen planting of the dimensions given five years after installation, effective during all seasons to block the view from abutting existing residential uses shall be provided for the following uses in accordance with the following table at the discretion of the Council.

<u>USE</u>	<u>SCREEN</u>
Airport or heliport	6 feet high; 3 feet wide
Artificial lake of 3 or more acres	6 feet high; 3 feet wide
Cemetery or crematory	6 feet high; 3 feet wide
Commercial facility for raising and breeding non-farm fowl and animals	6 feet high; 3 feet wide
Confinement feeding operation	6 feet high; 6 feet wide
Country club or golf course	6 feet high; 3 feet wide
General industry	6 feet high; 3 feet wide
Hospital	6 feet high; 3 feet wide
Hotel or motel	6 feet high; 6 feet wide
Industrial park	5 feet high
Kennel	6 feet high; 6 feet wide
Kindergarten or day nursery	6 feet high; 3 feet wide
Light Industry	6 feet high; 3 feet wide
Mineral extraction, borrow pit, topsoil removal, and their storage areas	6 feet high; 3 feet wide
Travel trailer park	6 feet high; 3 feet wide
Outdoor commercial recreational enterprise	8 feet high; 3 feet wide
Police station or fire station	6 feet high; 3 feet wide
Private recreational development	8 feet high; 3 feet wide
Private swimming pool	6 feet high; 3 feet wide
Public camp	8 feet high; 3 feet wide
Public or commercial sanitary fill or garbage disposal plant (also along abutting street)	5 feet high; 3 feet wide
Public or commercial sewage disposal plant	6 feet high; 3 feet wide
Restaurants, Drive In	6 feet high; 3 feet wide
Race Track	8 feet high; 6 feet wide
Riding stable	6 feet high; 3 feet wide
Shopping center	6 feet high; 3 feet wide
Shooting range	8 feet high; 6 feet wide
Slaughterhouse (along abutting street)	6 feet high; 6 feet wide
Stadium or coliseum	6 feet high; 6 feet wide
Storage or disabled vehicles	6 feet high; 3 feet wide
Telephone exchange or public utility substation (also along abutting street)	Adequate for purpose
Truck freight terminal	6 feet high; 6 feet wide
Truck service center	6 feet high; 3 feet wide

Warehouse (grain elevator)  
Wholesale produce terminal

6 feet high; 3 feet wide  
6 feet high; 3 feet wide

155.67 ENTRANCES - EXCEPTION USES

As used in this section the term "entrance" means a passageway generally 30 feet wide from premises to thoroughfare by which vehicles enter or leave. The applicant shall obtain a permit from the Town Engineer for the "entrance".

- A. This subsection limits the number of entrances to a primary or secondary street. However, it does not apply to entrances for emergency use only.
- B. Each of the following uses, for which Special Exceptions are prescribed is limited to 1 entrance.

Artificial lake of 3 or more acres or private swimming pool  
Bait Sales  
Clinic  
Commercial facility for raising and breeding non-farm fowl and animals  
Commercial greenhouse  
Contractor's storage yard  
Country club or golf course  
Home for aged  
Industrial park  
Kennel  
Kindergarten or day nursery  
Manufacturing, storage or use of explosives  
Material storage, open  
Mineral extraction, borrow pit, topsoil removal, and their storage areas  
Penal or correctional institution  
Private recreational development  
Public camp  
Public or commercial sanitary land fill or garbage disposal plant  
Public or commercial sewage disposal plant  
Public or employee parking area  
Race track  
Radio, TV transmitting towers and micro-wave towers  
Railroad right-of-way and necessary uses  
Riding stable  
Roadside produce sales stand  
Sales barn for livestock resale  
Shooting range  
Slaughterhouse  
Storage of disabled vehicles  
Telephone exchange  
Theater, outdoor  
Tourist home  
Truck freight terminal  
Truck service center  
Warehouse (grain elevator)  
Wholesale produce terminal

- C. Each of the following uses, for which Special Exceptions are prescribed is limited to 2 entrances:

Airport or heliport

Cemetery or crematory  
Confinement feeding operation  
Hotel and motel  
Outdoor commercial recreational enterprise  
Stadium or coliseum  
Travel trailer park

155.68 PROCEDURE - SPECIAL EXCEPTION USES

- A. The Special Exceptions listed in the Districts and this Section and their accessory buildings and uses may be permitted by the Council in the Districts indicated therein, in accordance with the procedure set forth in this section.

The Special Exceptions listed in the Districts and this Section are those customarily located in the community. When an appeal is taken to the Council upon the denial of an application for an Improvement Location Permit for a use not specifically stated or implied elsewhere in these regulations and not listed the Council shall refer the matter of this proposed use to the Plan Commission for consideration as an amendment to the regulations.

- B. Upon receipt of an application for an Improvement Location Permit for a Special Exception by the Building Commissioner, it shall be referred to the Commission for investigation as to the manner in which the proposed location and character of the Special Exception will affect the Master Plan. The Commission shall report the results of its study to the Council within forty-five days following receipt of the application. If no such report has been filed with the Council within this time period, the Council may proceed to process the application.

The Council shall then proceed with a hearing on the application in the manner prescribed in the ordinance adopting these regulations. Following the hearing, and upon a affirmative finding the Council that:

1. The proposed Special Exception is to be located in District wherein such use may be permitted, and
2. The requirements set forth in the District and this Section for such Special Exception will be met, and
3. The Special Exception is consistent with the spirit, purpose and intent of these regulations, will not substantially and permanently injure the appropriate use of neighboring property, and will serve the public convenience and welfare; the Council shall order the Building Commissioner to issue an Improvement Location Permit for the Special Exception.

- C. An Existing Use which is listed herein as a Special Exception, and which is located in a District in which such Special Exception may be permitted, is a conforming use. Any expansion of such Special Exception involving the enlargement of the buildings, structures and land area devoted to such use shall be subject to the procedure described in this section.