



HUNTERTOWN TOWN COUNCIL MEETING AGENDA

Monday, July 21, 2025, 6:00 p.m.

Huntertown Town Hall, 15617 Lima Road, Huntertown, IN 46748

Call meeting to order with the Pledge of Allegiance

Approval of Meeting Minutes

- June 30, 2025 (executive)
- June 30, 2025 (regular)

Approval of Claims (General, Water, Sewer) & Payroll

- July 21, 2025

NEW BUSINESS

- Change Order No. 9 – Carroll Road Reconstruction (DES 1801749)
- Supplemental Agreement No. 4 – Carroll Road Roundabout (DES 2101634)
- TC Ordinance 2025-007 – Regulate Speed Limits on Dunton Road
- TC Ordinance 2025-008 – Rezoning of 1638 Carroll Road (Carroll Road Plaza)
- TC Ordinance 2025-009 – Amendment to Zoning Ordinance
- TC Ordinance 2025-010 – Amendment to Zoning Ordinance (Create Town Center Zoning District)
- TC Resolution 2025-012 – Appointment of ADA coordinator and adoption of procedures
- TC Resolution 2025-013 - Appointment of Title VI coordinator
- TC Resolution 2025-014 – Establish funds for monies in lieu of compliance with Huntertown Zoning Ordinance

OLD BUSINESS

REPORTS:

- Council Members
- Resource Officer(s)
- Clerk-Treasurer
- Town Manager
- Engineer
- Attorney

PUBLIC COMMENTS – Please keep comments to three (3) minutes.

ADJOURNMENT - Next Town Council Meeting is Monday, August 4, 2025

Meeting can be streamed online at www.youtube.com/@TownofHuntertownIndiana

Please Note: Agenda items listed are those reasonably anticipated and may be discussed at the meeting. Not all items listed may necessarily be discussed and there may be other items not listed that may be brought up for discussion.

Executive Session of the Town Council
Huntertown, Indiana
Monday, June 30, 2025

An Executive Session of the Town Council of Huntertown, Indiana was held at Huntertown Town Hall, 15617 Lima Road, on Monday, June 30, 2025, at 4:30 p.m. The Council met in accordance with Indiana Code 5-14-1.5-6.1, (b) (2) (D); which reads as follows: (D) – The purchase or lease of real property by the governing body up to the time a contract or option to purchase or lease is executed by the parties.

Council members present: Michael Aker, Patricia Freck, Brad Hite (P); Tina McDonald and Brandon Seifert. Also present was Town Manager Hannah Walker.

Brad Hite called the meeting to order at 4:30 p.m.

There was no other subject matter discussed other than what was specified in the public notice.

The meeting adjourned at 5:30 p.m.

Brad Hite,
President

Ryan Schwab,
Clerk Treasurer

Meeting of the Town Council of Huntertown, Indiana
Monday, June 30, 2025, 6:00 p.m.
Huntertown Town Hall, 15617 Lima Road

A public meeting of the Huntertown Town Council was held on Monday, June 30, 2025, at Huntertown Town Hall, 15617 Lima Road, Huntertown, IN. Present were town council members Michael Aker, Patricia Freck; Brad Hite; Tina McDonald; and Brandon Seifert; Town Manager Hannah Walker; Clerk-Treasurer Ryan Schwab; Jim Breckler and Steven Cardenas of Engineering Resources Inc.; Mike Hawk of Hawk Haynie Kammeyer & Smith; two (2) members of the public and zero (0) members of the media. The meeting was livestreamed on the Town's YouTube Channel.

Brad Hite called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

COUNCIL ACTION

Tina McDonald made a motion to approve the minutes of June 16, 2025, regular meeting. Michael Aker seconded. Motion carried 5-0.

Brandon Seifert made a motion to approve the general, water, and sewer claims dated June 30, 2025. Patricia Freck seconded. Motion carried 5-0.

Patricia Freck made a motion to approve Huntertown Resolution 2025-010, a Resolution accepting right-of-way dedication. Tina McDonald seconded. Motion carried 5-0.

Brandon Seifert made a motion to approve Huntertown Resolution 2025-011, a Resolution regarding extension of water and sewer service for a new single-family residence located at 15114 Dunton Road. Patricia Freck seconded. Michael Aker seconded. Motion carried 5-0.

Michael Aker made a motion to approve Pay-Application No. 9 (Final) from Mason Engineering & Construction in the amount of \$35,847.33 to release retainage on the WTP Firm Capacity project. Patricia Freck seconded. Motion carried 5-0.

Tina McDonald made a motion to approve Pay-Application No 1 from Pulver Asphalt Paving Inc. in the amount of \$20,173.80 for work completed on the CCMG-2024-2 street improvements. Michael Aker seconded. Motion carried 5-0.

Michael Aker made a motion to donate three street lights to the Huntertown Community Park. Brandon Seifert seconded. Hannah Walker said that there were three street lights that were not used during the Woods Road street improvement project that the Huntertown Community Park Board has requested for use at three locations at the park. Walker said the poles were too tall to use for the street project and would contact overhead electrical wires. Discussion items included other possible uses in town for the lights. After no further discussion, the motion carried 5-0.

NEW BUSINESS

Outside of items listed under Council Action, no other New Business was brought forth.

OLD BUSINESS

Outside of items listed under Council action, no other Old Business was brought forth.

REPORTS

Michael Aker had the following report:

- He was contacted by a resident who reported a weed violation request to the Town but was told that since the residence in question was not a Huntertown utility customer, the town could not act on the request. Hannah Walker said she would take the address and follow up. Patricia Freck asked about town employee Tim Schobert and whether he is working on code enforcement. Walker said he will work on things when his regular daily tasks are complete. Freck said she would like to see more town employees find violations and report them while they are working instead of waiting for residents to call them in. Freck said she reported a number of violations a few years ago that had not been addressed. Walker said to get her the addresses, and she would see that they are taken care of.

Clerk-Treasurer Ryan Schwab had no report.

Outside of items listed under Council Action, Town Manager Hannah Walker had the following report:

- The town's water consumer confidence report (CCR) has been finalized.
- Town employee Dillon Shellman is receiving outstanding grades in the Alliance of Indiana Rural Water Apprenticeship Program.
- She will send out dates for an Executive Session of the Town Council and Redevelopment Commission.

Representatives of Engineering Resources had no further report.

Mike Hawk of Hawk Haynie Kammeyer & Smith had no further report.

PUBLIC COMMENT

None were brought forth.

Tina McDonald made a motion to adjourn. Patricia Freck seconded. The motion passed with a voice vote and the meeting adjourned at 6:24 p.m.

Attest: _____

Brad Hite
President

Ryan Schwab
Clerk Treasurer

I hereby certify that each of the above listed vouchers and the invoices, or bills attached there to, are true and correct and I have audited same in accordance with IC 5-11-10-1.6.

July 21, 2025
Fiscal Officer

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF HUNTERTOWN

JULY 21, 2025

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 8 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 956,769.03.

Dated this 21st day of July 2025.

MICHAEL AKER	PATRICIA FRECK	BRADLEY HITE (PRESIDENT)
TINA MCDONALD	BRANDON SEIFERT	

Signatures of Governing Board

Date: 07/18/2025 10:55:40 AM

APVREGISTER.FRX

Accounts Payable Register

APV Register Batch - JULY 21, 2025

All History

Ordered By APV Number

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
06/30/2025	47967	WATER OPERATING		6101001590.000	WATER - MISCELLANEOUS EXPENSE	FIX UNKNOWN BANK RECON	3158.30	47967M	06/30/2025	
06/30/2025	47968	SEWER OPERATING		6201001590.000	SEWER - MISC. EXPENSE	FIX UNKNOWN BANK RECON	1481.14	47968M	06/30/2025	
07/01/2025	47969	UNITED STATES POSTAL SERVICE		6201001211.000	SEWER - POSTAGE	JULY BILLING (AP)	1956.15	47969M	07/01/2025	
07/02/2025	47970	COMCAST		1101001312.000	GEN - TELEPHONE	CC SHOP INTERNET (AP)	98.65	47970M	07/02/2025	
07/01/2025	47971	HUNTERTOWN MUN. UTILITIES		1101001309.000	GEN - UTILITIES	(1/3) TOWN HALL/CC SHOP	25.49	11350	07/01/2025	
07/01/2025	47972	HUNTERTOWN MUN. UTILITIES		6101001351.000	WATER - UTILITIES BILLS	(1/3) TOWN HALL/CC SHOP	25.49	19762	07/01/2025	
07/01/2025	47973	HUNTERTOWN MUN. UTILITIES		6201001353.000	SEWER - UTILITY BILLS	(1/3) TOWN HALL/CC SHOP	25.49	11943	07/01/2025	
07/01/2025	47974	FRONTIER		2240001311.000	LOIT PUBLIC SAFETY - MISC SERVICES	RESOURCE OFFICER PHONE	45.05	11351	07/01/2025	
07/01/2025	47975	MASON ENGINEERING AND CONSTRUCTION INC		2403001990.000	ARP CORONAVIRUS - MISCELLANEOUS	WTP FIRM CAPACITY FINAL	31133.33	11352	07/01/2025	
07/01/2025	47976	MASON ENGINEERING AND CONSTRUCTION INC		6101001430.000	WATER - IMPROVEMENTS & ADDITIONS	WTP FIRM CAPACITY FINAL	4714.00	19763	07/01/2025	
07/01/2025	47977	R.G. ZACHRICH CONSTRUCTION INC.		6201001430.000	SEWER - IMPROVEMENTS & ADDITIONS	LIFT STATION IMPROVEMENTS	211612.45	11944	07/01/2025	
07/01/2025	47978	PULVER ASPHALT PAVING INC		2403001990.000	ARP CORONAVIRUS - MISCELLANEOUS	CCMG PAY APP 1	20713.80	11353	07/01/2025	
07/11/2025	47979	PAYROLL FUND		1101001102.000	GEN - CLERK-TREASURER	Clerk-treasurer	1284.15	11354	07/13/2025	
07/11/2025	47979	PAYROLL FUND		1101001106.000	GEN - FICA	Empr Liability Medicare	26.24	11354	07/13/2025	
07/11/2025	47979	PAYROLL FUND		1101001106.000	GEN - FICA	Empr Liability FICA	112.17	11354	07/13/2025	
07/11/2025	47979	PAYROLL FUND		2201001101.000	MVH - WAGES	Salaries - MVH	4508.03	11354	07/13/2025	
07/11/2025	47979	PAYROLL FUND		2201001103.000	MVH - FICA	Empr Liability FICA	261.15	11354	07/13/2025	
07/11/2025	47979	PAYROLL FUND		2201001103.000	MVH - FICA	Empr Liability Medicare	61.09	11354	07/13/2025	
07/11/2025	47979	PAYROLL FUND		1101001108.000	GEN - TOWN MANAGER	GEN - Town Manager	525.00	11354	07/13/2025	
07/11/2025	47980	NET PAY		8901001110.000	PAYROLL - NET SALARIES	Net Entry	25325.98	47980M	07/11/2025	
07/11/2025	47981	PAYROLL FUND		6101001111.000	WATER - SALARIES AND WAGES - OFFICE	WAT - Plant Salaries	15092.22	19764	07/13/2025	
07/11/2025	47981	PAYROLL FUND		6101001131.000	WATER - EMP. FICA, UNEMPLOYMENT INS	Empr Liability Medicare	203.63	19764	07/13/2025	
07/11/2025	47981	PAYROLL FUND		6101001131.000	WATER - EMP. FICA,	Empr Liability FICA	870.70	19764	07/13/2025	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
07/11/2025	47982	PAYROLL FUND		6201001111.000	UNEMPLOYMENT INS SEWER - SALARIES & HOURLY WAGES OFFICE	SEW - Plant Salaries	15272.77	11945	07/13/2025	
07/11/2025	47982	PAYROLL FUND		6201001131.000	SEWER - FICA	Empr Liability FICA	896.39	11945	07/13/2025	
07/11/2025	47982	PAYROLL FUND		6201001131.000	SEWER - FICA	Empr Liability Medicare	209.63	11945	07/13/2025	
07/11/2025	47983	INTERNAL REVENUE SERVICE		8901001921.000	PAYROLL - 941 PAYMENTS	FEDERAL	2853.85	47983M	07/11/2025	
07/11/2025	47983	INTERNAL REVENUE SERVICE		8901001922.000	PAYROLL - FICA WITHHELD	FICA	4280.82	47983M	07/11/2025	
07/11/2025	47983	INTERNAL REVENUE SERVICE		8901001923.000	PAYROLL - MEDICARE WITHHELD	MEDICARE	1001.18	47983M	07/11/2025	
07/11/2025	47984	PERF		8901001926.000	PAYROLL - PERF	7/11 PAYROLL	6008.35	47984M	07/11/2025	
07/14/2025	47985	PAYROLL FUND		1101001104.000	GEN - PERF	CLERK/TM 7/11 PAYROLL	202.63	11355	07/13/2025	
07/14/2025	47985	PAYROLL FUND		2201001102.000	MVH - PERF	7/11 PAYROLL	504.94	11355	07/13/2025	
07/14/2025	47986	PAYROLL FUND		6101001130.000	WATER - PERF	7/11 PAYROLL	1690.30	19765	07/13/2025	
07/14/2025	47987	PAYROLL FUND		6201001130.000	SEWER - PERF	7/11 PAYROLL	1710.55	11946	07/13/2025	
07/11/2025	47988	COMMUNITY STATE BANK		8901001590.000	PAYROLL MISCELLANEOUS	7/11 HSA PULL	619.41	47988M	07/11/2025	
07/11/2025	47989	INDIANA STATE CENTRAL COLLECTION UNIT		8901001591.000	PAYROLL GARNISHMENT	CHILD SUPPORT	244.00	47989M	07/11/2025	
07/08/2025	47990	INVOICE CLOUD INC.		1101001201.000	GEN - OFFICE SUPPLIES/POSTAGE	PORTAL FEE (JUNE)	25.00	47990M	07/08/2025	
07/08/2025	47991	NEC CLOUD COMMUNICATIONS AMERICA, INC.		1101001312.000	GEN - TELEPHONE	TOWN HALL PHONES	191.11	47991M	07/08/2025	
07/11/2025	47992	UNITED STATES POSTAL SERVICE		6101001211.000	WATER - POSTAGE	JULY DELINQUENT NOTICES	237.36	47992M	07/11/2025	
07/15/2025	47993	BNY MELLON CORPORATE TRUST		6201001524.000	SEWER - B&J SERIES A	JULY TRANSFER	134526.56	47993M	07/15/2025	
07/07/2025	47994	INDIANA DEPT. OF REVENUE		6101001501.000	WATER - SALES TAX	JUNE SALES TAX	14205.65	47994M	07/07/2025	
07/14/2025	47995	PHYSICIANS HEALTH PLAN		8901001930.000	PAYROLL-INSURANCE DEDUCTION	HEALTH INSURANCE PREMIUM (AUGUST)	2593.54	11356	07/14/2025	
07/14/2025	47995	PHYSICIANS HEALTH PLAN		2201001104.000	MVH - INSURANCE	HEALTH INSURANCE PREMIUM (AUGUST)	1169.09	11356	07/14/2025	
07/14/2025	47996	PHYSICIANS HEALTH PLAN		6101001341.000	WATER - HEALTH INSURANCE	HEALTH INSURANCE PREMIUM (AUGUST)	3347.64	19766	07/14/2025	
07/14/2025	47997	PHYSICIANS HEALTH PLAN		6201001341.000	SEWER - HEALTH INSURANCE	HEALTH INSURANCE PREMIUM (AUGUST)	3284.16	11947	07/14/2025	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
07/14/2025	47998	NORTHEASTERN REMC		6201001353.000	SEWER - UTILITY BILLS	WWTP #2	2666.22	11948 07/14/2025	
07/14/2025	47998	NORTHEASTERN REMC		6201001353.000	SEWER - UTILITY BILLS	WWTP #1	8340.02	11948 07/14/2025	
07/14/2025	47999	INDIANA MICHIGAN POWER		2201001351.000	MVH - ELECTRIC	STREET LIGHT ACCT 043-465-857-0-8	1041.21	11357 07/14/2025	
07/14/2025	48000	REPUBLIC SERVICES #091		6601001360.000	SANITATION CONTRACTURAL SERVICES	TRASH/RECYCLING (JUNE)	88274.98	11358 07/14/2025	
07/14/2025	48001	REPUBLIC SERVICES #091		6201001220.000	SEWER - CHEMICALS	SLUDGE REMOVAL AT WWTP 6/18, 6/23, 6/27	3815.31	11949 07/14/2025	
07/15/2025	48002	WATER DEPRECIATION		6101001521.000	WATER - DEPRECIATION TRANSFER	MONTHLY TRANSFER	10009.47	//	
07/15/2025	48003	LESLIE THEWS		8901001590.000	PAYROLL MISCELLANEOUS	REFUND FOR OVERPAY ON DENTAL INSURANCE	32.74	//	
07/15/2025	48004	SHERIDAN PAYNE		8901001590.000	PAYROLL MISCELLANEOUS	RE-ISSUE REFUND FOR OVERPAY ON INSURANCE	44.44	//	
07/15/2025	48005	MARTHA SPRAGUE		1101001311.000	GEN - MISC SERVICES	NOTARY COURSE REFUND	49.37	//	
07/15/2025	48006	BASSETT ELECTRIC MOTORS, INC		6201001360.000	SEWER - REPAIRS & MAINTENANCE	WILLOW RIDGE PUMP REPAIR	1930.00	//	
07/15/2025	48007	FORT WAYNE IT SOLUTIONS		6201001361.000	SEWER - CONTRACTURAL SERVICES	MANAGED IT SERVICES	1744.00	//	
07/15/2025	48008	MAILING & SHIPPING SOLUTIONS INC		6601001590.000	SANITATION MISCELLANEOUS EXP.	SEALING SOLUTION	43.00	//	
07/15/2025	48009	HOUSER AUTOMOTIVE, INC		2201001361.000	MVH - REPAIRS AND MAINTENANCE	(1/3) VEHICLE MAINTENANCE	457.93	//	
07/15/2025	48010	HOUSER AUTOMOTIVE, INC		6101001362.000	WATER - REPAIRS & MAINTENANCE	(1/3) VEHICLE MAINTENANCE	457.94	//	
07/15/2025	48011	HOUSER AUTOMOTIVE, INC		6201001360.000	SEWER - REPAIRS & MAINTENANCE	(1/3) VEHICLE MAINTENANCE	457.94	//	
07/15/2025	48012	CITY OF FORT WAYNE		2201001315.000	MVH - CONTRACT SERVICES	TRAFFIC SIGNAL MAINTENANCE (JUNE)	536.00	//	
07/15/2025	48012	CITY OF FORT WAYNE		2201001315.000	MVH - CONTRACT SERVICES	TRAFFIC SIGNAL MAINTENANCE (MAY)	536.00	//	
07/15/2025	48013	SHERIFF OF ALLEN COUNTY		1101001304.000	GEN - POLICE PROTECTION	LAW ENFORCEMENT AGREEMENT (JUNE)	19457.36	//	
07/15/2025	48014	NOWAK SUPPLY		2202001401.000	LRS - CONSTRUCTION & REPAIR	ONE-SIDED BARRICADE	1120.49	//	
07/15/2025	48015	SIMPLX SECURITY		6201001361.000	SEWER - CONTRACTURAL	ALARM MONITORING	185.00	//	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
07/15/2025	48016	TELEDYNE INSTRUMENTS INC.		6201001360.000	SERVICES SEWER - REPAIRS & MAINTENANCE	REPLACEMENT REFRIGERATION MODULE FOR SAMPLER	3866.00		//	
07/15/2025	48017	TEXT MY GOV		4402001401.000	CCD - CAPITOL PROJECT	TEXT MY GOV SOFTWARE MANAGEMENT	6500.00		//	
07/15/2025	48018	GAI CONSULTANTS INC.		2201001306.000	MVH - LEGAL/ENGINEER SERVICES	KELL ROAD BRIDGE CI #4 (20 PERCENT)	3328.18		//	
07/15/2025	48018	GAI CONSULTANTS INC.		2506001401.000	KELL ROAD BRIDGE IMPROVEMENT	KELL ROAD BRIDGE CI #4 (80-PERCENT)	13312.71		//	
07/15/2025	48019	GAI CONSULTANTS INC.		2201001306.000	MVH - LEGAL/ENGINEER SERVICES	KELL ROAD BRIDGE CI #5 (20-PERCENT)	4874.67		//	
07/15/2025	48019	GAI CONSULTANTS INC.		2506001401.000	KELL ROAD BRIDGE IMPROVEMENT	KELL ROAD BRIDGE CI #5 (80-PERCENT)	19498.67		//	
07/15/2025	48020	GAI CONSULTANTS INC.		2201001306.000	MVH - LEGAL/ENGINEER SERVICES	CRR ENGINEERING 36 (20-PERCENT)	1083.24		//	
07/15/2025	48020	GAI CONSULTANTS INC.		2405001302.000	CARROLL ROAD ROUNDABOUT - ENGINEERING	CRR ENGINEERING 36 (80-PERCENT)	4332.95		//	
07/15/2025	48021	ABONIMARCHE CONSULTANTS INC		6101001312.000	WATER - ENGINEERING	(1/2) DUNTON ROAD WATER/WASTEWATER MAIN	2190.00		//	
07/15/2025	48022	ABONIMARCHE CONSULTANTS INC		6201001312.000	SEWER - ENGINEERING & LEGAL SERVICES	(1/2) DUNTON ROAD WATER/WASTEWATER MAIN	2190.00		//	
07/15/2025	48023	ATOMIC WATER SOLUTIONS, LLC		1101001201.000	GEN - OFFICE SUPPLIES/POSTAGE	5-GALLON WATER (4)	39.00		//	
07/15/2025	48023	ATOMIC WATER SOLUTIONS, LLC		1101001311.000	GEN - MISC SERVICES	ANNUAL WATER COOLER RENTAL (TOWN HALL)	131.00		//	
07/15/2025	48024	ATOMIC WATER SOLUTIONS, LLC		6101001360.000	WATER - CONTRACTUAL SERVICES	WATER SOFTENER RENTAL	35.00		//	
07/15/2025	48025	CF ENVIRONMENTAL LABORATORY LLC		6101001361.000	WATER - SERVICES/WATER SAMPLES	MONTHLY COLIFORM TESTS	2903.00		//	
07/15/2025	48026	THE C.I. THORNBURG CO. INC		6201001220.000	SEWER - CHEMICALS	BIOFLOC FOR WWTP	4357.08		//	
07/15/2025	48027	COVALEN, INC		6201001360.000	SEWER - REPAIRS & MAINTENANCE	WILLOW RIDGE LIFT PUMP START UP	2500.00		//	
07/15/2025	48028	FORT WAYNE NEWSPAPERS		6601001590.000	SANITATION MISCELLANEOUS EXP.	BUSINESS CARDS - MARTHA	45.00		//	
07/15/2025	48028	FORT WAYNE NEWSPAPERS		2240001311.000	LOIT PUBLIC SAFETY - MISC	BUSINESS CARDS - RESOURCE	55.00		//	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	DATE	MEMORANDUM
07/15/2025	48029	IDEAL OFFICE SOURCE		6601001590.000	SERVICES SANITATION MISCELLANEOUS EXP.	OFFICER PAPER/CALCULATOR PAPER	63.48	//		
07/15/2025	48030	LAWNSPLUS LANDSCAPING SERVICES		1101001311.000	GEN - MISC SERVICES	HERBICIDE FOR ISLAND BEDS	100.00	//		
07/15/2025	48031	VIKING AUTOMOTIC SPRINKLER COMPANY		6201001360.000	SEWER - REPAIRS & MAINTENANCE	REBUILD FAILED BACKFLOW	2984.00	//		
07/15/2025	48032	WATER SOLUTIONS UNLIMITED		6101001220.000	WATER - CHEMICALS	CHLORINE/OTHER CHEMICALS	6745.00	//		
07/15/2025	48033	WM IMAGING SOLUTIONS, INC		1101001201.000	GEN - OFFICE SUPPLIES/POSTAGE	MONTHLY COPIER CONTRACT	50.34	//		
07/15/2025	48034	KURT WONG		6101001590.000	WATER - MISCELLANEOUS EXPENSE	REFUND FOR METER UPGRADE	95.00	//		
07/15/2025	48035	QUALITY CRAFTED HOMES		6101001590.000	WATER - MISCELLANEOUS EXPENSE	REFUND FOR OVERPAY ACCT 6925000	32.53	//		
07/15/2025	48036	QUALITY CRAFTED HOMES		6201001590.000	SEWER - MISC. EXPENSE	REFUND FOR OVERPAY ACCT 6925000	14.90	//		
07/15/2025	48037	ABRAR AHMED		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//		
07/15/2025	48038	DAVID FAUSER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48039	CHRIS AND JANE MILLER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48040	CONNOR BOWDIN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48041	JACOB AND KRYSTAL EDDY		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48042	DOUG DICK		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48043	AMANDA AND JONATHAN STORCH		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48044	TONYA PLUMMER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48045	DANIELLE AND BEN MILES-SCHWABEROW		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		
07/15/2025	48046	JOHN AND CAROL ANN WINEMAN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//		

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
07/15/2025	48047	NEAL SHERK		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48048	CHARLE LWAMBONGOLO		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48049	CARLOS MEJIA		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48050	ANGELA BISSONNETTE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48051	AMY HOBROCK		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48052	NICHOLAS STAUFFER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48053	AARON LEWIS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48054	JULIE TUFTS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48055	TYLER AGUIRRE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48056	CHAD AND LEANNE SUTTON		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48057	AUSTIN SCHWEITZER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48058	NORTHWEST AUTO & MACHINE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48059	MICHAEL AND RHONDA MCCOY		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48060	JOHN AND MEGAN WATTS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48061	JACKSON DENNY		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48062	MOHAMED L OULD-KHOUIA		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48063	VAHN SHANNON		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48064	STEVEN AND JOAN O'CONNELL		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48065	ALYSSA PREACHER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
					REFUNDS	SERVICE			
07/15/2025	48066	ZACHARY AND BRENNA GROVE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48067	BREANN SCHWARTZ		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48068	KENNETH AND MARTENA HALL		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48069	JOHN FOSTER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48070	MARILYN BALL		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48071	JOBIE CONNELLY		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48072	TIM AND SHANNON DECKER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48073	MARTIN AND AMY BERKSHIRE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48074	DANIEL AND SARA WORKMAN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48075	TIM AND KRISTINE PUTT		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48076	CAELUM PHAM		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48077	PAUL MINOGUE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/15/2025	48078	ALEC AND JULIA THATCHER-LOMONT		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN - GOOD SERVICE	25.00	//	
07/16/2025	48079	ALLEN COUNTY HIGHWAY		2201001401.000	MVH - IMPROVEMENTS OF STREETS	BRIDGE WITHHOLDING (JULY)	2169.08	48079M 07/16/2025	
07/16/2025	48080	BNY MELLON CORPORATE TRUST		6102001382.000	WATER B&I - INTEREST & FEE	SEMI-ANNUAL INTEREST PAYMENT	188278.13	48080M 07/16/2025	
07/15/2025	48081	INDIANA UNDERGROUND PLANT PROTECTION SERVICE INC.		6101001232.000	WATER - LOCATES	JUNE LOCATES	168.15	//	
07/15/2025	48082	INDIANA UNDERGROUND PLANT PROTECTION SERVICE INC.		6201001232.000	SEWER - LOCATES	JUNE LOCATES	168.15	//	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
07/15/2025	48083	USI CONSULTANTS INC		2201001306.000	MVH - LEGAL/ENGINEER SERVICES	CARROLL ROAD CE 21 (20 PERCENT)	1011.28		//	
07/15/2025	48083	USI CONSULTANTS INC		2406001302.000	CARROLL ROAD GRANT - ENGINEERING	CARROLL ROAD CE 21 (80 PERCENT)	4045.10		//	
07/18/2025	48084	IDEAL OFFICE SOURCE		6601001590.000	SANITATION MISCELLANEOUS EXP.	(1/3) VARIOUS OFFICE SUPPLIES	65.37		//	
07/18/2025	48085	IDEAL OFFICE SOURCE		6101001210.000	WATER - OFFICE SUPPLIES	(1/3) VARIOUS OFFICE SUPPLIES	65.37		//	
07/18/2025	48086	IDEAL OFFICE SOURCE		6201001210.000	SEWER - OFFICE SUPPLIES	(1/3) VARIOUS OFFICE SUPPLIES	65.37		//	
07/18/2025	48087	BERNATH LLC		2202001401.000	LRS - CONSTRUCTION & REPAIR	CRACK SEAL MACHINE RENTAL	8775.00		//	
07/18/2025	48088	BROWN & SONS FUEL CO. INC		2201001201.000	MVH - GARAGE & MOTOR	(1/3) UNLEADED/DIESEL (JUNE)	1599.39		//	
07/18/2025	48089	BROWN & SONS FUEL CO. INC		6101001320.000	WATER - FUEL/GASOLINE	(1/3) UNLEADED/DIESEL (JUNE)	1599.39		//	
07/18/2025	48090	BROWN & SONS FUEL CO. INC		6201001320.000	SEWER - FUEL/GASOLINE	(1/3) UNLEADED/DIESEL (JUNE)	1599.39		//	
07/18/2025	48091	HD SUPPLY INC		6201001362.000	SEWER - SAMPLES/TESTING	TESTING KITS/SUPPLIES	4904.56		//	
07/18/2025	48092	CINTAS CORP		6101001132.000	WATER - UNIFORMS	(1/2) UNIFORMS 7/2, 7/9, 7/16	172.25		//	
07/18/2025	48093	CINTAS CORP		6201001132.000	SEWER - UNIFORMS	(1/2) UNIFORMS 7/2, 7/9, 7/16	172.25		//	

*** GRAND TOTAL ***

956769.83

Allowance Docket

For payfile ending 07/05/2025 12:00:00 AM

All Records

Ordered by Employee Name

Grouped By Location

Page : 1

Date: 07/18/2025 11:00:45 AM

EMPDOCK.FRX

User ID: RYAN

Pay Period	Employee Ending Number	Employee Name	Distribution Name	All Paytypes Except Overtime	Overtime Only
Location : Blank					
07/05/2025	322	Arrowsmith, Tyler D.	SEW - Plant Salaries	\$841.92	\$15.79
07/05/2025	322	Arrowsmith, Tyler D.	Salaries - MVH	\$420.96	\$7.89
07/05/2025	322	Arrowsmith, Tyler D.	WAT - Plant Salaries	\$841.92	\$15.79
07/05/2025	318	Bailey, Randy C.	SEW - Plant Salaries	\$1000.00	\$28.12
07/05/2025	318	Bailey, Randy C.	Salaries - MVH	\$500.00	\$14.07
07/05/2025	318	Bailey, Randy C.	WAT - Plant Salaries	\$1000.00	\$28.12
07/05/2025	309	Brindle, Gabriel S.	SEW - Plant Salaries	\$250.00	\$22.26
07/05/2025	309	Brindle, Gabriel S.	Salaries - MVH	\$250.00	\$22.26
07/05/2025	309	Brindle, Gabriel S.	WAT - Plant Salaries	\$2000.00	\$178.11
07/05/2025	304	Chesney, Tyler J.	SEW - Plant Salaries	\$841.92	\$86.83
07/05/2025	304	Chesney, Tyler J.	Salaries - MVH	\$420.96	\$43.43
07/05/2025	304	Chesney, Tyler J.	WAT - Plant Salaries	\$841.92	\$86.83
07/05/2025	311	Dafforn, Darren W.	SEW - Plant Salaries	\$2221.87	\$162.59
07/05/2025	311	Dafforn, Darren W.	Salaries - MVH	\$277.74	\$20.33
07/05/2025	311	Dafforn, Darren W.	WAT - Plant Salaries	\$277.73	\$20.32
07/05/2025	324	Deisler, Drew K.	SEW - Plant Salaries	\$722.24	\$196.39
07/05/2025	324	Deisler, Drew K.	Salaries - MVH	\$361.12	\$98.19
07/05/2025	324	Deisler, Drew K.	WAT - Plant Salaries	\$722.24	\$196.39
07/05/2025	314	Marquart, Anthony K.	SEW - Plant Salaries	\$722.24	\$0.00
07/05/2025	314	Marquart, Anthony K.	Salaries - MVH	\$361.12	\$0.00
07/05/2025	314	Marquart, Anthony K.	WAT - Plant Salaries	\$722.24	\$0.00
07/05/2025	207	Payne, Sheridan L.	SEW - Plant Salaries	\$1009.27	\$0.00
07/05/2025	207	Payne, Sheridan L.	WAT - Plant Salaries	\$1009.26	\$0.00
07/05/2025	310	Roberson, Austin P.	SEW - Plant Salaries	\$841.92	\$31.58
07/05/2025	310	Roberson, Austin P.	Salaries - MVH	\$420.96	\$15.78
07/05/2025	310	Roberson, Austin P.	WAT - Plant Salaries	\$841.92	\$31.58
07/05/2025	317	Schobert, Timothy L.	SEW - Plant Salaries	\$915.84	\$85.86
07/05/2025	317	Schobert, Timothy L.	Salaries - MVH	\$457.92	\$42.93
07/05/2025	317	Schobert, Timothy L.	WAT - Plant Salaries	\$915.84	\$85.86
07/05/2025	105	Schwab, Ryan M.	Clerk-treasurer	\$1284.15	\$0.00
07/05/2025	105	Schwab, Ryan M.	SEW - Plant Salaries	\$642.07	\$0.00
07/05/2025	105	Schwab, Ryan M.	WAT - Plant Salaries	\$642.08	\$0.00
07/05/2025	306	Shellman, Dillon J.	SEW - Plant Salaries	\$752.00	\$70.50
07/05/2025	306	Shellman, Dillon J.	Salaries - MVH	\$376.00	\$35.25
07/05/2025	306	Shellman, Dillon J.	WAT - Plant Salaries	\$752.00	\$70.50
07/05/2025	208	Sprague, Martha	SEW - Plant Salaries	\$1176.40	\$5.51
07/05/2025	208	Sprague, Martha	WAT - Plant Salaries	\$1176.40	\$5.52
07/05/2025	209	Thews, Leslie M.	SEW - Plant Salaries	\$857.41	\$0.00

INDIANA Department of Transportation
Construction Change Order and Time Extension Summary

Contract Information

District:FT. WAYNE DISTRICT

Contract No.: R -41664

AE:Bauermeister, Brian

Letting Date:05/10/2023

PE/S:Kreger, William

Status:Draft

Change Order Information

Change Order No.: 009

EWA: N or Force Acct: N

Date Generated: 00/00/0000

Date Approved: 00/00/0000

Reason Code: ERRORS & OMISSIONS, Design/Plan Related

Description: For over runs on Signals

Original Contract Amount \$ 4,171,738.27

Current Change Order Amount \$ 0.00

Percent: 0.000 %

Total Previous Approved Changes \$ 244,325.56

Percent: 5.857 %

Total Change To-Date \$ 244,325.56

Percent: 5.857 %

Modified Contract Amount \$ 4,416,063.83

Time Extension Information

Date Initiated 00/00/0000

Date Completed 00/00/0000

Original Contract Time

SS Completion Date 00/00/0000 or SS Calendar/Work Days 0

SP Date 00/00/0000 or SP Days

(SS = Standard Specification, SP = Special Provision)

Time Element Description:

Current Time Extension

SS Days 0 SP Days 0

SP Days Value \$ 0.00

Previous Time Approved

SS Days by AE:_____ DCE:_____ SCE:_____ DDCM:_____

SS Days_____

SP Days Value \$ _____

Revised Contract Time

SS Completion Date 00/00/0000 or SS Calendar/Work Days 0

SS Date 00/00/0000 or SP Days 0

INDIANA Department of Transportation
Construction Change Order and Time Extension Summary

Review and Approval Information

Required Approval Authority AE:_____ DCE:_____ SCE:_____ * DDCM:_____ *

(\$ per Change Order) (- LE \$ 250K-) (- LE \$ 750K -) (-- LE \$ 2 M --) (-- GT \$ 2 M --)

(Days per Contract) (50 SS days) (100 SS days) (200 SS Days) (GT 200 SS days)

Verbal Approval Required? Y / N If Y, by _____ Date Issued _____

Total Change To-Date>5%? Y / N If Y , Copy to Program Budget Manager_____

Scope/Design Recommendation
Required? Y / N If Y, Referred to Project Manager(PM) _____

Date to PM _____ Date Returned _____

Approval Authority Concur with PM? Y / N If Y, Concurrence by _____ Date _____

If N, Resolution: Approved _____ Disapproved _____

Resolved by _____ Date _____

LPA Signatures Required? Y / N If Y, Date to LPA _____ Date Returned _____

FHWA Signatures Required? Y / N If Y, Date to FHWA _____ Date Returned _____

* Field Engineer Recommendation (Required for SCE or DDCM Approval)

Field Engineer _____ Date _____

Comments: _____

Contract No:R -41664

INDIANA

Date:07/11/2025

Change Order No:009

Department of Transportation

Page: 3

Contract: R -41664
Project: 1801749 - State:180174900LC2
Change Order Nbr: 009
Change Order Description: For over runs on Signals
Reason Code: ERRORS & OMISSIONS, Design/Plan Related

CLN	PCN	PLN	Item Code	Unit	Unit Price	CO Qty	Comment	Amount Change
0104	1801749	0090	805-01842	EACH	1,200.000	8.000	C	Amount:\$ 9,600.00

Item Description: HANDHOLE, SIGNAL, TYPE 1

Supplemental Description1:

Supplemental Description2:

0108	1801749	0094	805-08214	LFT	12.000	796.000	C	Amount:\$ 9,552.00
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Item Description: CONDUIT, PVC, 2 IN. SCHEDULE 40

Supplemental Description1:

Supplemental Description2:

0111	1801749	0097	805-11815	LFT	13.000	732.000	C	Amount:\$ 9,516.00
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Item Description: CONDUIT, HDPE, 2 IN. SCHEDULE 80

Supplemental Description1:

Supplemental Description2:

0124	1801749	0110	805-78510	LFT	2.500	3908.000	C	Amount:\$ 9,770.00
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Item Description: SIGNAL CABLE, DETECTOR LEAD-IN, COPPER, 2C/16 GAUGE

Supplemental Description1:

Supplemental Description2:

0125	1801749	0111	805-78785	EACH	950.000	5.000	C	Amount:\$ 4,750.00
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Item Description: SIGNAL DETECTOR HOUSING

Supplemental Description1:

Supplemental Description2:

Total Value for Change Order 009 = \$ 43,188.00

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended.

General or Standard Change Order Explanation

Change Order is made to get the funding for the over runs on signal Items due to error in plans.

Change Order Explanation for Specific Line Item

It is the intent of the parties that this change order is full and complete compensation for the work describe above.
Notification and consent to this change order is hereby acknowledged.

Contractor: _____

Signed By: _____

Date: _____

NOTE: Other required State and FHWA signatures will be obtained electronically through the SiteManager system.

Contract No:R -41664
Change Order No:009

INDIANA
Department of Transportation

Date:07/11/2025
Page: 4

APPROVED FOR LOCAL PUBLIC AGENCY

(SIGNATURE)

(TITLE)

(DATE)

(SIGNATURE)

(TITLE)

(DATE)

SUBMITTED FOR CONSIDERATION

PE/S _____

APPROVED FOR INDIANA DEPARTMENT OF TRANSPORTATION



GAI Indiana offices located in:
Fishers, Fort Wayne, Indianapolis, and Vevay

July 10, 2025

GAI Project No. R210948.00

Mr. Hite – Town Council President
Ms. Hannah Walker – Town Manager/ERC
Huntertown Town Hall
15617 Lima Road
Huntertown, Indiana 46748

**Roundabout at Carroll Road and Shearwater Run & Coral Springs Drive
Supplement Agreement #4
Des No 2101634**

Brad and Hannah:

During the development of the project design, the Town requested the items listed below be incorporated into the project development and are outside of the original scope of work. Therefore, GAI respectfully submits Supplemental Agreement #4 to the Town of Huntertown (Town) for consideration. The following discusses the changes for the aforementioned project, the additional fees, and a brief justification for each item.

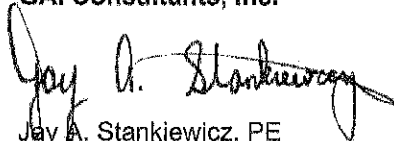
1. Town requested that the project to have the Town of Huntertown's standard lighting fixture. If a project deviates from INDOT approved materials list, they require that three manufacturers be listed for the contractor to bid on. Requiring the contractor to bid on a product from only one manufacturer, INDOT must approve a proprietary justification request. GAI has submitted an increase in fee of **\$4,648** to perform these services.
2. Utilities that need to relocate for the project are requesting that the new Right of Way and certain proposed structures be staked in the field to facilitate their relocation. Apex has submitted an increase in fee of **\$2,200** to perform these services.
3. The above listed items requires additional management effort of the design team and subconsultant as part of project development. GAI has submitted a fee of **\$727** to perform these services.
4. During the appraising of the Right of Way, a parcel's appraisal changed from a Long Form to a Wavier Valuation. This resulted in a reduction of the fee in the amount of **(\$7,385)**.
5. Right of Way acquisition for the project has been certified by INDOT. Therefore, Title Updates are no longer needed. This results in a reduction of the fee in the amount of **(\$1,400)**.

GAI respectfully submits supplemental agreement #4 at a "net zero" increase for the services outlined above, resulting in no change in the current not to exceed fee of **\$337,750.00**.

Thank you for the opportunity to submit this supplemental agreement for engineering services and your continued confidence in GAI. If you should have any questions or require additional information, please contact the undersigned at j.stankiewicz@gaiconsultants.com or call 260.449.1645 at your convenience.

Mr. Bradley Hite & Ms. Hannah Walker
July 10, 2025
GAI Project No. R210948.00

Sincerely,
GAI Consultants, Inc.



Jay A. Stankiewicz, PE
Senior Engineering Manager

Enc.: Supplemental Agreement #4

cc: Steve E. Walls, Kyle Pearl, GAI

TOWN OF HUNTERTOWN
ROUNDAABOUT AT CARROLL ROAD AND SHEARWATER RUN & CORAL SPRINGS DRIVE
SUPPLEMENTAL AGREEMENT NO. 4

THIS SUPPLEMENTAL AGREEMENT, is made and entered into effective as of July ____, 2025 ("Effective Date") by and between the Town of Huntertown, acting by and through its proper officials ("LOCAL PUBLIC AGENCY" or "LPA"), and GAI Consultants, Inc. ("the CONSULTANT"), a corporation organized under the laws of the Commonwealth of Pennsylvania, WITNESSETH:

WHEREAS, on March 7, 2022, May 15, 2023, March 4, 2024, and October 28, 2024 the Local Public Agency entered into an agreement with the CONSULTANT to provide services toward the Project (Roundabout at Carroll Road and Shearwater Run & Coral Springs Drive, Huntertown, Indiana, Des. No. 2101634) completion more fully described in Appendix "A" attached here to ("Services"); and

WHEREAS, the LPA has determined that additional scope of work is required for preparation of a proprietary justification request, staking for utility relocation, and project coordination.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto mutually covenant and agree as follows:

1. **Section 7.0 Utility Coordination, bullet twelve of Appendix 'A' is added as follows:**

- Provide in the field a stake-out (one time only) for utility relocation limited to the proposed Right of Way every 50 feet and storm sewer structures (station, offset, and line) along the south side of Carroll Road.
- The stake-out shall be made using lathe in earthen areas.

2. **Section 9.0 Design and Construction Documents; Stage 3 Design Plans (approximately 95% design) bullet point eleven of Appendix 'A' is added as follows:**

- Prepare a proprietary justification for the LPA's standard light poles and luminaires.

3. **Paragraph 2, of Appendix 'C' is replaced as follows:**

All work by the CONSULTANT under this Contract shall be completed and delivered to the LPA for review and approval within the approximate time periods shown in the following submission schedule:

- | | |
|--|--|
| ▪ Anticipated Notice to Proceed | May 3, 2022 |
| ▪ Survey Complete | June 2, 2022 |
| ▪ Stage 1 / Preliminary Field Check | February 16, 2023 |
| ▪ Stage 2 | August 30, 2025 |
| ▪ Environmental Document Certification | no later than July 16, 2026 |
| ▪ ROW certification (by Town) | Per INDOT Letting Schedule (November 28, 2025)* |
| ▪ Stage 3 Plans | Per INDOT Letting Schedule (September 12, 2025)* |
| ▪ Final Tracings | Per INDOT Letting Schedule (January 12, 2026)* |
| ▪ Letting (by INDOT) | May 7, 2026* |

*Schedule is based on timely review by INDOT and the LPA, and Environmental Document Certification by September 12, 2025, otherwise dates are subject to change.

4. Tables 1 and 2, of Appendix 'D' is replaced as follows:

Section	Task Description	Fee Type	Original, SA#1, SA#2, & SA#3 Fee	SA#4 Fee	Total Amount
1.0	Project Coordination	Lump Sum	\$ 20,120.00	\$ 727.00	\$ 20,847.00
2.0	Topographic Survey <i>(See Note 1)</i>	Lump Sum	\$ 9,320.00		\$ 9,320.00
3.0	Public Involvement	Lump Sum	\$ 15,750.00		\$ 15,750.00
4.0	Stormwater Design	Lump Sum	\$ 33,300.00		\$ 33,300.00
5.0	Environmental Documentation	Lump Sum	\$ 40,370.00		\$ 40,370.00
6.0	Permits	Lump Sum	\$ 4,700.00		\$ 4,700.00
7.0	Utility Coordination	Lump Sum	\$ 17,290.00		\$ 17,290.00
8.0	Right of Way Fees <i>(See Note 2)</i>	NTE-Unit Price	\$ 81,640.00	(\$ 5,375.00)	\$ 76,265.00
9.0	Roadway Design (including lighting)	Lump Sum	\$ 88,790.00	\$ 4,648.00	\$ 93,438.00
10.0	Geotechnical Investigation <i>(See Note 3)</i>	NTE- Unit Price	\$ 14,820.00		\$ 14,820.00
11.0	Pavement Design <i>(See Note 4)</i>	Lump Sum	\$ 6,650.00		\$ 6,650.00
12.0	Bid and Construction Phase Services <i>(See Note 5)</i>	NTE-Hourly	\$ 5,000.00		\$ 5,000.00
	TOTAL NTE		\$ 337,750.00	\$ 0.00	\$ 337,750.00

Notes:

1. Performed by Apex Consulting and Surveying. See Exhibit B.
2. Right of Way Fees per table below – services performed on a per type and tax parcel basis.
3. Performed at unit rates proposed by GME. See Exhibit C.
4. Performed by GME. See Exhibit D.
5. Performed hourly at a 3.00 multiplier plus expenses.
6. APA, Appraisal, Review Appraisal's will be invoiced at the INDOT rate at the time the reports are prepared.

Right of Way Tasks	Original Fee, SA#1, SA#2, & SA#3 Units	SA#4 Units	Per Unit	Original Fee, SA#1, SA#2, & SA#3 Fee	SA#4 Fee	Total Amount
Title and Encumbrance Reports – 20-year search	7		\$ 505.00	\$ 3,535.00		\$ 3,535.00
Title and Encumbrance Reports – Updates	7		\$ 200.00	\$ 1,400.00	(\$1,400.00)	\$ 0.00
Right of Way Engineering	14		\$ 3,000.00	\$ 42,000.00		\$ 42,000.00
Appraisal Problem Analysis	5		\$ 285.00	\$ 1,425.00		\$ 1,425.00
Appraisal (Value Finding)	3		\$ 2,140.00	\$ 6,420.00		\$ 6,420.00
Appraisal (Value Finding w/ 2 nd Land Value)	1		\$ 3,745.00	\$ 3,745.00		\$ 3,745.00
Appraisal (Wavier Valuation)	0	1	\$ 755.00	\$ 0.00	\$ 755.00	\$ 755.00
Appraisal (Residential Long Form)	1		\$ 5,010.00	\$ 5,010.00	(\$5,010.00)	\$ 0.00
Review Appraisal (Value Finding)	3		\$ 1,080.00	\$ 3,240.00		\$ 3,240.00
Review Appraisal (Value Finding w/ 2 nd Land Value)	1		\$ 1,890.00	\$ 1,890.00		\$ 1,890.00
Review Appraisal (Wavier Valuation)	0	1	\$ 455.00	\$ 0.00	\$ 455.00	\$ 455.00
Review Appraisal (Residential Long Form)	1		\$ 2,375.00	\$ 0.00	(\$2,375.00)	\$ 0.00
Right of Way Staking	13		\$ 600.00	\$ 7,800.00		\$ 7,800.00
Right of Way Staking	0	1	\$ 2,200.00	\$ 0.00	\$ 2,200.00	\$ 2,200.00
LRS Data Entry	13		\$ 200.00	\$ 2,800.00		\$ 2,800.00
Total				\$ 81,640.00	(\$5,375.00)	\$ 76,265.00

The total compensation to be paid to GAI Consultants, Inc., as outlined in the original agreement and Supplemental Agreement No. 1, No. 2, and No. 3 will be a **\$337,750.00**, and services outlined in this supplemental agreement will be a “net zero increase”. All other conditions as set forth in the original Agreement dated May 7, 2022, Supplemental Agreement No. 1 dated May 15, 2023, Supplemental Agreement No. 2 dated March 4, 2023, and Supplemental Agreement No. 3 dated October 28, 2024 shall remain in full force, except as herein modified.

IN TESTIMONY WHEREOF, the parties hereto have executed this Supplemental Agreement.

CONSULTANT
GAI Consultants, Inc.

LOCAL PUBLIC AGENCY
Town of Huntertown, Town Council

By: Shaun M. Long
Shaun M. Long, PE, DBIA
Assistant Vice President

By: _____
Bradely Hite, President

By: _____
Brandon Seifert, Vice President

By: _____
Mike Acker, Member

By: _____
Patricia Freck, Member

By: _____
Tina McDonald, Member

Attest:

By: Jay A. Stankiewicz
Jay A. Stankiewicz, PE
Senior Engineering Manager

By: _____
Ryan Schwab, Clerk Treasurer

Thu 7/3/25

TOWN OF HUNTERTOWN
Carroll Road Roundabout
Letting Date - 12/10/2025

Des. No. 2101634

ID	Task Name	Duration	Start	Finish	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
1	Environmental Document (CE)	298 days	Wed 5/28/25	Thu 7/16/26															
2	Section 106 Approval	68 days	Wed 7/9/25	Sun 10/12/25															
3	Submit draft 800.11 Findings	0 edays	Wed 7/9/25	Wed 7/9/25															
4	INDOT Review draft 800.11 Findings	30 edays	Wed 7/9/25	Fri 8/8/25															
5	Submit Final 800.11 Findings	5 edays	Fri 8/8/25	Wed 8/13/25															
6	INDOT Approves 800.11 Findings	30 edays	Wed 8/13/25	Fri 9/12/25															
7	Renew Comment Period	30 edays	Fri 9/12/25	Sun 10/12/25															
8	Information for Planning and Consultation	74 days	Wed 5/28/25	Tue 9/9/25															
9	Draft IPAC Submittal	0 edays	Wed 5/28/25	Wed 5/28/25															
10	INDOT Review of Draft IPAC	37 edays	Wed 5/28/25	Fri 7/4/25															
11	Final IPAC Submitted	7 edays	Fri 7/4/25	Fri 7/11/25															
12	INDOT Review of Final IPAC	30 edays	Fri 7/11/25	Sun 8/10/25															
13	USFW IPAC Review	30 edays	Sun 8/10/25	Tue 9/9/25															
14	IPAC Approved	0 edays	Tue 9/9/25	Tue 9/9/25															
15	NEPA Document	200 days	Sun 10/12/25	Thu 7/16/26															
16	Prepare Draft CE to submit to INDOT	7 edays	Sun 10/12/25	Sun 10/19/25															
17	INDOT Review Draft CE	30 edays	Sun 10/19/25	Tue 11/18/25															
18	Draft CE Revisions to INDOT Comments	10 edays	Tue 11/18/25	Fri 11/28/25															
19	INDOT Release CE for Public Involvement (PI)	30 edays	Fri 11/28/25	Sun 12/28/25															
20	Public Involvement Comment Period	30 edays	Sun 12/28/25	Tue 1/27/26															
21	Address PI Comments and submit to INDOT	14 days	Tue 1/27/26	Fri 2/13/26															
22	INDOT Review of PI Responses	30 days	Mon 2/16/26	Fri 3/27/26															
23	Prepare Final CE to submit to INDOT	14 days	Mon 3/30/26	Thu 4/16/26															
24	INDOT Review Final CE	30 edays	Thu 4/16/26	Sat 5/16/26															
25	Final CE Revisions to INDOT Comments	14 days	Mon 5/18/26	Thu 6/4/26															
26	INDOT APPROVE Final CE	30 days	Fri 6/5/26	Thu 7/16/26															

Task	Split	Milestone	Summary	Project Summary	Inactive Task	Inactive Milestone	Inactive Summary	Manual Task	Manual Summary	Manual Summary Rollup	Manual Summary	Start-only	Finish-only	External Tasks	External Milestone	Deadline	Progress	Manual Progress
Project: Carroll Road Roundabout																		
Date: Thu 7/3/25																		

Des. No. 2101634
Consultant: GAI Consultants, Inc.

July 10, 2025

[illegible]

HUNTERTOWN ORDINANCE No. 2025-_____

AN ORDINANCE TO REGULATE SPEED LIMITS ON DUNTON ROAD WITHIN THE TOWN OF HUNTERTOWN

WHEREAS, the Town of Huntertown has reserved the right to regulate speed on specific streets within the Town of Huntertown and as permitted by Indiana Code § 9-21-5-6; and

WHEREAS, an engineering and traffic investigation has been performed for Cedar Canyons Road which recommends reduced speeds on that road; and

WHEREAS, the Allen County Highway Department Office of Traffic Engineer has recommended that the speed along Dunton Road between Grump Road and Hathaway be posted at 35 MPH, and the Allen County Commissioners have approved;

WHEREAS, based upon the engineering and traffic study the Town Council finds that a maximum speed on Dunton Road should be 35 miles per hour.

NOW, THEREFORE, be it Ordained by the Town Council of the Town of Huntertown, Indiana, that:

1. The maximum speed limit on Cedar Canyons Road shall be 35 miles per hour from its intersection from Gump Road to its intersection with Cedar Canyons Road, all of which is located within the town; and
2. The speed limit signs shall be properly posted.

The Council hereby declares that an emergency exists requiring the immediate effectiveness of this Ordinance, which shall be in full force and effect from and after the date of its passage by the Town Council. The Clerk-Treasurer is directed to post this Ordinance in accordance with I.C. 36-5-2-10(b).

Adopted by the Town Council of the Town of Huntertown, Indiana, on this _____ day of July 2025.

TOWN OF HUNTERTOWN

By: _____
Brad Hite, President

By: _____
Brandon Seifert, Vice-President

By: _____
Mike Aker, Council Member

By: _____
Pat Freck, Council Member

ATTEST:

Ryan Schwab, Clerk-Treasurer

By: _____
Tina McDonald, Council Member

HUNTERTOWN ORDINANCE NO. 2025-00____

AN ORDINANCE OF THE HUNTERTOWN TOWN COUNCIL, STATE OF INDIANA, PURSUANT TO THE AUTHORITY VESTED BY INDIANA CODE § 36-7 et. seq., AS AMENDED, CHANGES THE ZONING CLASSIFICATION OF A CERTAIN 0.599 ACRE TRACT REFERENCED IN REZONING PETITION REZ-2025-0027 FROM AR LOW INTENSITY RESIDENTIAL TO C2/LIMITED COMMERCIAL WITH A WRITTEN COMMITMENT

WHEREAS petitioner, Kamlesh R. Patel filed Petition REZ-2025-0027 with the Allen County Department of Planning Services; and,

WHEREAS the Allen County Plan Commission held a public hearing on this Petition on the 12th of June, 2025; and,

WHEREAS, after deliberating, the Plan Commission adopted Findings of Fact for this Petition and resolved to recommend the approximate 0.599 acres of real estate referenced in the Petition be reclassified to C2/Limited Commercial, with a Written Commitment; now, therefore,

BE IT ORDAINED by the Town Council of the Town of Huntertown, State of Indiana, that the Council concurs with the Plan Commission's recommendation and approves this Petition;

BE IT FURTHER ORDAINED that the Allen County Plan Commission's Findings of Fact for this Petition be adopted as the Findings of Fact for this Council;

ENACTED THIS _____ day of _____, 2025.

**THE TOWN COUNCIL OF THE TOWN OF
HUNTERTOWN, STATE OF INDIANA**

By: _____
Bradley Hite, Council President

By: _____
Brandon Seifert, Council Vice President

By: _____
Mike Aker, Council Member

By: _____
Pat Freck, Council Member

Attest:

By: _____
Tina McDonald, Council Member

Ryan Schwab, Clerk-Treasurer

STATE OF INDIANA

COUNTY OF ALLEN

Before me the undersigned, a Notary Public in and for Allen County,
State of

Indiana, personally appeared _____

Witness my hand and notarial seal this _____ day of _____, 20____.

(SEAL)

Resident of _____

Commission expires _____

Pursuant to IC 36-2-11-15(d): I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Hannah Walker

Prepared by: Hannah Walker, 15617 Lima Road, Huntertown, Indiana, 46748

**When recorded, return to: Department of Planning Services, 200 East Berry,
Suite 150, Fort Wayne, IN 46802**

REZONING FACT SHEET

Petition #REZ-2025-0027

Project Start: June 2025

PROPOSAL:	Rezoning Petition REZ-2025-0027 – Carroll Road Plaza
APPLICANT:	Kamlesh R Patel
REQUEST:	To rezone property from AR/Low Intensity Residential to C2/Limited Commercial to permit a multi-tenant retail building.
LOCATION:	1638 Carroll Road, northeast corner of its intersection with Mossy Oak Run (Section 29 of Perry Township)
LAND AREA:	0.599 acres
PRESENT ZONING:	AR/Low Intensity Residential
PROPOSED ZONING	C2/Limited Commercial

12 June, 2025 Plan Commission Public Hearing

- Two people spoke in support.
- No one spoke in opposition.
- An email in support and technical letter were received from Huntertown.
- Paul Lagemann was absent.

26 June 2025 Business Meeting

Plan Commission Recommendation: DO PASS, with a written commitment

- A motion was made by James Wolfe and seconded by Paul Lagemann to return the ordinance, with a Do Pass recommendation, with a written commitment, to the Town of Huntertown Town Council, for their final decision.
- Ronald Turpin was absent.
- Paul Lagemann arrived late.
- **8-0 MOTION PASSED**

Fact Sheet Prepared by:

Karen Couture, Associate Land Use Planner

July 3, 2025

PROJECT SUMMARY

The applicant is requesting to rezone AR/Low Intensity Residential to C2/Limited Commercial and to approve a primary development plan for a proposed multi-tenant commercial building. The applicant has not indicated any planned tenants at this time. The site is located on the northeast corner of Mossy Oak Run and Carroll Road intersection. Surrounding zoning consists of R1/Single Family Residential to the north, AR/Low Intensity Residential to the east, C2/Limited Commercial to the south, and C3/General Commercial to the west. The site itself currently consists of a single-family residential home similar in style and size to the metes and bounds parcels on the north side of Carroll Road, east of this proposal.

The submitted development plan includes 3,800 square foot structure at the center of the parcel. A detention pond is located on the north side of the parcel. The parking plan shows 17 spaces along Carroll Road, the zoning ordinance requires 10 parking spaces for this size of development. A trail is shown along Carroll Road. One access point is shown along Carroll Road. Access is not proposed to Moss Oak Run because there is a narrow strip of land owned by the Carroll Oaks Community Association. The applicant has also agreed to grant access to the property immediately to the west in the event it is rezoned and develops commercially. The applicant also notes that this agreement would require the neighboring parcels to agree to share maintenance costs. The applicant submitted a landscape plan that includes the zoning ordinance required screening of the building to the north and east as well as the parking to the east, south, and west. The applicant has not requested any waivers for this proposal. The applicant presented a written commitment to limit some of the uses that are not compatible with the surrounding area.

COMPREHENSIVE PLAN REVIEW

Future Growth and Development Map, Goals, and Strategies

- The site is located within the "Urban Infill Area" The Comprehensive Plan states: "Municipal Infill areas benefit from existing infrastructure and adjacent to other community amenities. These second-tier infill areas are a focus for reinvestment and filling in gaps within established neighborhoods. Development in urban infill areas should be focused on vacant lots within neighborhoods and commercial or industrial areas already served by infrastructure."

Generalized Future Land Use Map

- The project site is located within the Suburban Neighborhood land use category. The proposed use of a commercial tenant building is not a primary or secondary use.

Land Use Related Action Steps

- **LUD Policy 2** Promote complete neighborhoods through sustainable development, preservation, and growth by encouraging and enhancing mixed use neighborhood areas.

Compatibility Matrix

- This proposed use is permitted in the C2/Limited Commercial. This is considered potentially compatible with the Suburban Neighborhood land use category to the north and east and compatible with Community Commercial to the south and west. The applicant can justify how the proposed development is compatible to the existing environment at the public hearing. Staff understands a written commitment may be proposed to limit uses that may not be compatible with the area.

Other Applicable Plans: none

PUBLIC HEARING SUMMARY:

Presenter: Scott Federoff, representing the applicant, presented the project to the Plan Commission, as outlined above.

Public Comments:

Hanna Walker (15617 Lima Rd): Huntertown Town Manager – Supports project. Engineering department approves pre-construction plans; approves of Written Commitment; capacity approved.

Darrin Vogt (2030 Forest Glade): Donut shop owner – Supports project; concerned with future traffic problems.

Rebuttal: Access has been difficult to engineer; will continue working on this and with subdivision.

ALLEN COUNTY PLAN COMMISSION • FINDINGS OF FACT

Rezoning Petition REZ-2025-0027

APPLICANT: Kamlesh R Patel
REQUEST: To rezone property from AR/Low Intensity Residential to C2/Limited Commercial and to approve a primary development plan for a multi-tenant retail building.
LOCATION: 1638 Carroll Road, northeast corner of its intersection with Mossy Oak Run (Section 29 of Perry Township)
LAND AREA: 0.599
PRESENT ZONING: AR/Low Intensity Residential
PROPOSED ZONING: C2/Limited Commercial

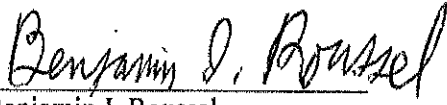
In preparing and considering proposals for rezoning, I.C. 36-7-4-603 states that the Plan Commission and legislative body shall pay reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

The Plan Commission recommends that Rezoning Petition REZ-2025-0027 be returned to the Town of Huntertown Town Council, with a written commitment and a recommendation of "Do Pass" after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the Allen County Comprehensive Plan and should not establish an undesirable precedent in the area. The site is located within the "Urban Infill Area" The Comprehensive Plan states: "Municipal Infill areas benefit from existing infrastructure and adjacent to other community amenities. These second-tier infill areas are a focus for reinvestment and filling in gaps within established neighborhoods. Development in urban infill areas should be focused on vacant lots within neighborhoods and commercial or industrial areas already served by infrastructure."
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The area is primarily commercial to the west of the property. The applicant is proposing landscaping that will limit the impact on the neighboring residential property.
3. Approval is consistent with the preservation of property values in the area. This proposal will allow reinvestment in the area that is undergoing increase development in the area. The new zoning gives the property owner flexibility to invest in the property commercially.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. This is adjacent growth to a similar development pattern. The review processes from agencies will maintain responsible growth in Northwest Allen County.

These findings approved by the Allen County Plan Commission on June 26, 2025.

A handwritten signature in cursive script, reading "Benjamin J. Roussel". The signature is written in dark ink and is positioned above a horizontal line.

Benjamin J. Roussel

Executive Director

Secretary to the Commission

COMES NOW the Advisory Plan Commission of the County of Allen, State of Indiana, pursuant to authority vested in it by Indiana Code § 36-7-4 et.seq. and Allen County Code Title 3, both as amended, and adopts the following resolution.

**Resolution of the
Allen County Plan Commission
Regarding Zoning Map Amendment**

WHEREAS the Allen County Department of Planning Services received a proposed map amendment to Title 3 of the Allen County Code (the Zoning Ordinance) on May 5, 2025, which it designated subsequently as Rezoning Petition REZ-2025-0027; and,

WHEREAS the Allen County Department of Planning Services provided for publication of a public hearing notice on the proposed map amendment in *The Journal Gazette* according to law; and,

WHEREAS the Allen County Plan Commission conducted a public hearing on the proposed map amendment on June 12, 2025; and,

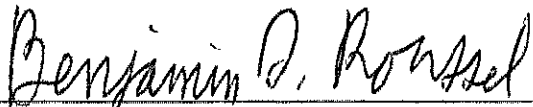
WHEREAS the Allen County Plan Commission considered the petition in light of comprehensive plan and the zoning ordinance requirements; now, therefore,

BE IT RESOLVED by the Allen County Plan Commission, meeting in open session, that a resolution and proposed ordinance be sent to the Town of Huntertown Town Council, recommending that the proposed map amendment Do Pass, with a Written Commitment, approximately 0.599 acres to C2/Limited Commercial;

BE IT FURTHER RESOLVED that the Allen County Plan Commission's Findings of Fact setting forth its reasons for this recommended action be included with the resolution and proposed ordinance resolving Rezoning Petition REZ-2025-0027; and,

BE IT FINALLY RESOLVED that the Executive Director of the Allen County Department of Planning Services be directed to execute this Resolution on behalf of the Allen County Plan Commission and to present a copy of it to the Town of Huntertown Town Council;

ADOPTED THIS 26th day of June, 2025.



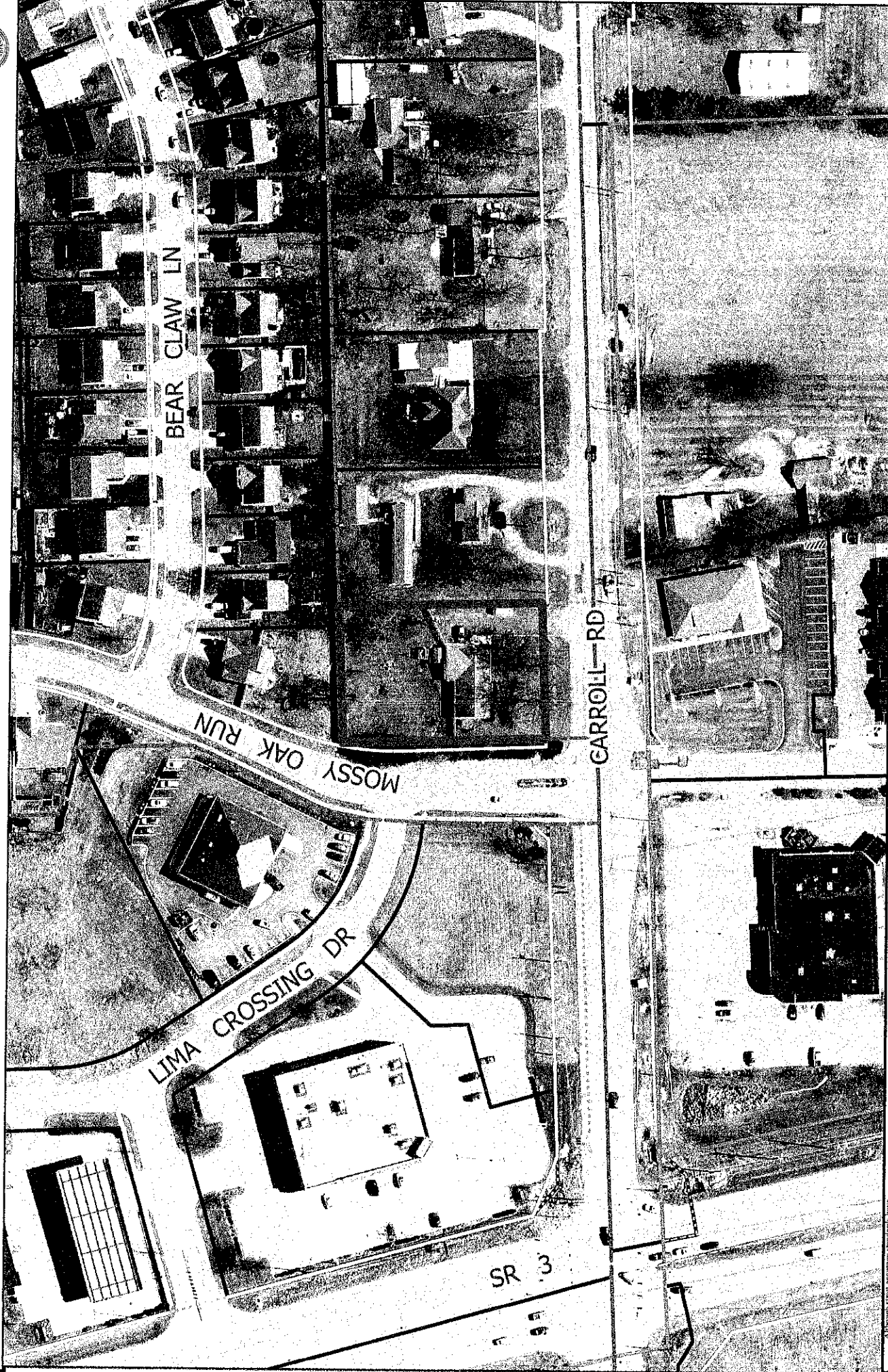
Benjamin J. Roussel
Executive Director, DPS
Secretary to the Allen County Plan Commission



Date of Signature



Rezoning Petition REZ-2025-0027 and Primary Development Plan PDP-2025-0017 - Carroll Road Plaza



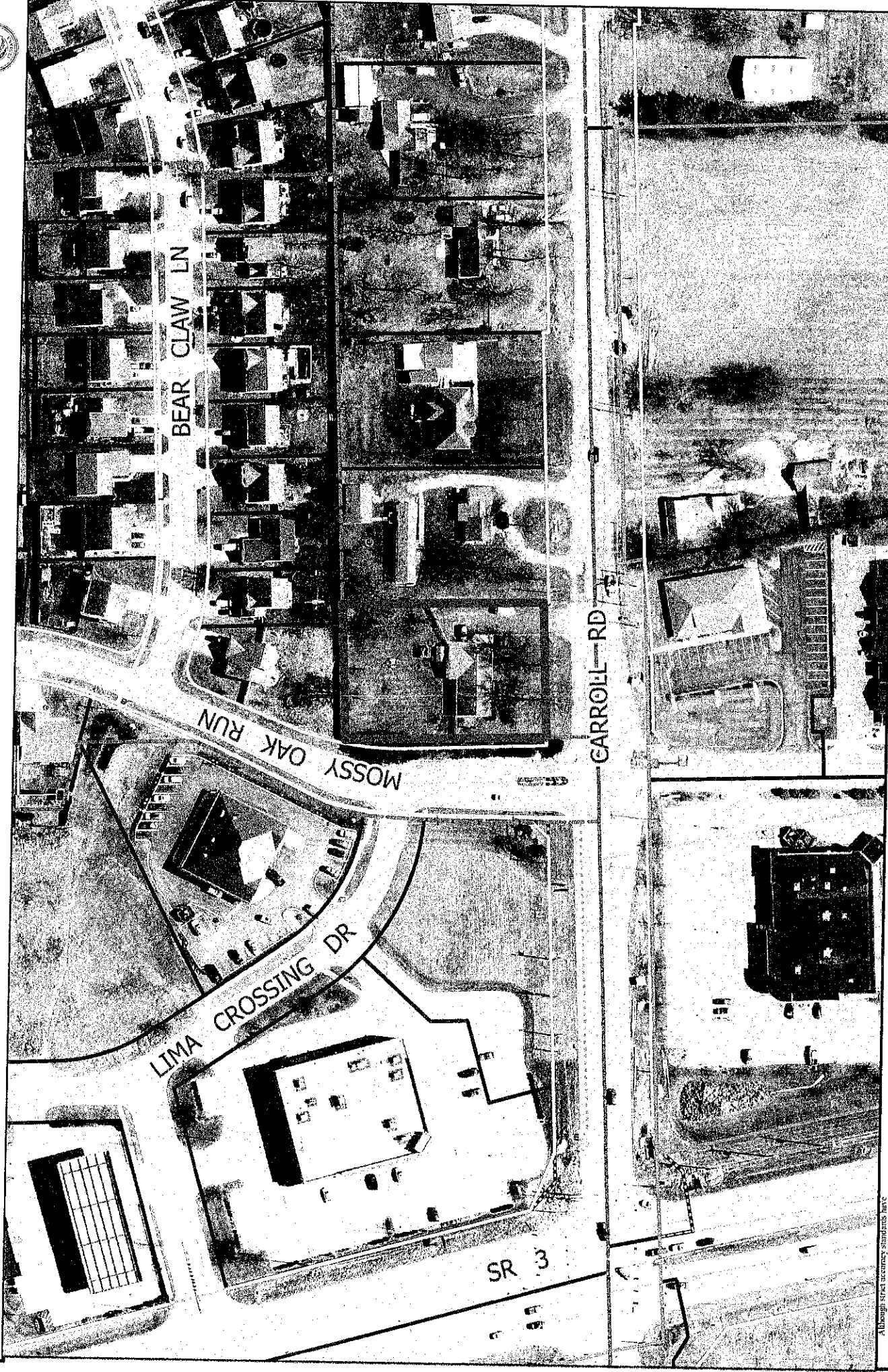
0 90 180 Feet

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any liability resulting from any error or omission in this map.

© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring 2009
Date: 5/10/2024

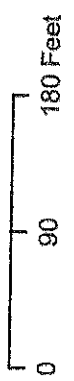


Rezoning Petition REZ-2025-0027 and Primary Development Plan PDP-2025-0017 - Carroll Road Plaza



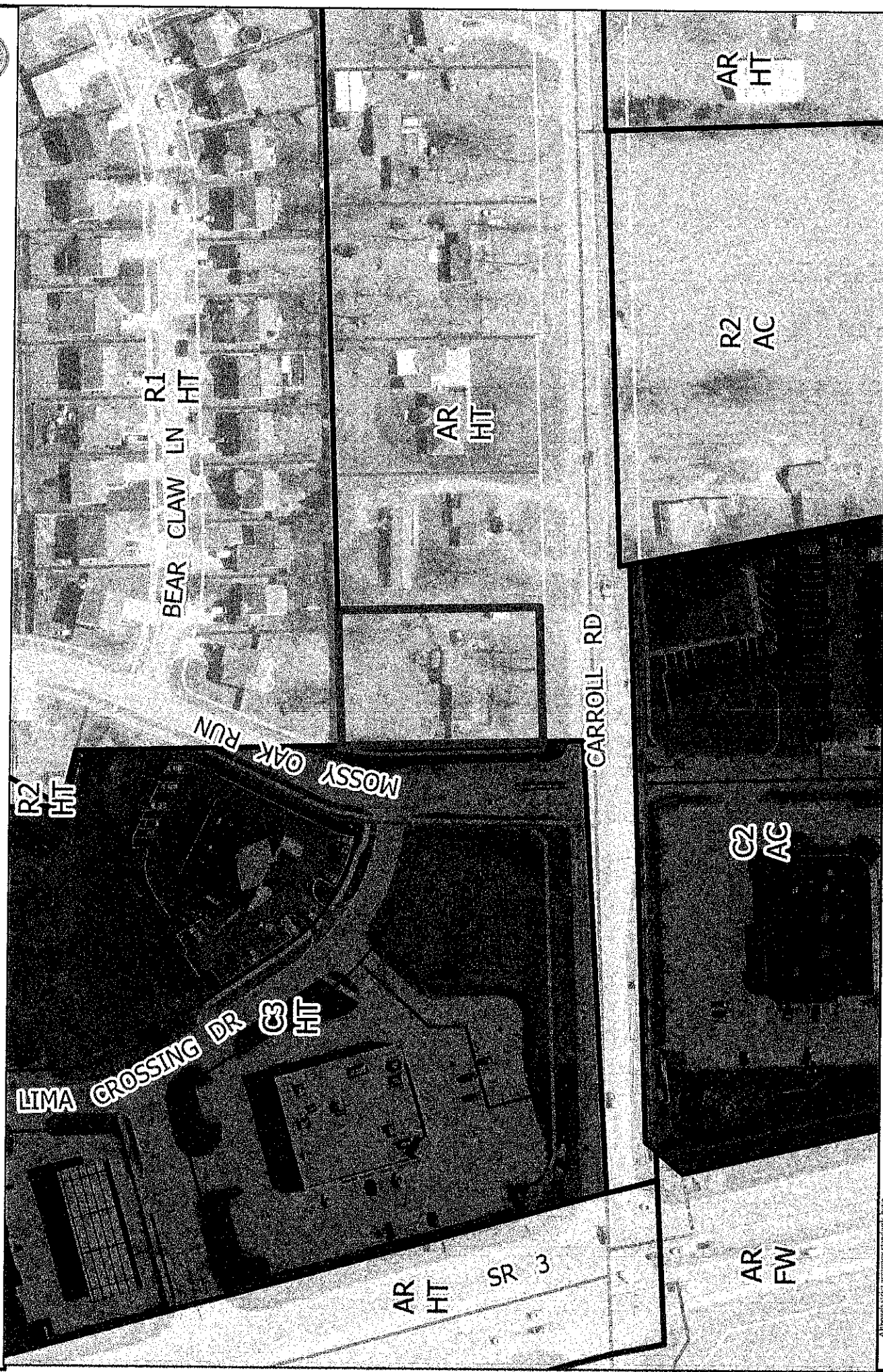
Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours Spring 2009
Date: 6/22/2024





Rezoning Petition REZ-2025-0027 and Primary Development Plan PDP-2025-0017 - Carroll Road Plaza

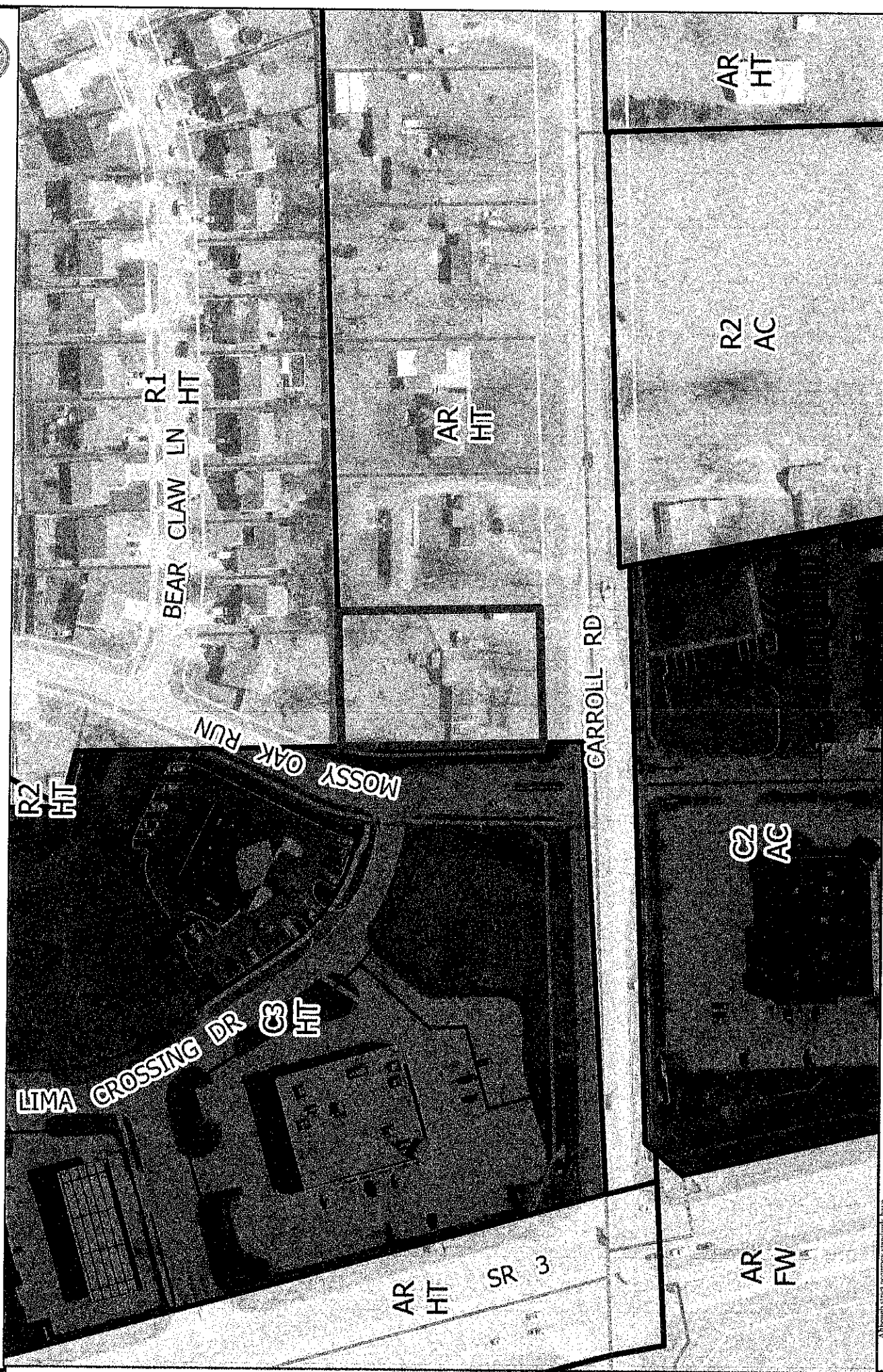


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© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Cartoons: Spring 2009
Date: 5/20/2017



Rezoning Petition REZ-2025-0027 and Primary Development Plan PDP-2025-0017 - Carroll Road Plaza



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North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours Spring 2009
Date: 5/20/2025

Department of Planning Services Rezoning Petition Application

Applicant
Applicant Kamlesh R. Patel
Address 1638 E. Carroll Road
City Fort Wayne State IN Zip 46825
Telephone _____ E-mail krpatelmd@gmail.com

Property Ownership
Property Owner Kamlesh R. Patel Revocable Trust Agreement U/A/D March 12, 2018
Address 1638 E. Carroll Road
City Fort Wayne State IN Zip 46845
Telephone _____ E-mail _____

Contact Person
Contact Person Scott M. Federoff, Federoff Law, LLC
Address 14033 Illinois Road, Ste A
City Fort Wayne State IN Zip 46814
Telephone 260-602-8000 E-mail smf@federoff-law.net

All staff correspondence will be sent only to the designated contact person.

Request
☒ Allen County Planning Jurisdiction ☐ City of Fort Wayne Planning Jurisdiction
Address of the property 1638 E. Carroll Rd, Fort Wayne, IN 46845 Township and Section Perry Twp., Sec. 29
Present Zoning AR Proposed Zoning C2 Acreage to be rezoned 0.599 AC
Purpose of rezoning (attach additional page if necessary) To rezone the parcel from AR (Low Intensity Residential) to C2 (General Commercial) for development of a multi-tenant retail building.

Sewer provider Huntertown Utilities Water provider Huntertown Utilities

Filing Checklist
Applications will not be accepted unless the following filing requirements are submitted with this application.
☒ Filing fee \$1000.00
☒ Surveys showing area to be rezoned
☒ Legal Description of parcel to be rezoned
☒ Rezoning Criteria (see attached checklist)

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Fort Wayne and Allen County Plan Commissions as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that

Kamlesh R. Patel Revocable Trust Agreement,
by Kamlesh R. Patel, Trustee
(printed name of applicant)

[Signature]
(signature of applicant)

May 2, 2025
(date)

Kamlesh R. Patel Revocable Trust Agreement,
by Kamlesh R. Patel, Trustee
(printed name of property owner)

[Signature]
(signature of property owner)

May 2, 2025
(date)



Received	Receipt No.	Hearing Date	Petition No.
5-5-25	147480	6-12-25	RE2-2025-0027

Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802
Phone (260) 449-7607 • Fax (260) 449-7682 • www.allencounty.us • www.cityoffortwayne.org



**CARROLL ROAD PLAZA
SUPPORT FOR REZONING FACTORS**

Comprehensive Plan. The proposed rezoning is supported by the Comprehensive Plan, as it offers infill development and investment of an underutilized property in the area. Given the redevelopment of this entire intersection as the line between Fort Wayne and Huntertown merged into a mutual boundary, this property is better utilized as commercial rather than residential. Infill development occurs when vacant lots, redevelopment sites, or underutilized parcels within areas that are primarily built out are developed. This infill development is desirable because by adding additional small retail businesses it strengthens the established neighborhoods and leverages existing infrastructure.

Current Conditions and Character of the Area. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. When this home was constructed, the property was once located in a rural residential area. Since that time State Road 3 was widened as Fort Wayne developed north, and Huntertown developed south. The intersection itself is now entirely commercial, including a Walgreen's to the west, a CVS to the southwest, and a BP gas station and a new Parlor Doughnuts Site to the northwest. The commercial complex to the south has high traffic volume businesses such as a physical therapy office, salon, and nail spa. The heavily traveled Mossy Oak Run, a public road, is located to the immediate west of the site, which serves as an entrance to the Carroll Oaks Subdivision and also as commercial access to the Walgreens, BP Gas Station and other new commercial developments to the northwest of the site. Site plan and architectural review from the Plan Commission and staff will ensure a compatible development that complements this area.

Most desirable use for which the land if the district is adopted. Commercial development almost always follows the expansion of residential rooftops. This area of northern Allen County has seen a massive increase in residents, which creates demand for additional commercial options. The development of the intersection is complete and now the logical progression of commercial development is to extend from the intersection. This is similar to the development of State Road 14 west of Fort Wayne, where the metes and bounds tract along the road redeveloped commercially providing additional goods and services to the

nearby residents. The size, location, and configuration of this property is ideal for a compact commercial development and is the most desirable use for the land if the proposed zoning classification is adopted.

Conservation of Property Values. Approval is consistent with the preservation of property values in the area. Given the commercialization of this intersection, the redevelopment and of this property as commercial is desirable. It is not part of a platted subdivision or subject to residential use only restrictions. Again, this is similar to the commercial redevelopment of the properties along State Road 14 which did not negatively impact the residential subdivisions directly behind them. Rather, it increased property values as additional amenities became available to the residents. Additionally, the proposed layout is consistent with the Zoning Ordinance standards.

Responsible Development and Growth. The approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The applicant has confirmed there is adequate infrastructure available to service the site. Further, a new sidewalk was installed to the immediate south of the subject property along Carroll Road that will provide pedestrian connectivity to the site and its amenities.

WRITTEN COMMITMENT

THIS WRITTEN COMMITMENT ("Commitment") is made effective as of the ____ day of July, 2025, by Reynold H. Roemke Family Trust #1 ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of approximately 9.84 acres of real estate located in Allen County, Indiana, the legal description of which is attached hereto as Exhibit "A" (the "Real Estate"); and

WHEREAS, Declarant submitted a rezoning petition with respect to the Real Estate to rezone the Real Estate from A1/ Agricultural to a C3/General Commercial zoning district, bearing number REZ-2024-2029 (the "Petition"), which Petition has been approved by the Allen County Plan Commission (the "Plan Commission") and the Allen County, Indiana Board of Commissioners (the "Commissioners"); and

WHEREAS, Declarant has offered this Commitment, voluntarily, pursuant to Indiana Code 36-7-4-1015, for the purpose of imposing certain conditions regarding the improvement of the Real Estate; and

WHEREAS, in conjunction with the Petition, the Plan Commission has accepted Declarant's offer of this Commitment and its recordation with the Allen County, Indiana, Recorder's Office upon approval of the Petition by the Plan Commission and the Commissioners.

NOW, THEREFORE, in consideration of the above and foregoing recitals, Declarant hereby impresses upon the Real Estate certain restrictions and covenants which shall run with the Real Estate and be binding upon Declarant and all future owners of the Real Estate, and all lessees of all or any portion of the Real Estate.

1. Commitments: The Declarant agrees that the following development restrictions shall be complied with upon the Real Estate:

- 3.1 An enhanced landscape plan, subject to staff review and approval, will be submitted with the site plan routing. The plan shall include a low mound (max three feet high) along the south property line, installed with a mixture of evergreens, shrubs and shade or ornamental trees. Clear vision areas will be maintained at entrances for safe access. Said mound and landscaping shall also be extended along the east property line and installed with evergreen trees for approximately 200 feet, with trees spaced 10 to 15 feet apart.

- 3.2 Dumpster screening to be constructed with either a wood or a vinyl fence or masonry structure and will include a gate.

3.3 All site and building lighting will use sharp cut-off type fixtures as defined by the Illuminating Engineers Society of North America (IESNA).

2. Permits. No permits shall be issued under the zoning ordinance by the Zoning Administrator, or any successor agency having zoning jurisdiction over the Real Estate, until this Commitment is recorded with the Allen County Recorder. The Declarant shall deliver to the Zoning Administrator and the Plan Commission an executed and recorded copy of this Commitment.
3. Binding Effect, Modification, and Termination. This Commitment shall run with the Real Estate, and shall be binding upon the Declarant and each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless this Commitment is modified or terminated. The recitals are incorporated herein by reference and are expressly made a part of this Commitment. This Commitment may be modified or terminated only by a decision of the Plan Commission, following a public hearing held by the Plan Commission wherein notice has been given as provided by the Plan Commission's rules of procedure. The Plan Commission shall have the discretion whether to approve or deny any proposed modification or termination of this Commitment. This Commitment may be modified or terminated by the Plan Commission making findings of fact that the proposed modification or termination is required because: (a) there is a substantial change in circumstances from the time of the original Commitment; (b) the proposed modification or termination is in substantial compliance with the Comprehensive Plan; (c) the proposed modification or termination is consistent with the Plan Commission's prior approval; and (d) the application of the terms of the original Commitment would cause an unnecessary hardship absent the modification or termination. Further, pursuant to I.C. 36-7-4-1015(b)(4), this Commitment shall automatically terminate if: (i) the zoning district or classification applicable to the Real Estate is changed; or (ii) if the land use to which this Commitment relates is changed.
4. Recording. Declarant or Applicant shall, at Declarant's or Applicant's expense, record this Commitment with the Allen County Recorder and shall provide two copies of the recorded Commitment to the Zoning Administrator.
5. Enforcement. Any violation of this Commitment shall be deemed a violation of the zoning ordinance in effect at the time of the violation; provided, however, that nothing in this Commitment shall be construed as giving any person the right to compel enforcement of it by the Plan Commission or any enforcement official designated in the zoning ordinance, or any successor agency having zoning jurisdiction over the Real Estate. Pursuant to I.C. §36-7-4-1015, the Plan Commission or any enforcement official designated in the zoning ordinance, shall be entitled to all legal and equitable remedies available, including specific performance and injunctive relief, for any violation of this Commitment. The enforcement rights of the Plan Commission or any enforcement official designated in the zoning ordinance are cumulative, not exclusive. This Commitment may be enforced by any successor commission or enforcement official having zoning jurisdiction over the Real Estate.

6. Last Deeds of Record. The most recent deed of record for the Real Estate was recorded in the Office of the Recorder of Allen County, Indiana as Document Number(s) 2025_____.
7. Severability. Each covenant or restriction contained in any paragraph of this Commitment shall be severable and separate, and if any court shall rule that any particular restriction or covenant is unenforceable, such ruling shall not affect the enforceability of any other restriction or covenant under this Commitment, and such other restriction or covenant shall be enforced.
8. Governing Law. This Commitment, including the restrictions and covenants hereunder, shall be governed by the laws of the State of Indiana.
9. Effective Date. The effective date ("Effective Date") of this Commitment shall be the date of its recordation with the Office of the Recorder of Allen County, Indiana.

Reynold H. Roemke Family Trust #1

By: Rose Richardson Trustee
Rose Richardson, Trustee

"Declarant"

STATE OF Indiana)
TENNESSEE) SS:
COUNTY OF Allen)



Julie J Goodwin, Notary Public
Allen County, State of Indiana
Commission No: NP0666934
My Commission Expires 06/16/2032

Before me, the undersigned Notary Public in and for said County and State, this ____ day of July, 2025, personally appeared Rose Richardson, Trustee of Reynold H. Roemke Family Trust #1, and acknowledged the execution of the foregoing Written Commitment.

WITNESS my hand and Notarial Seal.

My commission expires:

6-16-2032

Julie J Goodwin
Julie J Goodwin, Notary Public

This instrument prepared by and after recording return to: Scott M. Federoff, FEDEROFF LAW LLC, 14033 Illinois Road, Suite A, Fort Wayne, Indiana 46814.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Scott M. Federoff

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

[TO BE SUPPLIED.]



15617 Lima Road ★ P.O. Box 95 ★ Huntertown, IN 46748
Phone: (260) 637-5058 ★ Fax: (260) 637-5891

June 2, 2025

Allen County Department of Planning Services
Citizens Square Suite 150
200 East Berry Street
Fort Wayne, IN 46802

RE: Rezoning Petition REZ-2025-0027 and Primary Development Plan PDP-2025-0017
– Carroll Road Plaza (1638 E. Carroll Road, Fort Wayne, IN 46825).

The Huntertown Town Council has reviewed the pending application of Kamlesh R. Patel Revocable Trust Agreement U/A/D March 12, 2018 for a Rezoning Petition and Primary Development Plan for a 0.599-acre parcel located at 1638 E. Carroll Road. On behalf of the Huntertown Town Council, I submit the following:

The Huntertown Town Council currently has no objection to the rezoning of the parcel from AR (Low Intensity Residential) to C2 (Limited Commercial) for the proposed development of a multi-tenant retail building. This is subject to amendment based on public comment, findings of fact provided by the Department of Planning Services, or any applicable standard as outlined in I.C. 36-7-4-603.

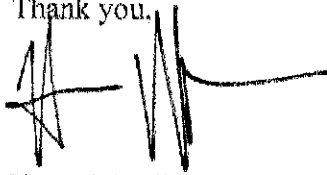
Huntertown is working with the applicant (Kamlesh R. Patel) and his attorney (Scott M. Federoff) on the finalization of a restrictive Written Commitment for the uses of the parcel. Huntertown supports the version of the document submitted with the Rezoning Petition and Primary Development Plan but proposes adding the following uses as restricted/not permitted: Data Storage Facility, Haunted House, Rehabilitation Facility, Tattoo Establishment, and Wind Energy Conversion System (micro).

The Primary Development Plan has been reviewed by Huntertown's engineering consultant, Engineering Resources, Inc. The full technical review with notes is attached to this letter. Some general comments include:

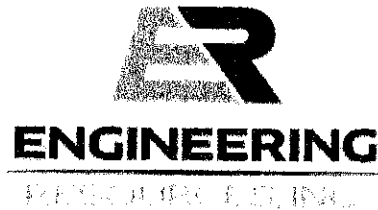
- 1) A meeting between the Developer and the Town of Huntertown is suggested to discuss water and sewer permitting requirements. This meeting should occur prior to the Secondary Development Plan Review.
- 2) The Department of Planning Services Application indicates that zero (0) units are planned, and the submitted plan set illustrates one building. Please clarify per the submitted Comprehensive Plan the proposed quantity of "small retail businesses" units within this 3,800-sf building.
- 3) The Town has the ability to provide water and sewer service. Improvements may be needed to the plan and the Town's infrastructure to provide water and sewer service to the proposed development. The Town has not yet determined how much the applicant will be required to pay in order to receive the requested services.

A representative for the Town of Huntertown will be available to attend the Allen County Plan Commission meeting on June 12th at 1:00PM and answer any questions Plan Commission members may have.

Thank you.

A handwritten signature in black ink, appearing to be 'Hannah Walker', written over a horizontal line.

Hannah Walker, Huntertown Town Manager



June 5, 2025

Derek Simon, PE
MLS Engineering
10060 Bent Creek Blvd.
Fort Wayne, IN 46825

RE: Carroll Road Plaza
Primary Development Plan Review - Water and Sewer Utility - 1 Lot
Submitted 5/19/2025

☐ Approved ☒ Approved as Noted ☐ Revise and Resubmit

At the Request of the Town of Huntertown, our office has completed a Primary Development Plan Review of the water and sewer utilities proposed for the above referenced project. The comments listed must be addressed by the applicant prior to approval by the Town.

GENERAL COMMENTS

1. A meeting between the Developer and Town of Huntertown is suggested to discuss water and sewer permitting requirements. This meeting should occur prior to the Secondary Development Plan Review.
2. The Department of Planning Services Application indicates that zero (0) units are planned and the submitted plan set illustrates one building. Please clarify per the submitted Comprehensive Plan the proposed quantity of "small retail businesses" units within this 3,800 sf building.
3. The Town has the ability to provide water and sewer service. Improvements may be needed to the plan and the Town's infrastructure to provide water and sewer service to the proposed development. The Town has not yet determined how much the applicant will be required to pay in order to receive the requested services.
4. Final approval pending signed Special Contract with the Town if any water or sewer main extensions are needed.
5. Payment of the Town's Water System Development Charge is due prior to the start of construction.

Please note that approval through this office does not constitute a permit, which can only be issued by Huntertown Utilities.

Sincerely,

Derek Frederickson, P.E.
Review Engineer

Cc: Hannah Walker, Huntertown Town Manager
Gabe Brindle, Distribution Supt./Water Plant Operator



HUNTERTOWN ORDINANCE NO. 2025-_____

**ORDINANCE TO AMEND CHAPTER 154 OF THE TOWN
OF HUNTERTOWN, STATE OF INDIANA, ORDINANCE**

WHEREAS, the Town Council of the Town of Huntertown, State of Indiana, pursuant to Indiana Code § 36-7 et. seq., as amended, has authority to plan for and regulate the use and zoning of real property located within its municipal boundaries; and,

WHEREAS the Town Council desires to update the Town zoning ordinance by aligning it with the Allen County zoning ordinance; and,

WHEREAS the Allen County Plan Commission serves as the Plan Commission for the Town; and,

WHEREAS the Allen County Department of Planning Services serves as the Land Use staff for the Town; and,

WHEREAS the Allen County Department of Planning Services staff prepared the amendment and presented it to the Plan Commission; and,

WHEREAS the Allen County Plan Commission published the required notice and held a public hearing on this proposed text amendment on the 15th day of May 2025; and,

WHEREAS, after deliberating, the Plan Commission resolved to recommend that the Town:

- (1) Amend Chapter 154 (Zoning Code) of the Town of Huntertown Code of Ordinances** Section 152 (Comprehensive Plan), Section 154.200 (Zoning Districts), Section 154.300 (Development Processes and Standards), Section 154.400 (Additional General Standards) and Section 154.500 (Administration)

- (2) WHEREAS** the Allen County Plan Commission held a business meeting on the 22nd day of May 2025, and took action on the submitted text amendments; and,

WHEREAS the Allen County Plan Commission, pursuant to LC. § 36-7-4-605(a)(2) certified the proposed text amendments with a DO PASS recommendation to the Huntertown Town Council;

THEREFORE, BE IT ORDAINED by the Town Council, the legislative body of the Town of Huntertown, Indiana that the Town Council concurs with the Plan Commission's recommendation and hereby approves and adopts the amendments of Chapter 154 to the Huntertown Code of Ordinances, all as attached hereto.

ADOPTED THIS _____ day of _____ 2025

**THE TOWN COUNCIL OF
HUNTERTOWN, STATE OF INDIANA**

Bradley Hite, Council President

Brandon Seifert, Council Vice- President

Michael Aker, Council Member

Patricia Freck, Council Member

Tina McDonald, Council Member

Attest:

Ryan Schwab, Clerk-Treasurer

FACT SHEET

Petition #ZORD-2025-0002 Project Start: March 2025	
PROPOSAL:	Petition ZORD-2025-0002, Amendments to Section 152 and Section 154 of Huntertown Code
APPLICANT:	Allen County Plan Commission
REQUEST:	To adopt an amendment to the Huntertown Zoning Ordinance, which amends or repeals and replaces the text of the following Sections: Section 152 (Comprehensive Plan) Section 154.200 (Zoning Districts) Section 154.300 (Development Processes and Standards) Section 154.400 (Additional General Standards) Section 154.500 (Administration)
AFFECTED AREA:	Huntertown planning jurisdiction
15 May 2025 Public Hearing <ul style="list-style-type: none">▪ No one spoke in support, opposition, or with concerns.▪ Ron Turpin and Mike Fruchey were absent.▪ Paul Lagemann was late. 22 May 2025 Business Meeting Plan Commission Recommendation: Do Pass <ul style="list-style-type: none">▪ A motion was made by Ron Turpin and seconded by John Henry to return the ordinance to the Town of Huntertown Town Council for their final decision.▪ Paul Lagemann was absent.▪ 8-0 MOTION PASSED	

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
May 29, 2025

PROJECT SUMMARY

This proposed technical amendment is an accumulation of the 2023 and 2024 Fort Wayne and Allen County Technical Amendments, the 2024 Fort Wayne and Allen County Height Amendments, and the 2024 Allen County Accessory Dwelling Unit Amendment that have previously been approved. This is a continuation of the alignment process for all Zoning Ordinances under the Department of Planning Services' administration.

This set of technical amendments is proposed to:

- 1) Clarify language that is not clear based on the use of the ordinances so far;
- 2) Address issues that have come up since the effective date of the Huntertown Ordinance (9/1/2023); and
- 3) Align the Huntertown ordinance with the previously updated County and Fort Wayne ordinance technical amendments.

The proposed amendments are listed in the attached summary; a redlined version of the amendments is on the DPS website. A copy of the redlined version will be distributed at the hearing. The summary shows which pages will be affected. The proposed effective date for these amendments is September 1, 2025.

PUBLIC HEARING SUMMARY:

Presenter: Laura Oberholtzer, Principal Planner for Special Projects, presented the request as outlined above.

Public Comments: None

COMES NOW the Allen County Plan Commission pursuant to the authority vested in it by Indiana Code § 36-7-4-600, *et. seq.*, and adopts the following resolution.

**Resolution of the Allen County Plan Commission
Certifying a Proposal for the Amendment of the Huntertown Zoning Ordinance**

WHEREAS, the Allen County Plan Commission initiated a proposal for the amendment of the Huntertown Zoning Ordinance, which amends the text of the following Zoning Ordinance Sections: Section 152 (Comprehensive Plan), Section 154.200 (Zoning Districts), Section 154.300 (Development Processes and Standards), Section 154.400 (Additional General Standards), Section 154.500 (Administration); and:

WHEREAS, the Allen County Plan Commission prepared the proposal so that it was consistent with Ind. Code § 36-7-4-601; and

WHEREAS, the Allen County Plan Commission provided for publication of a public hearing on the proposal in *The Journal Gazette*, according to law; and,

WHEREAS, pursuant to Ind. Code § 36-7-4-604, on May 15, 2025, the Allen County Plan Commission conducted a public hearing on the proposal; and

WHEREAS, the Allen County Plan Commission held a public business meeting on May 22, 2025, to consider the proposal; and

WHEREAS, pursuant to Ind. Code § 36-7-4-605, the Allen County Plan Commission is hereby certifying its recommendation to the Town of Huntertown Town Council concerning the proposal to amend the Huntertown Zoning Ordinance, which amends the text of the following Zoning Ordinance sections: Section 152 (Comprehensive Plan), Section 154.200 (Zoning Districts), Section 154.300 (Development Processes and Standards), Section 154.400 (Additional General Standards), Section 154.500 (Administration); and

NOW, THEREFORE, BE IT RESOLVED that the Allen County Plan Commission, after meeting in open session, hereby certifies to the Town of Huntertown Town Council a favorable recommendation to amend the Huntertown Zoning Ordinance; and

BE IT FURTHER RESOLVED that the amendment of the Huntertown Zoning Ordinance shall have an effective date of September 1, 2025; and

BE IT FINALLY RESOLVED that the Executive Director of the Department of Planning Services is hereby directed to present a copy of this Resolution, along with the attached amendments, to the Town of Huntertown Town Council, in accordance with Indiana law.

ADOPTED THIS 22nd day of May, 2025.

Benjamin J. Roussel

Benjamin J. Roussel
Executive Director
Secretary to the Commission

6/4/2025

date of signature

ALLEN COUNTY PLAN COMMISSION • FINDINGS OF FACT

ZORD-2025-0002

Amendments to Section 152 and Section 154 of Huntertown Code

PROPOSAL: Petition ZORD-2025-0002, Amendments to Section 152 and Section 154 of Huntertown Code

APPLICANT: Allen County Plan Commission


REQUEST: To adopt an amendment to the Huntertown Zoning Ordinance, which amends or repeals and replaces the text of the following Sections:

- Section 152 (Comprehensive Plan)
- Section 154.200 (Zoning Districts)
- Section 154.300 (Development Processes and Standards)
- Section 154.400 (Additional General Standards)
- Section 154.500 (Administration)

AFFECTED AREA: Huntertown planning jurisdiction

The Plan Commission recommends that Zoning Ordinance Amendment ZORD-2025-0002 be returned to the Town Council of the Town of Huntertown with a "Do Pass" recommendation.

These findings approved by the Allen County Plan Commission on May 22, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

2025 Huntertown Zoning Ordinance Technical Amendments Summary

This set of technical amendments is proposed to:

- 1) Clarify language that is not clear based on the use of the ordinances so far;
- 2) Address issues that have come up since the effective date of the Huntertown Ordinance (9/1/2023); and
- 3) Aligning the Huntertown ordinance with the previously updated County and Fort Wayne ordinance technical amendments.

A summary of the proposed 2025 technical amendments is below; the proposed effective date is September 1, 2025.

Summary of Amendments			
No.	Keyword/Reference Page #	Issue	Proposed Amendments
Title 2 Article 3 CP1	Comprehensive Plan Pg. 5	§ 152.01 A new Comprehensive Plan was adopted by Allen County on March 13, 2023.	Updated reference from Plan-It Allen to All In Allen, updated language to reflect new chapter content, and updated adoption date to March 13, 2023.
SU1	Special Uses (accessory conversion) and Permitted Uses Pg. 20	§ 154.203 (C) Accessory building conversions to single family dwellings is to be a permitted use	Removed “ Accessory building conversion to a single family dwelling ,” as a Special Use from AR
SU2	Special Uses (animal grooming) Pg. 20	§ 154.203 (C) It is unclear when Animal Grooming is permitted in the AR zoning district.	Added Animal Grooming as a Special Use in AR zoning district.
SU3	Special Uses Pg. 20 (et al)	§ 154.203 (C) et al & 154.503(D)(1) Container homes are not a clearly defined use, and are currently treated as a Manufactured Home Type III. <i>See Comparison Use Table (page 9)</i>	To allow for Container Homes, a definition for Container Home has been added, and the use has been added as a special use option in the following districts: AR, R1, R2, R3, MHS.
SU4	Special Uses Pg. 34	§154.207 (C) Transitional Uses exclude certain residential uses that should be considered Transitional Uses.	Added, “Multiple Family Dwelling (transitional use, up to ten (10) units, see multiple family building and complex perimeter setback and building separation requirements in R3 district (§154.208(E)(1));” to the Special Uses section of the R2 zoning district.
DS1	Development Standards Pg. 23 et al	§ 154.203 (E) (1) There is no lot frontage standard in the residential and agricultural zoning districts.	Added a statement for: Lot width “and at front lot line” to clarify the standard for (AR, R1, R2, R3, and MHS); Added a standard for lot width “(25’ at front lot line)” for public sewer (interior lot) in the applicable residential zoning districts (R1, R2, R3, and MHS)
ABSU1	Accessory Buildings, Structures, and Uses Table Pg. 22 et al	§ 154.203 (D) Accessory Dwelling Units are to be permitted as an accessory to a primary residential structure.	Removed existing “(1)” footnote in the AR, R1, R2, R3, MHS Zoning Districts.

ABSU2	Accessory Buildings, Structures and Uses Pg. 22 et al	§ 154.203 (D) et al Storage Building is not listed in the ordinance outside of definition.	Added Storage Building to the Religious Institution Accessory Buildings, Structures, and Uses Table with footnote ⁽¹⁾ . “Also permitted for nonresidential uses ” in all zoning districts.
DS2	Development Standards Pg. 23	§ 154.203 (E) (1) There is confusion concerning accessory dwelling units in the ‘number of buildings permitted on a lot’ section of the development standards table.	Replaced, “accessory” with, “single family” and removed, “if there is no integrated accessory dwelling unit on the lot” in the AR zoning district.
DS3	Development Standards Pg. 24 et al	§ 154.206 (E) (1) et al There is confusion concerning Corner Lot Setbacks.	Changed “ 50’ ” to “ 70’ ” and removed, “an addition to” in both places of the third bullet point in the corner lot section of the development standards table in AR, R1, R2, R3, RP, and MHS zoning districts.
DS4	Development Standards Pg. 25 et al	§ 154.203 (E) (2) et al Accessory Dwelling Units are not included in the Additional Yard Location and Yard Projection Standards Table.	Added, “Accessory Dwelling Unit” to the “Bath house/cabana, carport, garage, gazebo, greenhouse, pergola, shed, smoke house (personal)” table row in the AR, R1, R2, R3, and MHS Zoning Districts.
DS5	Development Standards Pg. 43	§ 154.208 (E) (1) Proposed increase of height maximum from 40’ to 60’ in Multiple Family and Planned residential zoning districts to align with common development practices of multi family buildings.	Changed “ 40’ ” to “ 60’ ” as the primary building height maximum in the development standards table of the R3 zoning district.
PU1	Permitted Uses Pg.57 et al	§ 154.212 (B) et al “Office, Professional” is not listed as a specific permitted use. <i>See Comparison Use Table (page 3)</i>	Added “Office, Professional” as a specific permitted use in the following districts: C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3.
PU2	Permitted Uses Pg. 108	§ 154.221 (B) “Technology use or service” and “carpentry” are still listed on the Permitted Uses table for BTI	Removed “Technology use or service” and “carpentry” to align with ACFW.
DS6	Development Standards Pg. 59 et al	§ 154.212 (E) (1) et al There is a difference in height standards for residential and nonresidential buildings in commercial and industrial districts.	Standard was updated to have one height limit for all primary or accessory buildings or structures.

DS7	Development Standards Pg. 59 et al	§ 154.212 (E) (1) Proposed increase of height maximum to 75' in commercial and industrial zoning districts to align with common development practices of commercial/industrial buildings.	Changed “ 40’ ” to “ 75’ ” as the primary building height maximum in the development standards table of the C1, C2, NC, SC, C3, C4, and BTI zoning districts. Changed “ 50’ ” to “ 75’ ” as the primary building height maximum in the development standards table of the I1 and I2 zoning districts.
DS8	Development Standards Pg. 61, 69, 77	§ 154.213 (B) et al There is a requirement for building size and number of buildings requirements in the C2, NC, and SC zoning districts.	Removed, “Limitations on Building Size and Number of Buildings” section from the C2, NC and SC zoning districts.
SC1	Subdivision Control Pg. 156	§154.303 (C) (2)(a)(ix) Huntertown wishes to add roadway access easements	Added conveyance with easement provision to “Exempt Divisions of Land” section: (ix)The conveyance of not more than one (1) lot or parcel from a parcel of land not more than once in each twelve (12) consecutive months, or the conveyance of any number of lots or parcels twenty (20) acres or greater, and further provided that the lots or parcels have adequate width to meet the lot width requirements of the zoning district where the lot or parcel is located; or are served by an access easement of at least twenty-five (25) feet in width located on an existing parcel that meets the minimum lot width requirements (such an access easement shall only serve one parcel, shall be located a minimum of sixty (60) feet from any other access easement, and shall be approved by the Zoning Administrator);
ABSU3	Accessory Buildings, Structures, and Uses Table Pg. 59 et al	§154.212 (D) Integrated Accessory Dwelling Units only are to be permitted as an accessory to a primary residential structure in Commercial and Industrial Zoning Districts.	Removed existing “(1)” note and replaced with, “Integrated accessory dwelling units only. Freestanding accessory dwelling units are not permitted.” In the C1, C2, NC, SC, C3, C4, BTI, I1, I2, and I3 Zoning Districts.
DDS1	Development Design Standards Pg. 180	§ 154.404 (D)(2)(a)&(b) There is an issue concerning the applicability of the Access Development Design Standard provision.	Updated § 154.404 (D)(2)(a)&(b) to align with AC: (a) “Each lot in the Major Subdivision shall only have internal access to a new public or private street platted as part of the proposed subdivision. No lot shall access an existing arterial, collector, or local street. ” (b) added “or private” to “Each residential lot in the Major Subdivision shall front upon and have at least the minimum required frontage on a dedicated public or private street... ”

DDS2	Development Design Standards Pg. 183	154.404 (O) (1) There was confusion related to the use of the word district in the Additional Height Standards section under Residential Impact Mitigation.	Changed Additional Height Standards to “No building sections or structure sections exceeding 30 feet in height shall be located within 50 feet of an A, R, MH district property line. ”
DDS3	Development Design Standards Pg. 183	154.404 (O) (1) Additional standards are proposed to mitigate increased height maximums when adjacent to agricultural, residential, and manufactured home districts.	Added, “No building sections or structure sections exceeding 60 feet in height shall be located within 100 feet of the A, R, or MH district property line. ”
DDS	Development Design Standards (lighting) Pg. 184	§154.404 (R) There is an issue with a “standard” being listed under the “exceptions” section, and an “exception” listed under the “standards” section in the Lighting-Development Design Standards chapter.	Switched the placement of §154.404(R)(1)(d) and §154.404(R)(2)(b) <ul style="list-style-type: none"> • §154.404(R)(2)(b) “Lighting for outdoor recreational uses such as ...” (<i>standard</i>) • §154.404(R)(1)(d) “Except for the portion of the property adjoining a ...” (<i>exception</i>)
DDS5	Development Design Standards (lighting) Pg. 184	§ 154.404 (R)(2) It is unclear when uplighting can be permitted.	Added a standard to clarify when uplighting can be permitted: “(b) Uplighting shall be permitted provided the light fixture is directed and shielded so that no light is emitted beyond the building façade.”
DDS6	Development Design Standards Pg. 185	§ 154.404 (U)(3) Huntertown wishes to add provisions for the approval of private streets in a minor or major plat	Added provisions to allow for the approval of a private street in a major or minor plat provided all conditions are satisfied.
DDS7	Development Design Standards Pg. 186	§ 154.404 (U)(5) There is an issue concerning the Continuation of Streets, Alleys, and Easements provision.	Changed provision to read, “Wherever a dedicated or platted portion of a street or alley or <i>other public</i> easement <i>right-of-way</i> exists adjoining to the proposed Subdivision or Development Plan <i>with public streets</i> , the continuation of the street, alley, or <i>other public</i> easement right-of-way at the same width shall be shown on the proposed Subdivision plat or Development Plan <i>with public streets.</i> ”
DDS8	Development Design Standards Pg. 188	§ 154.404 (U)(7)(a) & (U)(7)(a)(i) There is an issue concerning interconnection in the Vehicle Circulation and Streets Development Design Standards provision.	Removed “and private” from § 154.404 (U)(7)(a) & (U)(7)(a)(i) All public and private streets in Development Plans shall: (i) Be aligned to join with planned or existing public and private streets (including stub streets) on adjoining parcels, and...

DSW1	Development Standards Waivers and Exceptions Pg. 191	§154.405(A) There is a difference between the AC zoning ordinance and the FW ordinance regarding an allowance for permitting a 15 foot rear yard in cases where the yard backs into a common area for Major Subdivisions.	Updated §154.405(A) to add: “, except that for a Major Subdivision, the Plan Commission may allow a reduced rear yard setback of no less than 15 feet for lots that are adjacent to common area.”
PARK1	Parking Requirements Pg. 196	§154.407 (D)(1)(d) No parking requirement is defined for Accessory Dwelling Units	Added “Accessory dwelling unit” to the following uses shall not have a minimum off-street parking requirement list.
LAND1	Landscape Standard Pg. 205, 207	§154.408 (D)(2)(d) et al Manufactured Home Park is included in landscape codes, but MHP is not a zoning district in HT	Removed Manufactured Home Park MHP from landscape codes
PRO1	Procedures Pg. 276	§154.503 (2) “Manufactured home, Type II (if located in a manufactured home park)” is listed in the ILP Exclusions table. HT does not have an MHP district	Removed “Manufactured home, Type II (if located in a manufactured home park)” from the ILP Exclusions table
PRO2	Procedures Pg. 283, 284	§154.503 (D) (1) Special Use Zoning Districts in the Special Uses Table need to be updated accordingly.	Updated Special Uses Table Accordingly. Added Animal Grooming, Container Home and Multiple Family Dwelling (transitional use, up to ten (10) units

PRO3	Container Home Pg. 288	154.503(D)(3)(h) Container homes are not a clearly defined use and are currently treated as a Manufactured Home Type III.	To allow for Container Homes as a special use, additional special use standards and provisions have been added. (h) Container home: In addition to meeting the requirements set forth in 154.503(D)(2) the Board shall determine that the home is: (i) Constructed in a manner that is consistent with the existing housing pattern in the immediate area with regard to setbacks, placement, and orientation on the lot; entry location; roof pitch; foundation type and construction; (ii) Have siding material of a type customarily used on dwellings constructed on-site for 75% of the front-facing facade, and a professional finish for all facades; FORT WAYNE ZONING ORDINANCE Chapter 157 – Zoning Ordinance 2/23/2024 § 157.503 Administration 358 Procedures (iii) Have roofing materials of a type customarily used on dwellings constructed onsite (such as but not limited to: asphalt shingles, cedar shingles, and metal); and (iv) Certified by an Indiana Structural Engineer or Indiana Registered Architect.
DEF1	Accessory Dwelling Unit Pg. 305	§154.506 Accessory Dwelling Units are to be permitted as an accessory to a primary residential structure	Changed the definition to read, “An additional dwelling unit with separate cooking, sleeping, and sanitation (bathroom) facilities. An accessory dwelling unit shall be subordinate to a primary residential structure. An ADU shall not be subdivided or otherwise separated in ownership from the primary residential structure. Where permitted, only one freestanding or integrated accessory dwelling unit shall be allowed per property. The ADU shall be less than 700 square feet of gross floor area, not including attached garage space if applicable. An integrated accessory dwelling unit shall include no separate entrance on the front-facing façade of the building. A freestanding accessory dwelling unit may be constructed as a new detached structure or created as part of the renovation of a detached accessory structure. An ADU shall not be constructed of portable storage containers, shipping containers, truck bodies, other abandoned vehicles, or portions of vehicles.”
DEF2	Board of Zoning Appeals Pg. 314	§ 154.506 The abbreviation BZA is used throughout the ordinance but not defined.	Added the acronym BZA to the definition of Board of Zoning Appeals.

DEF3	Child Care Home Pg. 319	§ 154.506 There is a requirement for a child care home operator to live on a premise where a child care home is permitted.	To allow for flexibility with permitted daycare or child care home uses, changed the definition to state: “the home shall be a primary residence.” Removed “the child care provider shall live on the property”
DEF4	Container Home Pg. 322	§ 154.506 Container homes are not a clearly defined use, and are currently treated as a Manufactured Home Type III.	To allow for Container Homes in certain districts, a definition for Container Home has been added. Container Home: A structure comprised, in part or whole, of one or more Grade A Shipping container(s) that has been repurposed and designed for use as a single or two family dwelling. A “Grade A” certified Shipping container has documented characteristics that include being wind and water tight, having not been used to transport hazardous materials, and retaining corner post integrity. To be considered a container home, the structure must: (1) Be constructed in conformance with the Indiana One and Two Family Dwelling Code; (2) Contain at least seven hundred (700) square feet of occupied space per dwelling unit; (3) Consist of one or more section(s); (4) Be placed on a continuous, permanent under floor foundation that is not pierced, except for required ventilation and access; (5) Have roofing material of a type customarily used on dwellings constructed on-site (such as but not limited to: asphalt shingles, cedar shingles, and metal); (6) Not be constructed with an integral chassis or permanent/detachable hitch; or wheels, axles, or other device allowing transportation; and (7) Be designed to be transported by a trailer or other similar carrier that is not designed to be permanently attached to the dwelling or remain with it after the structure is placed on its foundation.
DEF5	Day Care, Child Pg. 324	§ 154.506 There is a requirement for a daycare provider to live in the residence where a daycare is permitted.	To allow for flexibility with permitted daycare or child care home uses, changed the definition to state: “the home shall be a primary residence.” (Removed “of the day care provider”) and to clarify that the use is “an accessory use to a residential building”.
DEF6	Dwelling, Single Family (Detached) Pg. 327	§154.506 Align and update language concerning the minimum square footage of a single family dwelling.	Added, “The dwelling shall have a minimum of 700 square feet of gross floor area, not including attached garage space if applicable.” to the definition.

DEF7	Dwelling, Two Family Pg. 328	§154.506 Align and update language concerning the minimum square footage of a two family dwelling.	Added, “if applicable.” to the definition.
DEF8	Manufactured Home Type III Pg. 345	§ 154.506 There is confusion with the definition of Manufactured Home Type III and where these home types are permitted	Removed, “in a manufactured home park ”
DEF9	Plan Commission Pg. 353	§ 154.506 “Plan Commission” and “Commission” and definitions do not point to each other. The abbreviation PC is used throughout the ordinance but not defined.	Added the acronym (PC) and (see “Commission”) to the definition of Plan Commission. Deleted the repeated definition of Plan Commission.
DEF10	Portable Storage Container Pg. 354	§ 154.506 There is confusion regarding what constitutes a portable storage container.	Added “shipping container” to the definition to clarify.
DEF11	Recycling Processing Facility Pg. 357	§ 154.506 There is confusion over what items constitute recycling materials for a Recycling Processing Facility.	Added: “metal, computer, and electronic equipment,” to the definition.
DEF12	Shed Pg. 361	§ 154.506 There is confusion concerning definition language between Shed and Storage Shed.	Changed definition of Shed to “An accessory structure to a single family or two family residential use used for the storage of household recreational or yard equipment, gardening materials, tools, and household similar items, but excluding portable storage containers , shipping containers, truck bodies, and other abandoned vehicles or portions of vehicles.”
DEF13	Storage Shed Pg. 370	§ 154.506 There is confusion concerning definition language between Shed and Storage Shed.	Removed definition of Storage Shed and added (see Shed)
DEF14	Transitional Use Pg. 374	§154.506 Update definition to include street classifications identified as transitional.	Added, “or collector” to the Transitional Use definition.
DEF15	Utility Fixture Pg. 376	§ 154.506 EV Charging Stations are not addressed in the Zoning Ordinance	Revised the definition of Utility Fixture , Accessory to include “electric vehicle charging stations”

Draft Summary of Amendments

Changes to the Huntertown permitted height maximums and the Huntertown Permitted and Special Uses shall be made as shown in the tables below:

Huntertown Permitted Uses	AR	R1	R2	R3	MHS	C1	C2	NC	SC	C3	C4	BTI	I1	I2	I3
Container Home	S	S	S	S	S										
Office, Professional						P	P	P	P	P	P	P	P	P	P
Accessory Dwelling Unit, detached	P	P	P	P	P										
Multiple Family Dwelling (transitional use, up to ten (10) units)			S												

P = Permitted Use

S = Special Use

Building or Structure Height Maximum			
	Current Height Max		Proposed Height Max
District	Primary or Accessory (Nonresidential)	Primary or Accessory (Residential)	Primary or Accessory (Nonresidential or Residential)
C1	40'	Up to two stories or 30'	75'
C2	40'	Up to two stories or 30'	75'
NC	40'	Up to two stories or 30'	75'
SC	40'	Up to two stories or 30'	75'
C3	40'	Up to two stories or 30'	75'
C4	40'	Up to two stories or 30'	75'
BTI	40'	Up to two stories or 30'	75'
I1	50'	Up to two stories or 30'	75'
I2	50'	Up to two stories or 30'	75'

Primary Building Height Maximum		
District	Current Height Max	Proposed Height Max
R3	40'	60'

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CHAPTER 152 – PLANNING AND DEVELOPMENT

COMPREHENSIVE PLAN

§ 152.01 TITLE AND ADOPTION

The **Comprehensive Plan** for the **Town** of Huntertown shall be formally known as "The All In Allen **Comprehensive Plan** for the **Town** of Huntertown" or the "All In Allen **Comprehensive Plan**". The **Comprehensive Plan**, containing goals, objectives, strategies, guiding principles, maps, figures, and charts for Community Facilities, Community Identity and Appearance, Economic **Development**, Environmental Stewardship, Housing and Neighborhoods, Land Use, Transportation, and Utilities, was adopted by the Huntertown **Town** Council on ~~September 4~~ March 13, 2023.

§ 152.02 GUIDANCE AND CONSIDERATION

The **Town** Council of the **Town** of Huntertown and each governmental entity within the **planning jurisdiction** of the **Plan Commission** shall be guided by and give consideration to the general policy and pattern of **development** set out in the **Comprehensive Plan** and to other land **use** policies adopted in this subchapter, including the:

- (A) Authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities;
- (B) Authorization, construction, **development**, alteration, or abandonment of public ways, public places, public lands, public **buildings** and **structures**, or **public utilities**;
- (C) Objectives and policies for future land **use development**; and
- (D) Adoption, amendment, or repeal of zoning ordinances, (including zoning maps), **subdivision** control ordinances, historic preservation ordinances, and other land **use** ordinances.

§ 152.03 AMENDMENTS

Amendments to the **Comprehensive Plan** shall be prepared and approved according to the procedures set forth in IC 36-7-4-500 (the 500 series – **Comprehensive Plan**).

§ 152.04 COPY ON FILE

A copy of the approved **Comprehensive Plan**, including all maps and amendments, shall be placed and kept on file in the office of the Allen **County Recorder**. A copy of the approved Plan shall also be placed and kept on file in the office of the **Department of Planning Services** and in the office of the **Town** Clerk and shall be available for public examination during the regular business hours of said offices.

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(C) Special Uses

The following uses may be approved by the **Board of Zoning Appeals** after the filing of a **Special Use** petition:

- ~~(1) Accessory building conversion to a single family dwelling;~~
- ~~(2)(1) Accessory building~~, as a **primary building**, on a site of at least five (5) acres;
- ~~(2)~~ **Airstrip/heliport** (corporate or multiple owner use);
- ~~(3)~~ Animal Grooming
- ~~(4)~~ **Bed and breakfast**;
- ~~(5)~~ **Boarding house**;
- ~~(6)~~ **Class II child care home**;
- ~~(7)~~ **Community garden** that includes a **structure**;
- ~~(7)(8)~~ Container home (see §154.503(D)(3)(h) for additional standards)
- ~~(8)(9)~~ **Country club**;
- ~~(9)(10)~~ **Educational institution** (not otherwise permitted);
- ~~(10)(11)~~ **Educational institution-associated facilities, uses, and areas** (on non-contiguous properties);
- ~~(11)(12)~~ **Funeral home**;
- ~~(12)(13)~~ **Group residential facility (large)**;
- ~~(13)(14)~~ **Home business** (see §154.503(D)(3)(b) for additional standards);
- ~~(14)(15)~~ Reserved;
- ~~(15)(16)~~ **Home workshop** (see §154.503(D)(3)(d) for additional standards);
- ~~(16)(17)~~ **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);
- ~~(17)(18)~~ **Manufactured home, Type II** (see §154.503(D)(3)(e) for additional standards);
- ~~(18)(19)~~ **Model home** (for an extension of time or expansion of scope);
- ~~(19)(20)~~ **Nature preserve** (that includes a **structure** or **parking area**);
- ~~(20)(21)~~ **Neighborhood facility**;
- ~~(21)(22)~~ **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);
- ~~(22)(23)~~ Reception, meeting, or **recreation hall**; **clubhouse**;
- ~~(23)(24)~~ **Recreation area**;
- ~~(24)(25)~~ **Recreation facility**;
- ~~(25)(26)~~ **Religious institution** or non-public **school** illuminated **athletic field(s)**;
- ~~(26)(27)~~ **Residential facility for a court-ordered re-entry program**;
- ~~(27)(28)~~ **Residential facility for homeless individuals** (for up to eight (8) individuals);
- ~~(28)(29)~~ **Riding stable, nonresidential** (on a **lot** with no **residential building**; the stable shall be located on a **tract** of at least five (5) acres);

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- ~~(29)~~~~(30)~~ **Sign** (temporary **subdivision** direction);
- ~~(30)~~~~(31)~~ **Solar panel (ground-mounted)**;
- ~~(31)~~~~(32)~~ **Two family dwelling** (to allow conforming status for existing nonconforming **uses**);
- ~~(32)~~~~(33)~~ **Utility facility, private** (not otherwise permitted or exempt);
- ~~(33)~~~~(34)~~ **Wind energy conversion system, micro** (to allow systems for **single family detached dwellings** on platted land, or to request approval of a greater height); and
- ~~(34)~~~~(35)~~ **Wind energy conversion system, standard** (to allow systems on a **parcel** of less than five (5) acres, or **adjacent** to **platted lots** or **residential zoning districts**).

Same revisions made in R1, R2, R3, MHS

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(D) Accessory Buildings, Structures, and Uses

Accessory buildings, structures, and uses shall be permitted, including but not limited to:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit ⁽¹⁾	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	
Notes:		
(1) If integrated into a single family detached dwelling, and if there is no freestanding accessory dwelling unit on the property, the integrated accessory dwelling unit shall be at least 300 square feet		

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building, including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Dumpster ⁽¹⁾
Grill/fire pit	Family counseling or education
4H/similar indoor small animal project	Food bank
Home occupation	Maintenance building
Hot tub, Jacuzzi, or spa	Outdoor events (short-term)
Shed	Performances (indoor)
Smoke house/oven (outdoor)	Shop (for sale of religious institution-related items)
Tree house	Storage Building ⁽¹⁾
Notes:	
(1) Also permitted for nonresidential uses	

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(E) Development Standards

- (1) The standards in the following table shall apply in the AR **district**; all are minimum standards unless otherwise noted (the table continues onto the next page).

AR LOW INTENSITY RESIDENTIAL DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700 ⁽¹⁾
Accessory structures	On lots of less than two (2) acres served by an on-site sewage system , new detached accessory building square footage shall be less than the square footage of the primary building
Number of buildings permitted on a lot	
Two freestanding single family dwelling units are permitted: one primary single family detached residential building per lot, plus: One freestanding accessory single family dwelling unit , if there is no integrated accessory dwelling unit on the lot	
Multiple primary nonresidential buildings are permitted per lot	
Height (maximum)⁽²⁾	
Accessory building	25'
Primary building	40'
Lot area (square feet)	
Public sewer	12,000
Lot width (at front building line and at front lot line)	
Public sewer	75'
Front yard	
Platted lot	25' (or platted front building line, whichever is greater)
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 65' from the centerline of the street 30' from the easement
Flag lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)
Through lot	As noted above, at each end of the lot , based on the street classification/type the yard is adjacent to, except that: <ul style="list-style-type: none"> • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)

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AR LOW INTENSITY RESIDENTIAL DEVELOPMENT STANDARDS	
Side yard ⁽³⁾	
Interior lot Public sewer	15' if the lot is at or over 150' wide 7' if the lot is less than 150' wide
Corner lot	<p>The street side yard setback shall be the same as the front yard setback, based on the side lot line street classification, except that:</p> <ul style="list-style-type: none"> On corner lots, if there is a platted street side yard building line then an addition to a primary residential structure or an accessory structure shall meet that platted building line. If there is no platted building line, on a lot of up to <u>5070'</u>, an addition to a primary residential structure or an accessory structure (except for fences and walls) shall meet a 10' side yard setback; on a lot of over <u>5070'</u>, an addition to a primary residential structure or an accessory structure shall meet a 25' side yard setback. For fences and walls, if there is no platted building line, a fence (except for an ornamental fence or a retaining wall of up to 3' in height) shall meet a 5' setback; an ornamental fence or a retaining wall of up to 3' in height shall not have a setback requirement.
Rear yard	
Primary building	25' ⁽⁴⁾ 50' (if adjacent to an arterial or collector street)
Accessory structure ⁽⁵⁾	3' from a side or rear lot line ⁽⁶⁾
Swimming pool	6' from a side or rear lot line ⁽⁶⁾
<p>Notes:</p> <p>(1) Excluding basement and attached garage area</p> <p>(2) See §154.405(C) (Development Standards Waivers and Exceptions) for exceptions; §154.409 (Signs) for maximum sign heights; and §154.404(O) (Residential Impact Mitigation) for additional restrictions</p> <p>(3) See rear yard information for accessory structure and swimming pool side yard standards</p> <p>(4) A single story addition to an existing single family detached dwelling may encroach up to 10' into the required rear yard, if the addition is 250 square feet or less</p> <p>(5) Excluding swimming pools</p> <p>(6) If located behind the primary building</p>	

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(2) **Yard Projections and Additional Location Standards**

Permitted **yard** projections and additional location standards shall be as set forth in the table below:

ADDITIONAL YARD LOCATION AND YARD PROJECTION STANDARDS ⁽¹⁾			
Buildings/structures	Required Yard		
	Front	Side	Rear
Access ramp	Permitted ⁽²⁾	Permitted ⁽²⁾	Permitted ⁽²⁾
Arbor, basketball goal, bird bath/house/feeder, driveway, flagpole, garden (private), landscape elements, mail/newspaper delivery box, property boundary marker, small satellite dish, trellis, yard light	Permitted ⁽²⁾	Permitted ⁽²⁾	Permitted ⁽²⁾
Architectural feature (belt course, chimney, cornice, eave, fireplace, overhang, sill, bay/bow window, or similar feature)	May project up to 2'	May project up to 2' ⁽³⁾	May project up to 2'
Awning or canopy	May project up to 4'	May project up to 4' ⁽³⁾	May project up to 4'
Balcony, fire escape, or stairway, open	May project up to 4'	Shall not project	May project up to 4'
Accessory Dwelling Unit, Bath house/cabana, carport, garage, gazebo, greenhouse, pergola, shed, smoke house (personal)	Not permitted ⁽⁴⁾	Not permitted ⁽⁴⁾	Not permitted ⁽⁴⁾
Deck, landing, or porch, open (shall not extend above the height of the first floor)	May project up to 8'	May project up to 4' ⁽³⁾	May project up to 10'
Dog/pet house, grill, fire pit, hot tub, oven (outdoor), play equipment , radio antenna (amateur), large satellite dish , tree house	Not permitted ⁽⁴⁾	Permitted	Permitted
Fence (ornamental, permitted up to 3' in height)	Permitted	Permitted	Permitted
Fence (non-ornamental, permitted up to 8' in height)	Not permitted ⁽⁴⁾	Permitted ⁽²⁾	Permitted ⁽²⁾
Slab on grade patio	May project up to 8'	May project up to 4' ⁽³⁾	May project up to 20'
Stoop	Permitted ⁽²⁾	May project up to 4' ⁽³⁾	Permitted ⁽²⁾
Wall (freestanding; permitted up to 8' in height)	Not permitted ⁽⁴⁾	Permitted ⁽²⁾	Permitted ⁽²⁾
Wall (retaining, up to 3' in height)	Permitted	Permitted	Permitted
Wall (retaining, over 3' in height)	Not permitted ⁽⁴⁾	Permitted ⁽²⁾	Permitted ⁽²⁾
Notes: (1) Except as noted below, buildings and structures shall not project into or be located in a required yard (2) May be located within required yard with no setback , except that non-ornamental fences and walls shall meet corner lot setback and clear visibility standards; see development standards table for fence corner lot setback standards (3) However, a 3' side yard shall be maintained (4) Shall meet minimum setback			

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§ 154.206 R1 SINGLE FAMILY RESIDENTIAL

(A) Purpose

The **Single Family Residential district** is intended to create and maintain areas for single family residential **uses** on individual **lots** or **tracts** and to provide for a variety of areas for single family neighborhoods, along with certain additional **uses**.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an **R1 district**:

- (1) **Accessory building, structure, or use** as set forth in §154.206(D);
- (2) **Common areas** used for a **clubhouse, neighborhood center, swimming pool, tennis court**, or other similar assembly or **recreation facility**, including **structures** and **uses** typically associated with a single family subdivision;
- (3) **Group residential facility (small)**;
- (4) **Model home** (permitted for up to two (2) years);
- (5) **Single family dwelling (detached)**; and
- (6) **Universally permitted use**.

(C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a Special Use petition:

- (1) **Animal keeping** (outdoor, small animal);
- (2) **Bed and breakfast**;
- (3) **Boarding house**;
- (4) **Class II child care home**;
- (5) **Club, private (transitional use)**;
- (6) **Community facility** not otherwise permitted (**transitional use**);
- (7) Community garden that includes a structure;
- (7)(8) Container home (see 154.503(D)(3)(h) for additional standards)
- ~~(8)(9)~~ **Country club**;
- ~~(9)(10)~~ **Educational institution** (not otherwise permitted);
- ~~(10)(11)~~ **Educational institution-associated facilities, uses, and areas** (on non-contiguous properties);
- ~~(11)(12)~~ **Emergency response facility (transitional use)**;
- ~~(12)(13)~~ **Funeral home**;
- ~~(13)(14)~~ **Golf course**;
- ~~(14)(15)~~ **Group residential facility (large)**;
- ~~(15)(16)~~ **Heliport** (private individual or accessory to permitted **nonresidential use**, excluding hospital uses);
- ~~(16)(17)~~ **Home business** (see §154.503(D)(3)(b) for additional standards);

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- ~~(17)~~**(18) Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);
- ~~(18)~~**(19) Instruction/training/education (transitional use)**;
- ~~(19)~~**(20) Live-work unit (transitional use)**;
- ~~(20)~~**(21) Manufactured home, Type II** (see §154.503(D)(3)(e) for additional standards);
- ~~(21)~~**(22) Medical office (transitional use)**;
- ~~(22)~~**(23) Model home** (for an extension of time or expansion of scope);
- ~~(23)~~**(24) Museum**;
- ~~(24)~~**(25) Nature preserve** (that includes a **structure** or **parking area**);
- ~~(25)~~**(26) Neighborhood facility**;
- ~~(26)~~**(27) Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);
- ~~(27)~~**(28) Personal service (transitional use**, excluding copy/duplicating service, **health club**/fitness center, or social service agency);
- ~~(28)~~**(29) Professional office/business service (transitional use**, excluding **bank**, **credit union**, **loan office**, or **savings and loan**);
- ~~(29)~~**(30) Recreation use, outdoor** (athletic field, **riding stable**, swim **club**, tennis **club**);
- ~~(30)~~**(31) Religious institution** or non-public **school** illuminated **athletic field(s)**;
- ~~(31)~~**(32) Residential facility for a court-ordered re-entry program**;
- ~~(32)~~**(33) Residential facility for homeless individuals** (for up to eight (8) individuals; the facility shall be located a minimum of 3,000 feet from a **small group residential facility**, a **large group residential facility**, a court-ordered re-entry program residential facility, or another **residential facility for homeless individuals**, as measured from the closest property lines of the facilities);
- ~~(33)~~**(34) Sign** (temporary **subdivision** direction);
- ~~(34)~~**(35) Solar panel (ground-mounted)**;
- ~~(35)~~**(36) Subdivision clubhouse, meeting hall, neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;
- ~~(36)~~**(37) Studio (transitional use)**;
- ~~(37)~~**(38) Two family dwelling** (to allow conforming status for existing **nonconforming uses**);
- ~~(38)~~**(39) Utility facility, private** (not otherwise permitted or exempt);
- ~~(39)~~**(40) Wind energy conversion system, micro** (for **single family detached dwellings** on **unplatted land** only); and
- ~~(40)~~**(41) Wind energy conversion system, standard** (for **fire/police station**, **public park/recreation area**, **religious institution**, or **school uses**; or unplatted residential land over five (5) acres).

HUNTERTOWN ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the R1 district; all are minimum standards unless otherwise noted (the table continues onto the next page).

R1 SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700 ⁽¹⁾
Accessory structures	Total square footage shall be less than the primary building
Number of buildings permitted on a lot	
One primary residential building per lot	
Multiple primary nonresidential buildings are permitted per lot	
Height (maximum) ⁽²⁾	
Accessory building	25'
Primary building	40'
Lot area (square feet)	
Public sewer (interior lot)	6,000
Public sewer (corner lot)	8,500
Lot width (at front building line and at front lot line unless otherwise stated)	
Public sewer (interior lot)	50' (25' at front lot line)
Public sewer (corner lot)	70'
Front yard ⁽³⁾	
Platted lot	25' (or platted building line setback, whichever is greater)
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement
Flag lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)
Through lot	At each end of the lot, based on the street classification/type the yard is adjacent to, except that: <ul style="list-style-type: none"> If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback, and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)

HUNTERTOWN ZONING ORDINANCE

§ 154.207 R2 TWO FAMILY RESIDENTIAL

(A) Purpose

The **Two Family Residential district** is intended to create areas for medium density residential **uses** on individual **lots** or **tracts** and to provide for a variety of areas for single **family** and two **family** residential **development**, along with certain additional **uses**.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an **R2 district**:

- (1) **Accessory building, structure, or use** as set forth in §154.207(D);
- (2) **Common areas** used for a **clubhouse, neighborhood center, swimming pool, tennis court**, or other similar assembly or **recreation facility**, including **structures** and **uses** typically associated with a single **family** subdivision;
- (3) **Group residential facility (small)**;
- (4) **Model home** (permitted for up to two (2) years);
- (5) **Single family dwelling (attached)** (one **building** of up to two (2) units);
- (6) **Single family dwelling (detached)**;
- (7) **Two family dwelling**; and
- (8) **Universally permitted use**.

(C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **Special Use** petition:

- (1) **Animal keeping** (outdoor, small animal);
- (2) **Bed and breakfast**;
- (3) **Boarding house**;
- (4) **Class II child care home**;
- (5) **Club, private (transitional use)**;
- (6) **Community facility** not otherwise permitted (**transitional use**);
- (7) **Community garden** that includes a **structure**;
- ~~(7)~~(8) **Container home** (see 154.503(D)(3)(h) for additional standards)
- ~~(8)~~(9) **Country club**;
- ~~(9)~~(10) **Educational institution** (not otherwise permitted);
- ~~(10)~~(11) **Educational institution-associated facilities, uses, and areas** (on non-contiguous properties);
- ~~(11)~~(12) **Emergency response facility (transitional use)**;
- ~~(12)~~(13) **Funeral home**;
- ~~(13)~~(14) **Golf course**;
- ~~(14)~~(15) **Group residential facility (large)**;

HUNTERTOWN ZONING ORDINANCE

- ~~(15)~~**(16) Heliport** (private individual or accessory to a permitted **nonresidential use**, excluding **hospital uses**);
- ~~(16)~~**(17) Home business** (see §154.503(D)(3)(b) for additional standards);
- ~~(17)~~**(18) Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);
- ~~(18)~~**(19) Instruction/training/education (transitional use)**;
- ~~(19)~~**(20) Live-work unit (transitional use)**;
- ~~(20)~~**(21) Manufactured home, Type II** (see §154.503(D)(3)(e) for additional standards);
- ~~(21)~~**(22) Medical office (transitional use)**;
- (23) Model home** (for an extension of time or expansion of scope);
- ~~(22)~~**(24) Multiple Family Dwelling** (transitional use, up to ten (10) units, see multiple family building and complex perimeter setback and building separation requirements in R3 district (§154.208(E)(1)));
- ~~(23)~~**(25) Museum**;
- ~~(24)~~**(26) Nature preserve** (that includes a **structure** or **parking area**);
- ~~(25)~~**(27) Neighborhood facility**;
- ~~(26)~~**(28) Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);
- ~~(27)~~**(29) Personal service (transitional use**, excluding copy/duplicating service, **health club**/fitness center, or social service agency);
- ~~(28)~~**(30) Professional office/business service (transitional use**, excluding **bank**, **credit union**, **loan office**, or **savings and loan**);
- ~~(29)~~**(31) Recreation use, outdoor** (**athletic field**, **riding stable**, **swim club**, **tennis club**);
- ~~(30)~~**(32) Religious institution** or non-public **school** illuminated **athletic field(s)**;
- ~~(31)~~**(33) Residential facility for a court-ordered re-entry program**;
- ~~(32)~~**(34) Residential facility for homeless individuals** (for up to eight (8) individuals);
- ~~(33)~~**(35) Sign** (temporary **subdivision direction**);
- ~~(34)~~**(36) Solar panel (ground-mounted)**;
- ~~(35)~~**(37) Subdivision clubhouse, meeting hall, neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;
- ~~(36)~~**(38) Studio (transitional use)**;
- ~~(37)~~**(39) Utility facility, private** (not otherwise permitted or exempt);
- ~~(38)~~**(40) Wind energy conversion system, micro** (for single **family detached dwellings** on **unplatted land** only); and
- ~~(39)~~**(41) Wind energy conversion system, standard** (for **fire/police station**, **public park/recreation area**, **religious institution**, or **school uses**; or unplatted residential land over five (5) acres).

HUNTERTOWN ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the R3 **district**; all standards are minimum standards unless otherwise noted (the table continues onto the next page).

R3 MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS		
Building size (square feet)		
Single family dwelling	700 ⁽¹⁾	
Accessory structures	Total square footage shall be less than the primary building	
Number of buildings permitted on a lot		
One primary residential building per lot (multiple primary residential buildings shall be permitted if approved by the Plan Commission as part of a Development Plan)		
Multiple primary nonresidential buildings are permitted per lot		
Height (maximum) ⁽²⁾		
Accessory building	25'	
Primary building	40'-60'	
Lot area (square feet)		
	Detached Single Family Dwelling	Attached Single Family Dwelling
Public sewer (interior lot)	6,000	3,000
Public sewer (corner lot)	8,500	6,000
Lot width (at front building line and at front lot line unless otherwise stated)		
	Detached Single Family Dwelling	Attached Single Family Dwelling
Public sewer (interior lot)	50' (at front lot line)	25'
Public sewer (corner lot)	70'	50'
Front yard ⁽³⁾		
Platted lot	25' (or platted building line setback, whichever is greater)	
Unplatted lot if adjacent to: Arterial/collector street Local or private/interior private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way or the private street roadway 30' from the easement	
Flag lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)	
Through lot	At each end of the lot, based on the street classification/type the yard is adjacent to, except that: <ul style="list-style-type: none">• If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or• If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback	
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback, and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)	

HUNTERTOWN ZONING ORDINANCE

R3 MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS	
Side yard ⁽³⁾	
Interior lot (public sewer)	5'
Corner lot (public sewer)	<p>The street side yard setback shall be the same as the front yard setback, based on the side lot line street classification, except that:</p> <ul style="list-style-type: none"> On corner lots, if there is a platted street side yard building line then an addition to a primary residential structure or an accessory structure shall meet that platted building line. If there is no platted building line, on a lot of up to 5070', an addition to a primary residential structure or an accessory structure (except for fences and walls) shall meet a 10' side yard setback; on a lot of over 5070', an addition to a primary residential structure or an accessory structure shall meet a 25' side yard setback. For fences and walls, if there is no platted building line, a fence (except for an ornamental fence or a retaining wall of up to 3' in height) shall meet a 5' setback; an ornamental fence or a retaining wall of up to 3' in height shall not have a setback requirement.
Rear yard	
Primary building	25' ⁽⁴⁾ 50' if adjacent to a collector or arterial street
Accessory structure ⁽⁵⁾	3' from a side or rear lot line ⁽⁶⁾
Swimming pool	6' from a side or rear lot line ⁽⁶⁾
Multiple family building and complex perimeter setback	
One story building	25'
Two story building	30'
Three story or above building	40'
Multiple family complex building separation	
Multiple family building	25' (separation from any other primary multiple family building)
Condominium building	10' (side yard separation from the side of another primary single or two family building)
Townhouse building	10' (separation from the side of another primary townhouse building) 20' (separation from the front or rear of another primary townhouse building)
Notes: (1) Excluding basement and attached garage area (2) See §154.405(C)(Development Standards Waivers and Exceptions) for exceptions; §154.409 (Signs) for maximum sign heights ; and §154.404(O) (Residential Impact Mitigation) for additional restrictions (3) See rear yard information for accessory structure and swimming pool side yard standards (4) A single story addition to an existing single family detached dwelling may encroach up to 10' into the required rear yard , if the addition is 250 square feet or less. (5) Excluding swimming pools (6) If located behind the primary building	

HUNTERTOWN ZONING ORDINANCE

C1 PROFESSIONAL OFFICE AND PERSONAL SERVICES SPECIFIC PERMITTED USES	
Fitness center	Photography studio
Foundation office	Photography training
Fraternity house	Physical therapy facility
Funeral home	Pilates instruction
Graphic design service	Planetarium
Group residential facility (large) ⁽¹⁾	Planner
Group residential facility (small)	Podiatrist
Gymnastics instruction	Public transportation facility
Health club	Radio station
Homeless shelter ⁽¹⁾	Real estate
Hospice care center	Recording studio
Hospital	Rehabilitation facility
Insurance agency	Residential dwelling unit ⁽⁴⁾
Interior design service	Residential facility for homeless individuals (up to 8) ⁽¹⁾
Internet service	Retirement facility
Investment service	Savings and loan
Laboratory	Sculpture studio
Land surveyor	Security service
Legal service	Sleep disorder facility
Live-work unit	Social service agency
Loan office	Sorority house
Marketing agency	Stained glass studio
Martial arts training	Stock and bond broker
Massage therapy	Surgery center
Medical training	Tailor
Model unit	Tanning salon
Mortgage service	Tax consulting
Multiple family complex ⁽²⁾	Television station
Multiple family dwelling ⁽²⁾	Title company
Museum	Townhouse complex ⁽²⁾
Music instruction	Travel agency
Music studio	Treatment center
Nail salon	Tutoring service
Neighborhood facility	Universally permitted use ⁽³⁾
Nursing home	Veterinary clinic (indoor)
Nutrition service	Website service
Office, Professional	Wedding consultant
Ophthalmologist	Weight loss service
Optician	Wind energy conversion system (micro) ⁽¹⁾
Optometrist	Yoga instruction
Painting studio	Zoo
Parking area (off-site) ⁽³⁾	
Notes: (1) If not adjacent to a residential district (2) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§154.208(E)(1)) (3) See universally permitted use definition for additional standards (4) Above, to the rear of, or attached to a permitted nonresidential use	

HUNTERTOWN ZONING ORDINANCE

(D) Accessory Buildings, Structures and Uses

The noted **accessory buildings, structures, and uses** shall be permitted as set forth below:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit ⁽¹⁾	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	
Note: (1) Integrated accessory dwelling units only. Freestanding accessory dwelling units are not permitted. If integrated into a single family detached dwelling, the integrated accessory dwelling unit shall be at least 300 square feet		

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building, including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Donation site/recycling collection point ⁽¹⁾
Grill or fire pit	Dumpster ⁽¹⁾
4H/similar indoor small animal project	Family counseling or education
Home occupation	Food bank
Hot tub, Jacuzzi, or spa	Maintenance building
Shed	Outdoor events (short-term)
Smoke house/oven (outdoor)	Performances (indoor)
Tree house	Shop (for sale of religious institution-related items)
	<u>Storage Building ⁽¹⁾</u>
Note: (1) Also permitted for nonresidential uses	

HUNTERTOWN ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the C1 **district**; all standards are minimum standards unless otherwise noted (see also the permitted **yard** projections and additional location standards on the following page).

C1 PROFESSIONAL OFFICE AND PERSONAL SERVICES DEVELOPMENT STANDARDS			
Height (maximum) ⁽¹⁾			
Primary or accessory nonresidential building or structure		40/75'	
Primary or accessory residential facility building or structure		Up to two stories or 30' ⁽²⁾	
Front yard			
Non-through lot		25'	
Through lot		25' at each end of the lot	
If there is an existing primary commercial or industrial building(s) with a lesser front setback adjacent to the lot		A new primary building or an addition to an existing primary building may meet the smallest existing nonconforming setback	
Side yard (interior lot)			
Primary building			
Height	If adjacent to a residential district		If not adjacent to a residential district
Up to 30'	25'		10'
Over 30'	50'		25'
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq. ft.	25'	5'
Over 25' or	Over 200 sq. ft.	25'	25'
Side yard (corner lot)			
Primary building – corner lot street side yard		25'	
Accessory building – corner lot street side yard		25'	
Rear yard			
Primary building			
Height	If adjacent to a residential district		If not adjacent to a residential district
Up to 30'	25'		10'
Over 30'	50'		25'
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq. ft.	25'	5'
Over 25' or	Over 200 sq. ft.	40'	25'
Notes:			
(1) See §154.405(C) (Development Standards Waivers and Exceptions) for exceptions; §154.409 (Signs) for maximum sign heights; and §154.404(O) (Residential Impact Mitigation) for additional restrictions			
(2) Whichever is less			

HUNTERTOWN ZONING ORDINANCE

§ 154.213 C2 LIMITED COMMERCIAL

(A) Purpose

The Limited Commercial **district** is intended to provide areas for moderate intensity business, community, office, **personal service**, and **limited retail uses**, along with certain residential facilities. Neighborhood-oriented **uses** are encouraged.

(B) Limitations on ~~Building~~ Size and Number of ~~Buildings~~

For new commercial ~~development~~, a single ~~building~~ on a single ~~lot~~ shall be permitted, with a square footage of up to 25% coverage of the ~~net lot area~~, to a maximum ~~building~~ size of 22,000 square feet.

(C)(B) Permitted Uses

The following **uses** are permitted as a matter of right in a C2 **district**. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors. In C2 **districts**, **outdoor display** shall be permitted within ten (10) feet of the **primary structure** on the front or **street side(s)**; or beneath a **gas station canopy**. **Outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface.

C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	Automobile rental (indoor)
Accountant	Automobile sales (indoor)
Adoption service	Bait sales
Adult care center	Bakery goods
Advertising	Bank
Air conditioning sales	Bankruptcy service
Alteration service	Banquet hall
Animal grooming (indoor)	Bar
Animal hospital (indoor)	Barber shop
Animal kennel (indoor)	Barber/beauty school
Animal obedience school (indoor)	Beauty shop
Answering service	Bed and breakfast
Antique shop	Bicycle sales and repair shop
Apparel and accessory store	Billiard or pool hall
Appliance store	Bingo establishment
Appraiser	Blood bank
Arcade	Blood or plasma donor facility
Architect	Boarding house
Art gallery	Book store
Art instruction	Bookkeeping service
Art studio	Bowling alley
Art supply store	Brewery (micro)
Assisted living facility	Broadcast studio
Attorney	Broker
Auction service	Business training
Audiologist	Campus housing (off-site)
Audio-visual studio	Candy store
Automatic teller machine	Catalog showroom
Automobile accessory store (indoor)	Caterer

HUNTERTOWN ZONING ORDINANCE

§ 154.214 NC NEIGHBORHOOD CENTER

(A) Purpose

The **Neighborhood Center district** is intended to provide areas for the day-to-day shopping needs of the surrounding residential neighborhoods. **Uses** typically found within this type of center include moderate intensity business, community, office, **personal service**, and **limited retail uses**, along with certain residential facilities.

(B) ~~Limitations on Building Size and Number of Buildings~~

~~For new commercial development, single or multiple buildings shall be permitted, with a total square footage for all buildings of up to 25% coverage of the net development site area, to a maximum of 80,000 square feet; individual tenant spaces shall be limited to 40,000 square feet, except that grocery store/supermarket uses shall not have a tenant space limit; new commercial/retail developments with individual buildings between 22,000 and 40,000 square feet shall require an NC zoning classification.~~

(C)(B) Permitted Uses

In NC districts, **outdoor display** shall be permitted within ten (10) feet of the **primary structure** on the front or **street side(s)**; or beneath a **gas station canopy**. **Outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface. The following **uses** are permitted as a matter of right in an NC **district**; the permitted **uses** shall include, but not be limited to the following **uses**. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors.

NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES	
Accessory building/structure/use	Assisted living facility
Accountant	Attorney
Adoption service	Auction service
Adult care center	Audiologist
Advertising	Audio-visual studio
Air conditioning sales	Automatic teller machine
Alteration service	Automobile accessory store (indoor)
Animal grooming (indoor)	Automobile rental (indoor)
Animal hospital (indoor)	Automobile sales (indoor)
Animal kennel (indoor)	Bait sales
Animal obedience school (indoor)	Bakery goods
Answering service	Bank
Antique shop	Bankruptcy service
Apparel and accessory store	Banquet hall
Appliance store	Bar
Appraiser	Barber shop
Arcade	Barber/beauty school
Architect	Beauty shop
Art gallery	Bed and breakfast
Art instruction	Bicycle sales and repair shop
Art studio	Billiard or pool hall
Art supply store	Bingo establishment

HUNTERTOWN ZONING ORDINANCE

§ 154.221 BTI BUSINESS, TECHNOLOGY, AND INDUSTRIAL PARK

(A) Purpose

The **Business, Technology, and Industrial Park** districts are intended to create areas for the **development** of limited intensity assembly, fabrication, office, medical, technology, and research facilities, including **corporate campus** and similar **development**, with quality, integrated architectural and site design which is compatible with **adjacent development** and creates minimal impacts outside of the **buildings**.

(B) Permitted Uses

The following uses shall be permitted as a matter of right in a **BTI district**. **Outdoor display or storage** shall not be permitted.

BTI BUSINESS, TECHNOLOGY AND INDUSTRIAL PARK SPECIFIC PERMITTED USES	
Accessory building/structure/use	Limited assembly and fabrication of: (continued)
Apparel fabrication and processing	Optical instruments
Assembly of finished products	Scientific and precision instruments
Bioscience development, research, or testing	Service industry machines
Business incubation office or laboratory	Specialty equipment
Computer/other software	Machine design facility
Corporate campus	Machine tool shop
Cosmetic product compounding	Medical device technology
Information technology	Office, Professional
Internet applications or products	Pharmaceutical product compounding
Laboratory (testing)	Product research and development
Limited assembly and fabrication of:	Professional office and research facility
Bio-medical/orthopedic products	Technology use or service
Communication and computation equipment	Universally permitted use ⁽¹⁾
Computers and electronics	Vehicle technology (advanced)
Computer hardware products	Warehouse/storage facility
Industrial controls	Wholesale facility
Medical devices	Wind energy conversion system (micro) ⁽²⁾
Orthopedic devices	Wind energy conversion system (standard) ⁽³⁾
	Woodworking/carpentry
Notes:	
(1) See universally permitted use definition for additional standards	
(2) If not adjacent to a residential district	

HUNTERTOWN ZONING ORDINANCE

(D) Development Standards

- (1) The standards in the following table shall apply in the I1 district; all standards are minimum standards unless otherwise noted (see also the permitted yard projections and additional location standards on the following page).

II LIMITED INDUSTRIAL DEVELOPMENT STANDARDS			
Height (maximum) ⁽¹⁾			
Primary or accessory nonresidential building or structure		50/75'	
Primary or accessory residential facility building or structure		Up to two stories or 30' ⁽²⁾	
Front yard			
Non-through lot		25'	
Through lot		25' at each end of the lot	
If there is an existing primary commercial or industrial building(s) with a lesser front setback adjacent to the lot		A new primary building or an addition to an existing primary building may meet the smallest existing nonconforming setback	
Side yard (interior lot)			
Primary building			
Height		If adjacent to a residential district	If not adjacent to a residential district
Up to 30'		25'	10'
Over 30'		50'	25'
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq. ft.	25'	5'
Over 25' or	Over 200 sq. ft.	25'	25'
Side yard (corner lot)			
Primary building – corner lot street side yard		25'	
Accessory building or structure – corner lot street side yard		25'	
Rear yard			
Primary building			
Height		If adjacent to a residential district	If not adjacent to a residential district
Up to 30'		25'	10'
Over 30'		50'	25'
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq. ft.	25'	5'
Over 25' or	Over 200 sq. ft.	40'	25'
Notes:			
(1) See §154.405(C) (Development Standards Waivers and Exceptions) for exceptions; §154.409 (Signs) for maximum sign heights ; and §154.404(O) (Residential Impact Mitigation) for additional restrictions			
(2) Whichever is less			

HUNTERTOWN ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the I3 **district**; all standards are minimum standards unless otherwise noted (see also the permitted **yard** projections and additional location standards on the following page).

I3 INTENSIVE INDUSTRIAL DEVELOPMENT STANDARDS			
Height (maximum) ⁽¹⁾			
Primary or accessory nonresidential building or structure		75'	
Primary or accessory residential facility building or structure		Up to two stories or 30' ⁽²⁾	
Front yard			
Non-through lot		50'	
Through lot		50' at each end of the lot	
If there is an existing primary commercial or industrial building(s) with a lesser front setback adjacent to the lot		A new primary building or an addition to an existing primary building may meet the smallest existing nonconforming setback	
Side yard (interior lot)			
Primary building			
Height	If adjacent to a residential district		If not adjacent to a residential district
Up to 30'	40'		25'
Over 30'	50'		40'
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq. ft.	25'	5'
Over 25' or	Over 200 sq. ft.	25'	25'
Side yard (corner lot)			
Primary building – corner lot street side yard		25'	
Accessory building or structure – corner lot street side yard		25'	
Rear yard			
Primary building			
Height	If adjacent to a residential district		If not adjacent to a residential district
Up to 30'	40'		10'
Over 30'	50'		40'
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq. ft.	25'	5'
Over 25' or	Over 200 sq. ft.	40'	25'
Notes:			
(1) See §154.405(C) (Development Standards Waivers and Exceptions) for exceptions; §154.409 (Signs) for maximum sign heights; and §154.404(O) (Residential Impact Mitigation) for additional restrictions			
(2) Whichever is less			

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(2) Exempt Divisions of Land

(a) Exempt Divisions

The following divisions of land do not have to obtain approval of a **Minor Subdivision plat** pursuant to §154.303(C)(3) or a **Major Subdivision plat** pursuant to §154.303(C)(4).

- (i) All **lots** in a recorded **subdivision** at the time of adoption of this ordinance shall not be required to meet the regulations of this section;
- (ii) The **conveyance** of land located within a **Development Plan** that has been approved by the **Commission**, including projects where:
 - [A] The **Commission** has granted secondary approval; and
 - [B] **Improvement Location Permits** and **Certificates of Compliance** have been issued for the entire development.
- (iii) A division of a **parcel** of land for the transfer of a **parcel** of land to correct errors in an existing legal description, provided that no additional **building sites** are created;
- (iv) A **conveyance** of a **parcel** of land pursuant to a distribution of land to a devisee, legatee or other heir pursuant to a last will and testament or intestate proceeding;
- (v) The **conveyance** of **parcel(s)** of land to one or both parties in a divorce proceeding pursuant to a court order regarding disposition of marital assets;
- (vi) A division of a **parcel** of land for federal, state, or local government to acquire for public purposes;
- (vii) A division of land resulting in the transfer or sale of land between contiguous **parcels** of land, provided that no additional **building sites** are created by the **subdivision**; and
- (viii) A division of a **parcel** of land into **cemetery** plots.
- ~~(viii)(ix)~~ The conveyance of not more than one (1) lot or parcel from a parcel of land not more than once in each twelve (12) consecutive months, or the conveyance of any number of lots or parcels twenty (20) acres or greater, and further provided that the lots or parcels have adequate width to meet the lot width requirements of the zoning district where the lot or parcel is located; or are served by an access easement of at least twenty-five (25) feet in width located on an existing parcel that meets the minimum lot width requirements (such an access easement shall only serve one parcel, shall be located a minimum of sixty (60) feet from any other access easement, and shall be approved by the Zoning Administrator);

(b) Administrative Approval Required

- (i) A division of land that does not constitute a **subdivision** as defined in this ordinance must be submitted for administrative approval. Only one administrative approval shall be permitted off of an existing **parcel** in a 12 month period.
- (ii) The application shall be reviewed for compliance with the requirements of the ordinance and to confirm that each affected **lot** is served by public water and public sewer and must have immediate access to an improved public **right-of-**

HUNTERTOWN ZONING ORDINANCE

(C) Compliance

All proposed **development** shall be in conformance with the applicable **development** design standards. Compliance shall be determined by the **DPS** staff in the case of zoning ordinance standards, and by the applicable reviewing agency staff in the case of non-zoning ordinance standards, including Huntertown Utility Ordinance(s). Copies of required application materials, applicable **fees**, and non-zoning ordinance standards are available from **DPS** staff.

(D) Access

(1) General Standards

Complete access and traffic management facilities in compliance with the standards and specifications of the applicable reviewing agency shall be provided to serve the proposed **development**.

(2) Additional Standards for **Major Subdivisions**

- (a) Each ~~residential lot~~ in the **Major Subdivision** shall only have internal direct access to an ~~new existing, publicly maintained street~~ by way of a platted **public or private street** platted as part of the proposed subdivision. ~~but a No residential lot shall~~ directly access an existing arterial, collector, or local street.
- (b) Each residential lot in the **Major Subdivision** shall front upon and have at least the minimum required **frontage** on a dedicated **public or private street** of sufficient width and improvement to meet the applicable agency standards and specifications.
- (c) Each **Major Subdivision** shall have at least one point of connection between its internal **street** system and an adjoining **arterial, collector, or local street** for every two hundred (200) residential **lots**, or part thereof, located in the **Major Subdivision**. For purposes of this standard, the number of homes in all adjoining phases of a **Major Subdivision** shall be considered together.

(3) Additional Standards for **Minor Subdivisions**

Each **Minor Subdivision lot** shall have **frontage** on an existing improved non-arterial **street**.

(E) Reserved

(F) Block Layout

In **Major Subdivisions**, **blocks** shall be of sufficient dimension to allow two (2) tiers of **lots** of at least the minimum depth required by the **zoning district** in which the **lots** are located.

(G) Easements

Easements shall be provided as required by the applicable reviewing agency for utility lines, storm water drainage facilities, and pedestrian access. **Easements** shall be designed and laid out so that adequate utility service and storm drainage can be provided, and proper continuity exists between areas, **uses, structures, parcels, and developments**. **Easement** widths and locations shall be shown.

(H) Floodplain

All proposed **buildings, structures, and site development** located within a Special Flood Hazard Area shall also comply with the floodplain regulations as set forth in §154.412.

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- (ii) Sidewalks have previously been constructed within the **street right-of-way** on the same side of that adjoining **street** on at least one of the **parcels adjacent** to the proposed **development site** with **frontage** on that adjoining **street**.
 - (b) Where the **Development Plan** or **Site Plan** **development site** includes multiple **buildings** on a single **lot** or on adjoining **lots**, internal pedestrian walkways shall be provided to provide connections between the **primary building** entrances of all **primary buildings**.
 - (c) Sidewalks shall not be required for outdoor eating/drinking/smoking area **Site Plan** Review projects.
- (3) Additional Standards Applicable to **Major Subdivisions**
 - (a) Sidewalks a minimum of five (5) feet in width shall be constructed to **Town** standards and specifications on each side of all internal **streets** within a **Major Subdivision**, except as provided in subsection (4) below.
 - (b) Sidewalks a minimum of five (5) feet in width shall be constructed to the standards of the applicable reviewing agency along the full property **frontage** of any **street** adjoining the **Major Subdivision** if:
 - (i) The **Major Subdivision** (including previous or proposed later phases of the proposed **development**) contains twenty-five (25) residential **lots** or more; or
 - (ii) Sidewalks have previously been constructed within the **street right-of-way** on the same side of that adjoining **street** on at least one of the **parcels adjacent** to the proposed **subdivision** with **frontage** on that adjoining **street**.
- (4) Exceptions

Sidewalks shall not be required in the **BTI (Business, Technology, and Industrial Park)**, I1 (Limited Industrial), I2 (General Industrial), or I3 (Intensive Industrial) **zoning districts**, unless the property is included on a plan showing specific trail locations that has been adopted as an amendment to the **Comprehensive Plan**; in those cases, a **multi-use trail** shall be provided in the location shown on the plan.
- (O) Residential Impact **Mitigation**

All **development** must comply with the landscaping, screening, and buffering requirements in §154.408. To provide additional buffering and **mitigation** for residential **uses**, if proposed **development** on a **lot** or **parcel adjacent** to an AR, R1, R2, R3, RP, or MHS, or MHP **zoning district** includes **development** other than a single **family** or **two family dwelling**, the plan shall comply with the following additional standards.

 - (1) Additional Height Standards

No ~~**primary-buildings sections**~~ or ~~**structures sections**~~ exceeding ~~30-60~~ feet in height shall be located within ~~50-100~~ feet of the A, R, or MH **district** **property line**.
 - (2) Landscaping, Screening and Buffering
 - (a) **Outdoor display** or **storage** areas, including vehicle **storage** areas and **drive-through** lanes shall meet the minimum **primary building setback**.
 - (b) If the **mitigation** requirements of this §154.404(O) conflict with the screening and buffering requirements of §154.408, the standard requiring more screening and buffering shall apply.

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(P) Sanitary Sewer

Public sanitary sewer facilities in compliance with the standards and specifications of the applicable reviewing agency shall be provided to serve the proposed **development**; for primary **plats** and **Development Plans**, evidence that public sanitary sewer is available and has adequate capacity to serve the **development** shall be provided.

(Q) Signs

All **development** shall comply with the **sign** regulations applicable to that **zoning district** and type of **development** as set forth in §154.409.

(R) Site Lighting

Exterior lighting for all **development** other than single **family** and **two family dwellings** shall comply with the standards in subsection (2) below unless exempted pursuant to subsection (1) below.

(1) Exceptions

The following types of lighting are not subject to the requirements of this §154.404(R):

- (a) **Public street** and **right-of-way** lighting;
- (b) Lighting required and regulated by the Federal Aviation Administration;
- (c) Lighting for a special area, **district**, street or **building** that, according to an adopted Town ordinance, requires special lighting aesthetics as part of its physical character;
- (d) Lighting for outdoor recreational uses such as ball diamonds, playing fields, tennis courts and similar uses, provided that light poles are not more than 40 feet tall, and the maximum illumination at the property line is not brighter than zero foot-candles; Except for the portion of the property adjoining a street right-of-way, where nonresidential development is proposed adjacent to residential districts, zero footcandles of light may be emitted by the nonresidential development along the property line with the residential district;
- (e) Temporary decorative seasonal lighting;
- (f) Temporary lighting for emergency or nighttime work and construction; and
- (g) Temporary lighting for theatrical, television and performance areas, or for special public events.

(2) Standards

All exterior lighting shall meet the following design standards:

- (a) Any freestanding or wall pack light source or lamp shall be concealed or shielded with an Illuminations Engineering Society of North America (IESNA) **full-cutoff** style fixture to minimize the potential for **glare** and unnecessary diffusion on **adjacent** property.
- ~~(a)~~(b) Uplighting shall be permitted provided the light fixture is directed and shielded so that no light is emitted beyond the building façade.
- ~~(b)~~(c) Except for the portion of the property adjoining a street right-of-way, where nonresidential development is proposed adjacent to residential districts, zero foot-candles of light may be emitted by the nonresidential development along the property line with the residential district. Lighting for outdoor recreational uses such as ball diamonds, playing fields, tennis courts and similar uses, provided that light poles are

HUNTERTOWN ZONING ORDINANCE

not more than 40 feet tall, and the maximum illumination at the property line is not brighter than zero foot-candles.

~~(e)~~(d) The maximum height of any lighting pole serving a residential **use** is 25 feet. The maximum height serving any other type of **use** is 35 feet, except that the maximum height of any pole located within 50 feet of an A, R, or MH **district** shall be 25 feet.

~~(e)~~(c) Lighting on **gas stations, convenience stores** and other outdoor **canopies** shall be fully recessed into the **canopy** and shall not protrude downward beyond the ceiling of the **canopy**.

(S) **Storm Drainage**

Storm drainage facilities in compliance with the standards and specifications of the applicable reviewing agency shall be provided to serve the proposed **development**.

(T) **Street Lighting**

Except in **Minor Subdivisions**, **public street** lighting in compliance with the standards and specifications of the applicable reviewing agency shall be provided to serve the proposed **development**.

(U) **Vehicle Circulation and Streets**

(1) **Consistency with Transportation Plan**

The design and layout of the **street** system shall be consistent with the latest **Town Council** adopted Transportation Plan.

(2) **Construction Standards**

The construction of **streets** shall comply with all applicable **Town street** construction standards, including but not limited to **Town** standards for minimum **street** widths, intersection and/or roundabout design, **street** alignments, curve radii and tangents, **street** grades and grading, types and qualities of construction materials.

(3) **Private Streets**

The Commission may approve a private street in a major or minor plat provided all of the following conditions are satisfied:

(a) Restrictive covenants, a written commitment, or other necessary document(s) running with the land, shall be recorded in such form as is approved by the Commission to clearly state of record each of the following provisions:

(i) Huntertown Town Council shall not be obligated to accept a public dedication, deed, or any other conveyance of such private street;

(ii) The Allen County Highway Department or the Huntertown Street Department shall not be obligated to maintain or repair the street, or accept it into the Allen County Highway Maintenance Program or the Huntertown Street Department Maintenance Program;

(iii) A legally formed community association comprised of all owners of lots in the subdivision, as well as each such owner individually, shall be jointly and severally obligated to maintain and repair each private street in the subdivision;

HUNTERTOWN ZONING ORDINANCE

- (iv) The subdivision's community association and all owners of lots in the subdivision shall jointly and severally indemnify and hold harmless the Town of Huntertown, Allen County, Indiana, the Board and the Commission, against any loss, damage, or liability arising from claims or suits for personal injury or property damage involving the design, construction, use, or maintenance of a private street in the subdivision; and
- (v) While the use of a private street may be restricted to owners of lots in the subdivision, or their invitees and licensees, an express easement shall be granted to public and quasi-public agencies for use of such streets by emergency, utility, school vehicles and personnel, and for any other purpose the Commission reasonably believes is necessary or appropriate.
- (b) Title to each private street in the subdivision shall be properly conveyed by warranty deed to the subdivision's community association.
- (c) Evidence of the legal formation of the subdivision's community association shall be recorded.
- (d) A maintenance bond, with coverage comparable to that required for public streets, for the benefit of the subdivision's community association and lot owners, shall be provided by the developer of the subdivision, if the commission finds such a bond is necessary.
- (e) A private street shall satisfy all applicable Town of Huntertown and Allen County public street design and construction standards unless any of the following is modified by the Highway Department or the Town of Huntertown because of topography or other engineering considerations:
 - (i) Minimum right-of-way;
 - (ii) Minimum pavement width;
 - (iii) Circular turn-around (cul-de-sac); or
 - (iv) Curb and gutter.
- (f) The commission may limit the number of residences which may be located on lots with frontage on a private street for which a modification is approved by the Commission.

~~(3)~~(4) Alleys

Alleys are permitted in all **districts**.

~~(4)~~(5) Continuation of **Streets, Alleys and Easements**

Wherever a dedicated or platted portion of a **street** or **alley** or other public easement right-of-way exists adjoining to the proposed **Subdivision** or **Development Plan** with public streets, the continuation of the **street, alley, or other public easement right-of-way** at the same width shall be shown on the proposed **Subdivision plat** or **Development Plan** with public streets.

~~(5)~~(6) **Cul-de-sac Streets**

- (a) No **cul-de-sac street** shall be permitted where it would be in conflict with the latest **Town Council** adopted Transportation Plan.
- (b) **Cul-de-sacs** shall not exceed eight hundred (800) feet in length, except that the **Commission** may allow a length of up to 1,320 feet if the presence of natural site features (creeks, drains, floodplain, rivers, **wetlands**, or **significant** grade changes) makes it impractical to provide additional or alternate access.

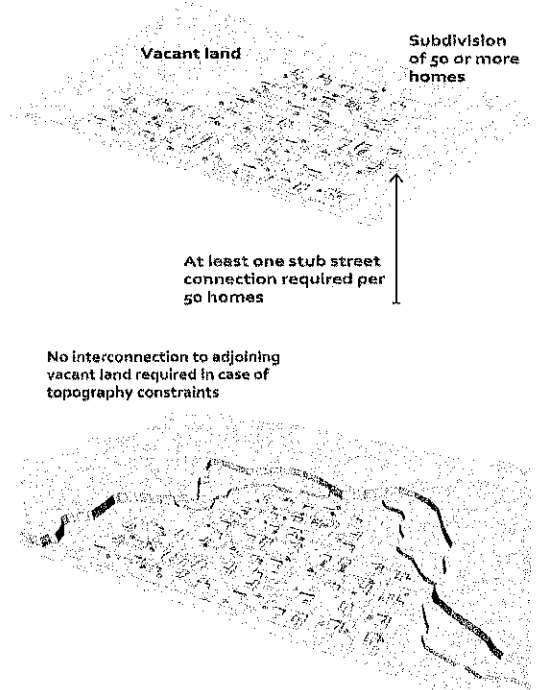
HUNTERTOWN ZONING ORDINANCE

~~(6)~~(7) Interconnection

(a) **Development Plans**

All public and ~~private~~ streets in **Development Plans** shall:

- (i) Be aligned to join with planned or existing public and ~~private~~ **streets** (including stub **streets**) on adjoining **parcels**, and
- (ii) Provide future access to and from the proposed **development** within the Primary **Development Plan** to any adjoining vacant **parcels** of land, unless the **Plan Commission** determines at the time of the Primary **Development Plan** approval that the interconnection is impracticable due to site or topography constraints. All access **streets** shall be paved to the property line at the time of **development**.



(b) **Major Subdivisions**

All streets in **Major Subdivisions** shall:

- (i) Be aligned to join with planned or existing **streets** (including stub **streets**) on adjoining **parcels**, and
- (ii) Provide stub **streets** to allow at least one future access to adjoining vacant **parcels** of land per 50 lots (or part thereof) in the proposed **Major Subdivision**, unless the **Plan Commission** determines at the time of Primary **Development Plan** or **Subdivision** approval that the interconnection is impracticable due to site or topography constraints. All stub or other access **streets** shall be paved to the property line at the time of **development**.

(c) **Minor Subdivisions**

No **Minor Subdivision** may provide an interconnection to more than one other **Minor Subdivision**, and no more than two (2) **Minor Subdivisions** may share a single point of access to a **public street**.

~~(7)~~(8) School Bus Access

Each **Major Subdivision** or **Development Plan** containing over sixty (60) lots shall include an internal loop **street** system allowing **school** busses to access the **subdivision**, circulate, and return to an access point to a local, collector, or **arterial street** adjoining the **Major Subdivision** or **Development Plan development site** without turning around or backing up. The **Plan Commission** may permit alternative **street** system provisions allowing for internal bus access if those provisions have been approved by the applicable **school district**. For purposes of this standard, the number of homes in all adjoining phases of a **Major Subdivision** or **Development Plan** shall be considered together.

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~~(8)~~(9) Street Names

- (a) The name of any **street**, road, drive, or avenue already in **use** or established by **plat** anywhere in Allen **County** shall not be used in any new **development** except in the case of a direct extension of the existing **street**, road, drive, or avenue of the same name.
- (b) No name of a **street**, road, drive, or avenue shall include the word north, south, east or west, unless it denotes a geographic location.

(V) Water

Public water facilities shall be provided to serve the proposed **development**.

(W) Zoning District Standards

(1) Building Separation

All **buildings** and **structures** shall comply with the applicable **building** separation standards for the **zoning district** in which they are located, as set forth in §154.208-209.

(2) Building Size

All **residential buildings** shall comply with the applicable **building** size standards for the **zoning district** in which they are located, as set forth in §154.206-211.

(3) Number of Buildings on a Lot

All residential **developments** shall comply with the applicable **building** number limitations for the **zoning district** in which they are located, as set forth in §154.206-211.

(4) Height

- (a) All **buildings** and **structures** shall comply with the height standards for the **zoning district** in which they are located, as set forth in §154.206-224.
- (b) In addition, when **development** other than a single **family** or **two family dwelling** occurs on a **lot** adjoining an AR, R1, R2, R3, RP, ~~MHP~~, or MHS **zoning district**, the height standards in §154.404(O) shall apply.

(5) Lot Area and Width

All **development** shall comply with the applicable **lot area** and **lot width** standards for the **zoning district** in which they are located, as set forth in §154.206-211.

(6) Yard Requirements

All **development** shall comply with the applicable **yard** requirements for the **zoning district** in which they are located, as set forth in §154.206-224.

(7) Zoning Overlay Districts

All **development** proposals shall also be subject to all applicable provisions of Zoning Overlay **districts** including but not limited to the provisions of §154.412 (Floodplain).

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§ 154.405 DEVELOPMENT STANDARDS WAIVERS AND EXCEPTIONS

(A) Minor and Major Subdivisions

No **waiver** of design and **development** standards is permitted on an application for **Minor Subdivision** or **Major Subdivision** approval, unless the design and **development** standards are modified by a variance of **development** standards approved by the **Board of Zoning Appeals** pursuant to §154.503(E), except that for a **Major Subdivision**, the **Plan Commission** may allow a reduced rear yard **setback** of no less than 15 feet for lots that are adjacent to common area.

(B) Development Plans

The following shall apply to **waivers** to design and **development** standards on **Development Plans**.

(1) Authority

Pursuant to I.C. 36-7-1402(b)(4), the **Plan Commission** may waive a design or **development** standard listed in §154.404(C) through (W) as set forth below, except as set forth in subsection (2) below, based on the criteria in subsection (3) below:

(2) Exceptions

The following standards may only be varied by the **Board of Zoning Appeals** through the variance process described in §154.503(E).

- (a) Pedestrian circulation standards in §154.404(N); and
- (b) Residential impact **mitigation** standards in §154.404(O).

(3) Criteria

Except for the standards listed in §154.405(B)(2) above, the **Commission** may waive or adjust those design and **development** standards as part of its approval of a Primary or Secondary **Development Plan** if it determines in writing that:

- (a) The **waiver** or modification is in conformance with the purposes and intent of this ordinance along with the objectives and policies of the **Comprehensive Plan**;
- (b) The applicant has submitted adequate evidence to demonstrate that the requested **waiver** or modification will not have a **significant** impact on contiguous residential properties; and
- (c) The failure to grant the requested **waiver** would result in practical difficulties in the **use** of the property for the proposed **development**.

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(3) Compliance with the Americans with Disabilities Act

The design and construction of all new **off-street parking areas** shall comply with the applicable requirements of the Americans with Disabilities Act (ADA).

(4) Maintenance

Off-street parking spaces and any required landscaping shall be provided and maintained by the property **owner** or other occupant of the property.

(D) Minimum Off-Street Parking Requirements

(1) General Requirement

(a) Where applicable and required, **off-street parking spaces** shall be provided in at least the amounts set forth in the following table, as adjusted by any applicable credits pursuant to §154.407(D)(2).

(b) For **uses** that require off-street stacking spaces, additional stacking space may be required as part of the approval of a **Development Plan**, if the **Plan Commission** determines that they are necessary for traffic safety purposes.

(c) **Parking spaces** located within a **garage** on a **lot** containing a single **family** or **two family dwelling**, and **parking spaces** located within a **garage** on a **lot** containing a **multiple family dwelling** and designated for **use** by that **dwelling** unit shall count towards required off-street parking requirements.

(d) The following **uses** shall not have a minimum off-street parking requirement:

(i) Accessory Dwelling Unit

~~(+)(ii)~~ Airport;

~~(+)(iii)~~ Cemetery;

~~(+)(iv)~~ Community garden;

~~(+)(v)~~ Fairground;

~~(+)(vi)~~ Hospital;

~~(+)(vii)~~ Nature preserve;

~~(+)(viii)~~ Religious institution; and

~~(+)(ix)~~ School.

HUNTERTOWN ZONING ORDINANCE

- (d) The following landscape codes shall be applicable to the noted **building** types and other landscape situations:

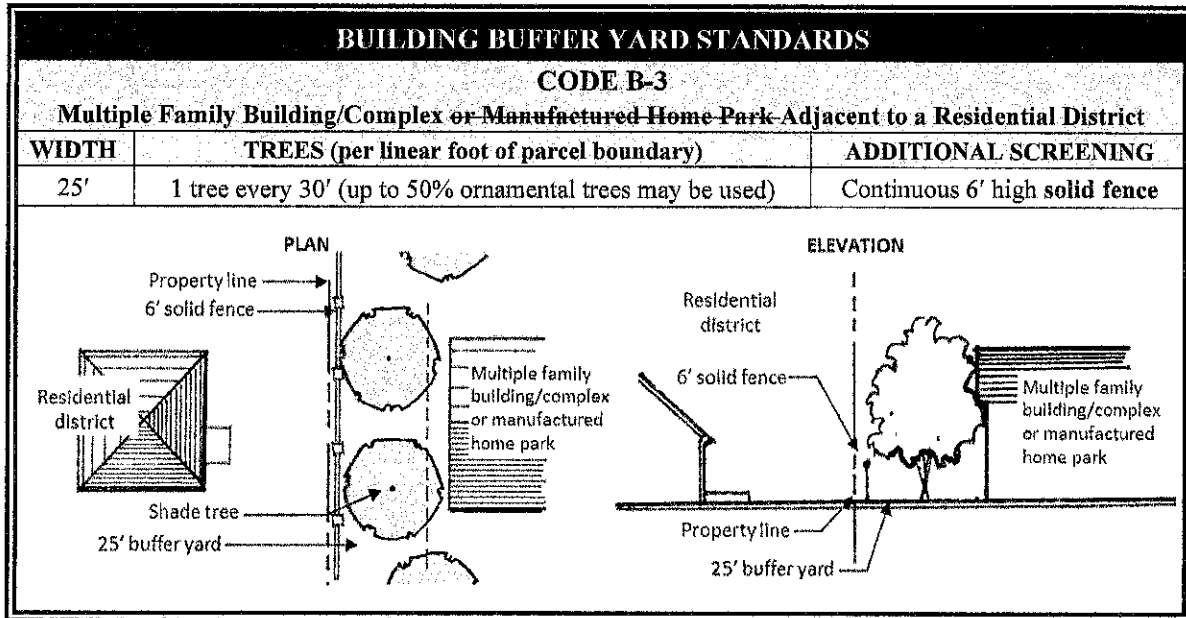
LANDSCAPE CODES – BUILDINGS AND OUTDOOR ACTIVITY AREAS			
Building Type		Landscape Code, if Adjacent To:	
		Residential districts	Nonresidential districts
Office, Personal Service or Other C1 Use Building		B-1	No requirement
Commercial, Retail, Industrial, or Universally Permitted Use Building		B-2	No requirement
Multiple Family Building/Complex, or Manufactured Home Park		B-3	B-4
Nonresidential Outdoor Activity Areas	Driveway	A-1	No requirement
	Drive-through	A-2	A-6
	Other activity area	A-3	A-7
	Storage area	A-4	No requirement
	Eating/drinking/smoking area	A-5	No requirement

- (e) The following landscape codes shall be applicable to the noted **parking area** situations:

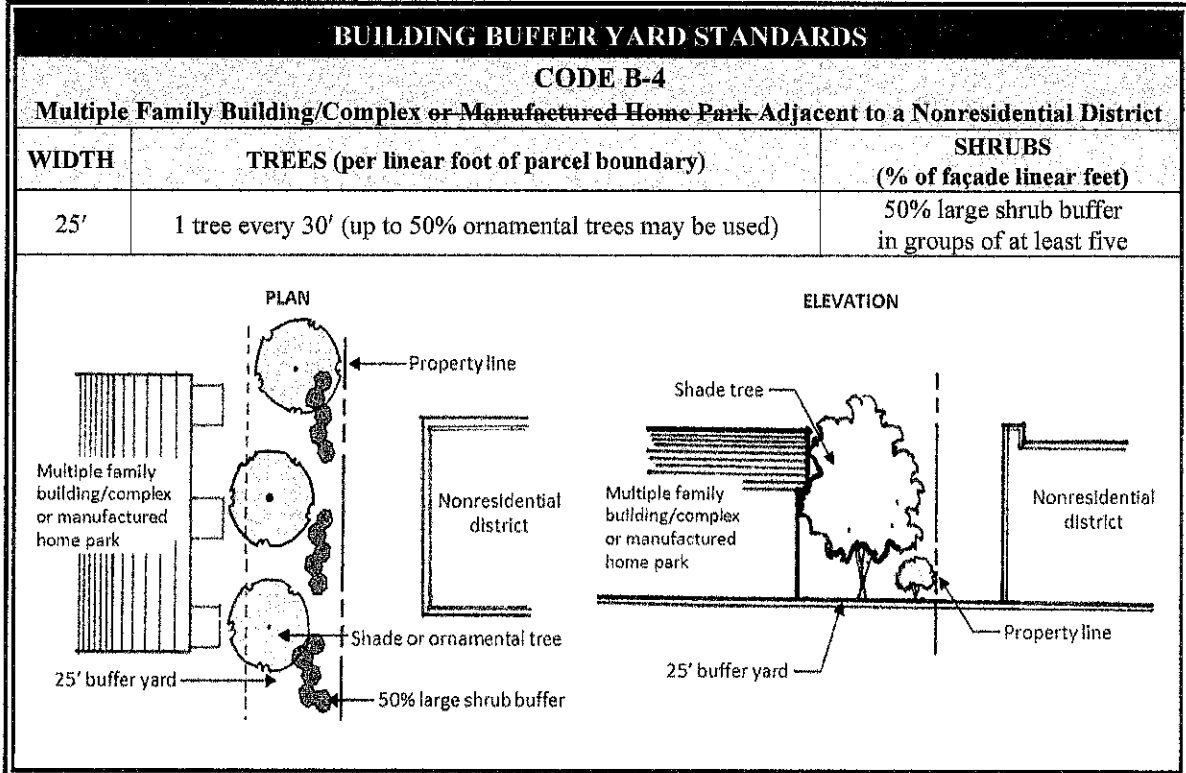
LANDSCAPE CODES – PARKING AND OUTDOOR DISPLAY AREAS	
Site Situation	Landscape Code
Adjacent to public street or private access drive	P-1
Adjacent to residential district	P-2
Adjacent to commercial district	P-3
Parking areas more than 50 spaces (shall not apply to outdoor display areas)	P-4

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- (h) The following Code B-3 **buffer yard** standard shall apply if a multiple family building/complex or ~~manufactured home park~~ is adjacent to a residential district:



- (i) The following Code B-4 **buffer yard** standard shall apply if a multiple family building/complex or ~~manufactured home park~~ is adjacent to a nonresidential district:



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(10) Nonconforming Signs

- (a) Any **sign** that was erected in compliance with the **sign** regulation ordinance that was in effect at the time the **sign** was erected, but that no longer complies with the provisions of this ordinance, is a nonconforming **sign** subject to the provisions of this §154.409(F)(10).
- (b) A digital **sign** that was erected in compliance with the **sign** regulation ordinance that was in effect at the time the **sign** was erected, and that continues to comply with the standards of this ordinance regarding the physical **structure** and location of the **sign**, but that is found to be in **violation** of this ordinance regarding the digital display, shall only be a nonconforming **sign** if the digital display cannot be reprogrammed to bring the digital display into compliance with this ordinance.
- (c) Reasonable repairs, alterations and conversions may be made to nonconforming non-**billboard signs** as long as the location of the **sign** is not changed and the height or area of the **sign** is not increased. In addition:
 - (i) If the **sign** is covered, it can be re-used; or
 - (ii) If the cabinet is removed, a new cabinet can be placed on the existing pole, provided the cabinet complies with the current **zoning district** square footage limitation; or
 - (iii) If the pole is removed then the entire **sign** has to be brought into compliance.
- (d) If any nonconforming **sign** is damaged by any means, including an act of God, and the damage exceeds 50% of the replacement value of the **sign**, as documented in writing by an established **sign** repair firm, the **sign** may be restored, reconstructed, altered or repaired only in conformance with the provisions of this §154.409.
- (e) If the **primary structure** on a **lot** or **parcel** is demolished any nonconforming **sign** on the **lot** or **parcel** shall be removed, repaired, or reconstructed so as to comply with the **sign** regulations for new **signs** in the **district** where the property is located.
- (f) Reasonable repairs may be made to nonconforming **billboard signs** as long as the location of the **sign** is not changed, the height or area of the **sign** is not increased, or the **sign** is not changed, altered or converted digitally.

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§ 154.410 ROADWAY EASEMENTSRESERVED

(A) Establishment

Pursuant to §154.303(C)(2)(a)(ix), requiring that a parcel have its principal frontage on a public street or an approved, recorded roadway easement, the Zoning Administrator shall have the power to review and approve private roadway easements for exempt divisions of land under §154.303(C)(2). The roadway easement shall be in a form acceptable to the Zoning Administrator and shall meet the requirements of this Chapter.

(B) Application

A person wishing to subdivide land pursuant to §154.303(C)(2) shall apply to the Zoning Administrator for review and approval of a roadway easement that will provide access to any parcel created by the exempt division which does not have the required minimum lot width on an improved public street. A roadway easement shall also be required to provide access to any legally created existing parcel which does not have the required minimum width on an improved public street. The person shall submit the following information with the application for review and approval by the Zoning Administrator:

- (1) A boundary survey that is certified to a date not more than six (6) months prior to the date of application, prepared and certified by a surveyor licensed in the State of Indiana, showing and describing:
 - (a) the real estate that will be subject to the exempt division; and
 - (b) the location and number of tax parcels located on the real estate at the time of filing the application; and
 - (c) the location and legal description of the proposed roadway easement; and
 - (d) the location of existing driveways within 60 feet of the proposed roadway easement.
- (2) A copy of the last deed or deeds of record for the real estate subject to the exempt division; and
- (3) The original proposed roadway easement instrument in a form approved by the Commission that will be recorded against the real estate establishing the proposed roadway easement. As part of the easement document, the easement shall expressly limit the roadway easement to serve only one parcel.

(C) Review

The Zoning Administrator shall consider the following in determining whether to approve a roadway easement:

- (1) The roadway easement shall provide access to no more than one (1) parcel. The parcel shall conform with §154.303(C) and be a legally created parcel in compliance with this ordinance.
- (2) The roadway easement shall provide access from the parcel to an existing improved public street; a roadway easement may be approved to provide access from an existing subdivision stub street to a parcel.
- (3) The parcel across which the roadway easement is being dedicated shall meet the minimum lot width and area requirements.
- (4) The roadway easement shall be a minimum of 25 feet wide.
- (5) The near edge of a roadway easement shall be at least 60 lineal feet (on the same side of the public street) from the near edge of the closest access easement or public street intersection.

HUNTERTOWN ZONING ORDINANCE

- (6) The applicant for the roadway easement shall have received the necessary approvals from the Allen County Surveyor's Office, Allen County Highway Department, and the Fort Wayne-Allen County Department of Health, or obtained a statement from these agencies that no approval is necessary.
- (7) The roadway easement may be contained on the lots or parcel to be served, or located across a lot or parcel which will not use the roadway easement.
- (8) The roadway easement shall not be named.
- (9) There shall not be any obstruction, either temporary or permanent of the roadway easement.

(D) Approval

- (1) The Zoning Administrator shall approve or deny a roadway easement in writing, stating the reasons for approval or disapproval.
- (2) After approval, the roadway easement, the survey and the roadway easement instrument shall be recorded with the Allen County Recorder's Office:
 - (a) no later than 30 days after the Zoning Administrator's decision becomes final and non-appealable; and
 - (b) prior to the issuance of any Improvement Location Permits for the parcel.
- (3) The Zoning Administrator shall issue no Improvement Location Permits for construction of any structure on any lot or parcel that does not have an approved roadway easement to an existing public roadway, unless the parcel meets the minimum lot width and area requirements of the district where the parcel is located.

(E) Additional Provisions

- (1) Changes to Approved Easements
Any change or modification of an approved, recorded roadway easement must first be approved by the Zoning Administrator under this Chapter.
- (2) Nonconforming Easements
Previously approved and existing private roadway/access easements for legally created lots or parcels under A.C.C. 4-1-2-2 shall be considered nonconforming uses under this ordinance.
- (3) Easements Serving Multiple Parcels
Any access/roadway easement which is proposed to serve more than one parcel shall be submitted, reviewed, approved through the minor plat process as set forth in §154.303(E), and meet the applicable minor plat standards as set forth in §154.404.

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~~§ 154.410~~ § 154.411 **RESERVED**

HUNTERTOWN ZONING ORDINANCE

(2) Exclusions

An **Improvement Location Permit** shall not be required for the items listed in the following table, but the **development** standards of this ordinance shall still apply.

IMPROVEMENT LOCATION PERMIT EXCLUSIONS	
Accessory building of 200 square feet or less	Newspaper delivery box
Access ramp	Patio (without foundations/footings)
Address marker	Play equipment
Arbor	Pond
Basketball backboard/goal	Property boundary marker
Bird bath	Rain barrel/garden
Bird feeder	Satellite dish
Bird house	Sign (as set forth in §154.409)
Commercial communication tower (if located within Town right-of-way)	Site lighting facilities
Dog/pet house	Solar panel (building mounted)
Driveway	Stoop
Fence (temporary construction)	Storage tank (underground)
Fence (agricultural)	Swing set
Flagpole	Television aerial
Garden	Temporary signs
Grill	Tree house (not attached to ground)
Hedge	Trellis
Holiday decorations	Utility fixtures (including lines/poles/supports)
Landscape elements	Walk
Mail delivery box	Wall (retaining)
Manufactured home, Type II (if located in a manufactured home park)	Yard light
Name plate	

(3) Issuance of Permit

- (a) Complete permit applications shall be promptly reviewed by **DPS** staff. If the proposed construction is in compliance with the provisions of this ordinance, the permit shall be issued. However, the **Zoning Administrator** may distribute the permit application and supporting information to other applicable entities for review prior to the issuance of the permit. In that case the issuance of the permit may be delayed until any **conditions** of that reviewing entity are satisfied.
 - (i) If the proposed construction requires a permit from the **Allen County Building Department** then the **Improvement Location Permit** shall be sent by the **DPS** staff to the **Building Department**.
 - (ii) If the proposed construction does not require a permit from the **Allen County Building Department**, then the **Improvement Location Permit** shall be sent directly to the applicant.
 - (iii) If there is an existing zoning ordinance **violation** on the lot included in the permit application, the **Zoning Administrator** may delay the issuance of the permit until such time as the **Zoning Administrator** determines that the **violation** has been resolved or an adequate **commitment** to resolve the **violation** has been made.

HUNTERTOWN ZONING ORDINANCE

(D) Special Uses

(1) List of Special Uses

The following **special uses** may be permitted by the **Board of Zoning Appeals** in the **zoning districts** shown in the table below, after public hearing pursuant to §154.503(A)(1). To approve a **special use**, the **Board** shall determine that the application meets the criteria in §154.503(D)(2) below and any other requirements stated for the specific **use** in this ordinance. The **Board** may impose reasonable **conditions** as part of its approval.

SPECIAL USES	
Special Use	District(s) Where Allowed
Accessory building conversion to a single family dwelling	AR
Accessory building, as a primary building, on a site of at least five (5) acres	AR
Airstrip/heliport (corporate or multiple owner use)	AR
Animal keeping (outdoor, small animal)	R1, R2, R3, and MHS
Animal Grooming	AR
Animal service, indoor	C1
Animal slaughter house (outdoor)	I2
Automatic teller machine (ATM) (stand-alone)	C1
Automobile maintenance (quick service)	C2, NC, and SC
Automobile service, general	I1
Bed and breakfast	AR, R1, R2, R3, and MHS
Boarding house	AR, R1, R2, R3, and MHS
Class II Child care home	AR, R1, R2, R3, and MHS
Club, private ⁽¹⁾	R1, R2, R3, MHS, and C1
Commercial communication tower ⁽²⁾	C1, C2, NC, SC, C3, C4, BTI, I1, I2, and I3
Community facility not otherwise permitted (transitional use)	R1, R2, R3, and MHS
Community garden that includes a structure	AR, R1, R2, R3, MHS, and C1
Container home ⁽²⁾	AR, R1, R2, R3, MHS
Country club	AR, R1, R2, R3, and MHS
Educational institution (not otherwise permitted)	AR, R1, R2, R3, and MHS
Educational institution-associated facilities, uses, and areas (on noncontiguous properties)	AR, R1, R2, R3, MHS ⁽¹⁾
Educational institution-associated uses (on non-contiguous properties, not otherwise permitted)	C1, C2, NC, SC, C3, and C4
Emergency response facility (transitional use)	R1, R2, R3, and MHS
Flood control improvement project/non-permitted fill, private	Any district
Fuel storage facility	I2
Funeral home	AR, R1, R2, R3, and MHS
Gas station (including convenience store)	C2, NC, I1, and I2
Golf course	R1, R2, R3, and MHS
Greenhouse (retail)	C2, NC, and SC
Group residential facility (large) ⁽¹⁾	AR, R1, R2, R3, MHS, C1, C2, NC, SC, C3, C4, I1, I2, and I3
Heliport	R1, R2, R3, and MHS
Home business ⁽²⁾	AR, R1, R2, R3, and MHS
Home business (in an existing single family detached dwelling only) ⁽²⁾	C1, C2, NC, C3, and C4
Home workshop ⁽²⁾	AR
Homeless shelter (accessory to a religious institution for up to eight (8) individuals)	AR, R1, R2, R3, and MHS

HUNTERTOWN ZONING ORDINANCE

SPECIAL USES	
Special Use	District(s) Where Allowed
Homeless shelter (if adjacent to a residential district or accessory to a religious institution)	C1, C2, NC, SC, C3, and C4
Illuminated recreation field (if adjacent to a residential district)	BTI, I1, I2, and I3
Instruction/training/education (transitional use)	R1, R2, R3, and MHS
Junk yard (outdoor)	I2
Live-work unit (transitional use)	R1, R2, R3, and MHS
Manufactured home, Type II ⁽²⁾	AR, R1, R2, R3, C1, C2, NC, SC, C3, and C4
Manufactured home, Type III	MHS
Medical office (transitional use)	R1, R2, R3, and MHS
Metal and plastic extrusion and molding	I1
Metal cutting facility	I1
Metal fabricating facility	I1
Metal processing facility	I1
Model home (for an extension of time or expansion of scope)	AR, R1, R2, and R3, and MHS
Motor vehicle storage yard	I2
Multiple Family Dwelling (transitional use, up to ten (10) units)	R2
Museum	R1, R2, R3, and MHS
Nature preserve (that includes a structure or parking area)	AR, R1, R2, R3, and MHS
Neighborhood facility	AR, R1, R2, R3, and MHS
Nonconforming use (expansion of existing nonconforming use, or allow conforming status to existing use)	AR, R1, R2, R3, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2, and I3
Open use of land (not otherwise permitted)	I3
Outdoor use (in conjunction with a permitted primary use)	C2 and NC
Parking area (as a primary use, a special use shall not be required for a universally permitted off-site parking area)	C1
Parking area (as a primary use, if adjacent to a residential district), a special use shall not be required for a universally permitted off-site parking area	C2, NC, SC, C3, C4, I1, and I2
Parking or outdoor display area, gravel (not otherwise permitted)	I2 and I3
Personal service (transitional use, excluding copy/duplicating service, health club/fitness center, or social service agency)	R1, R2, R3, and MHS
Plant nursery	C2, NC, and SC
Processing facility (small scale)	I1
Professional office/business service (transitional use, excluding bank, credit union, loan office, or savings and loan)	R1, R2, R3, and MHS
Reception, meeting, or recreation hall; clubhouse	AR
Recreation area	AR
Recreation area (including accessory recreation areas)	C2, NC, and SC
Recreation facility	AR
Recreation facility (if adjacent to a residential district)	C2, NC, and SC
Recreation use, outdoor (athletic field, riding stable, swim club, tennis club)	R1, R2, R3, MHS, and C1
Recreation use, outdoor (amusement park, go-cart facility, stadium/race track, and water park, only; if adjacent to a residential district)	C3, and C4
Religious institution or non-public school illuminated athletic field(s)	AR, R1, R2, R3, MHS, C1, C2, NC, and SC
Residential facility for a court-ordered re-entry program	AR, R1, R2, R3, MHS, C1, C2, NC, SC, C3, C4, I1, I2, and I3

HUNTERTOWN ZONING ORDINANCE

(b) **Home business**

- (i) The **Board** may limit the number of outside employees who work at the home;
- (ii) No **outdoor display, storage, work, or other exterior indication of the home business** shall be permitted, except for a **sign** of up to three (3) square feet;
- (iii) No vehicle with a load capacity greater than one-ton shall be permitted to be parked outdoor as part of a **home business**; and
- (iv) Food-related **uses** shall also require Fort Wayne-Allen **County Department of Health** approval.

(c) Reserved

(d) **Home workshop**

- (i) The **Board** may limit the number of employees;
- (ii) The area used for **outdoor storage** for the **home workshop** shall be limited to the area of the workshop, and shall be adequately screened; the **Board** may further limit the **outdoor storage**;
- (iii) Except for vehicles or equipment, **outdoor storage** shall be limited to eight (8) feet in height; and
- (iv) Adequate on-site parking shall be provided for employee and client/customer parking.

(e) **Manufactured home, Type II**

In addition to meeting the requirements set forth in §154.503(D)(2) the **Board** shall determine that the home is:

- (i) Compatible with the existing housing pattern in the immediate area with regard to **setbacks**, placement, and orientation on the **lot**; entry location; roof pitch; and foundation type and construction; and
- (ii) Constructed of roofing and siding materials compatible with the immediate area.

(f) Reserved

(g) **Solid waste transfer station**

Any waste receptacles stored outdoor shall be stored on a paved surface.

(h) **Container home**

In addition to meeting the requirements set forth in 157.503(D)(2) the **Board** shall determine that the home is:

- (i) Constructed in a manner that is consistent with the existing housing pattern in the immediate area with regard to **setbacks**, placement, and orientation on the **lot**; entry location; roof pitch; foundation type and construction;
- (ii) Have siding material of a type customarily used on **dwellings** constructed on-site for 75% of the front-facing facade, and a professional finish for all facades;
- (iii) Have roofing materials of a type customarily used on **dwellings** constructed on-site (such as but not limited to: asphalt shingles, cedar shingles, and metal); and
- (iv) Certified by an Indiana Structural Engineer or Indiana Registered Architect.

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§ 154.506 DEFINITIONS

For the purpose of this ordinance, the following rules of usage and definitions shall apply:

(A) Rules of Usage

- (1) Words used in the present tense shall also include the future tense.
- (2) The singular shall include the plural; and the plural shall include the singular.
- (3) The word "shall" is mandatory; the words "may" or "should" are permissive.
- (4) The word "used" or "occupied" as applied to any land or **buildings** shall be construed to include the words "intended, arranged or designed to be used or occupied."

(B) Defined terms

The following terms shall have the following meaning, unless a contrary meaning is required by the context or specifically otherwise prescribed:

A Zone (see Floodplain Regulations – §154.412(B), Definitions)

Access Ramp

A ramp or similar **structure** that provides wheelchair or similar access to a **building**.

Accessory Building

A **building detached** from a **primary building** or **structure** and customarily used with, and clearly incidental and subordinate to, the **primary building, structure, or use**, and ordinarily located on the same **lot** with that **primary building, structure, or use**.

Accessory Dwelling Unit (ADU)

An additional **dwelling** unit with separate cooking, sleeping, and sanitation (bathroom) facilities. An **accessory dwelling unit** shall be subordinate to a primary single **family** residential **structure**. An ADU shall not be subdivided or otherwise separated in ownership from the primary residential structure. Where permitted, only one freestanding or integrated **accessory dwelling unit** shall be allowed per property. The ADU shall be less than 700 square feet of gross floor area, not including attached garage space if applicable. An integrated accessory dwelling unit shall include no separate entrance on the front-facing façade of the building. A freestanding accessory dwelling unit may be constructed as a new detached structure or created as part of the renovation of a detached accessory structure. An ADU shall not be constructed of portable storage containers, shipping containers, truck bodies, other abandoned vehicles, or portions of vehicles. Examples of an integrated accessory dwelling unit shall include no separate primary entrances, no separate utility metering, or internal access between the accessory dwelling unit and the rest of the residence.

Accessory Structure (Appurtenant Structure) (see Floodplain Regulations – §154.412(B), Definitions)

Accessory Structure, Nonresidential

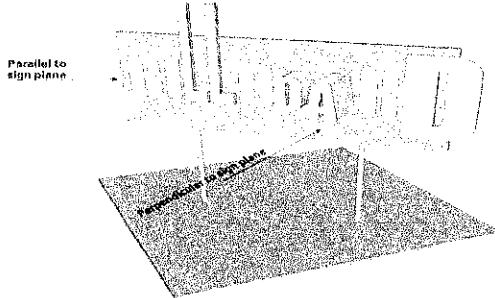
A **structure** or combination of **structures** that:

- (1) Are located on the same **lot, tract, or development site** as the primary **nonresidential building or use**;
- (2) Are clearly incidental to and customarily found in connection with a **primary building or use**; and
- (3) Are subordinate to and serving a **primary building or use**.

HUNTERTOWN ZONING ORDINANCE

Billboard Embellishment

A portion of a billboard that extends vertically or horizontally from the surface area of the billboard sign face (generally a rectangle) when viewed perpendicular to the **sign plane**, or that extends outward from the surface of the **sign** when viewed parallel to the **sign plane**, to accommodate extensions of words or images on the primary **sign area**.



Block

Property abutting on one side of a **street** and lying between the two (2) nearest intersecting or intercepting **streets**, or nearest intersecting or intercepting **street** and railroad **right-of-way** or waterway or the end of a dead end **street**.

Board

The Allen County Board of Zoning Appeals as designated by Section 152.40 and IC 36.7.4.410, et seq, or any successor **Board of Zoning Appeals**. This term shall not include the Allen County Board of Commissioners. For purposes of granting a **special use**, use variance, or variance of **development** standards for a wireless service provider, the **Board** shall be the “permit authority” under I.C. 8-1-32.3, et seq.

Board of Zoning Appeals (BZA) (see “Board”)

Boarding House

A **residential building** containing rooms for accommodating, for compensation, three or more **persons**. Lodging may include the serving of meals to the lodgers. Facilities for lodgers may include sleeping or living quarters, or individual bathrooms, but shall not include individual cooking facilities.

Bond

Any form of security, including cash, surety **bond**, or financial instrument of credit, as approved by the appropriate agency, for the purpose of guaranteeing that improvements will be made in a **subdivision** according to the standards as adopted by the **Plan Commission**.

Bottling Facility

A facility where soft drinks, juice, water, milk, alcoholic drinks, or other liquids are placed in bottles or cans for shipment. This **use** may include the combination of liquids or syrups to produce new liquids for placement in bottles or cans, the shipping and receiving of cans and bottles related to the operation, and incidental sales of bottled or canned liquids to the public, but shall not include the fabrication of bottles or cans.

Boundary River (see Floodplain Regulations – §154.412(B), Definitions)

Boundary River Floodway (see Floodplain Regulations – §154.412(B), Definitions)

HUNTERTOWN ZONING ORDINANCE

Child Care Home

A residential **building** in which at least six (6) children (not including the children for whom the provider is a parent, stepparent, guardian, custodian, or other relative) receive **child care** from a licensed **child care provider**; the home shall be a primary residence; the child care provider shall live on the property.

- (1) While unattended by a parent, legal guardian, or custodian;
- (2) For compensation; and
- (3) For more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays and holidays.

This term includes a **Class I Child Care Home** and a **Class II Child Care Home**, which are defined as follows:

- (1) **Class I Child Care Home.** A **child care home** that serves up to twelve (12) children at any time. The children may be at the home on either a part-time or a full-time basis. The provider may employ an assistant as required by State law.
- (2) **Class II Child Care Home.** A **child care home** that serves more than twelve (12) but not more than sixteen (16) children at any time. The children may be at the home on either a part-time or full-time basis. The provider may employ an assistant as required by State law.

Child Care Ministry

Child care operated by a **church** or religious ministry that is a religious organization exempt from federal income taxation under Section 501 of the Internal Revenue Code.

Church (see “Religious Institution”)

Class I Child Care Home (see “Child Care Home”)

Class II Child Care Home (see “Child Care Home”)

Clinic

A facility organized and operated for the primary purpose of providing health services for out-patient treatment and special study of human sick or injured by licensed physicians and their professional associates practicing medicine together and including **laboratories** and other related service facilities operated in connection with the **clinic**. A **use** that meets the definition of “**Treatment Center**” shall not be considered to be a **clinic**.

Club, Private

An association, whether incorporated or unincorporated, organized for a common purpose to pursue common goals, interests or activities, not including associations organized for a commercial or business purpose; a **private club** is characterized by certain membership qualifications, payment of **fees** and dues, regular meetings, and a constitution and bylaws. Any use that meets the definition of “**sexually oriented business**” shall not be considered a Private Club.

Clubhouse

A **building** that provides a meeting place for a **club** as a **primary use**.

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Confined Feeding Operation (CFO)

- (1) Any **confined feeding** of
 - (a) at least three hundred (300) cattle,
 - (b) at least six hundred (600) swine or sheep;
 - (c) at least thirty thousand (30,000) fowl; or
 - (d) at least five hundred (500) horses; or
- (2) Any animal feeding operation electing to be subject to IC 13-18-10; or
- (3) Any animal feeding operation that is causing a **violation** of
 - (a) water pollution control laws;
 - (b) any rules of the water pollution control board; or
 - (c) IC 13-18-10.
- (4) A **confined feeding operation** is not permitted by right or eligible for a **special use** under the provisions of this ordinance.

Construction Access Road

A temporary non-dedicated, unplatted **right-of-way**, other than a street, **alley** or **easement**, designed to provide sole ingress and egress for all **development** and construction equipment, as well as all laborers and material handlers, in connection with the improvement of a platted **subdivision** of land or a **Development Plan**, including but not limited to the construction of **dwellings**, **buildings** and other improvements, which right-of way is constructed and maintained by the **developer** and **owner** at either's sole expense or their cumulative expense and continuously in the absolute ownership and/or exclusive control of the **developer** and **owner**.

Container Home

A structure comprised, in part or whole, of one or more Grade A Shipping container(s) that has been repurposed and designed for use as a single or two family dwelling. A "Grade A" certified Shipping container has documented characteristics that include being wind and water tight, having not been used to transport hazardous materials, and retaining corner post integrity. To be considered a container home, the structure must:

- (1) Be constructed in conformance with the Indiana One and Two Family Dwelling Code;
- (2) Contain at least seven hundred (700) square feet of occupied space per dwelling unit;
- (3) Consist of one or more section(s);
- (4) Be placed on a continuous, permanent under floor foundation that is not pierced, except for required ventilation and access;
- (5) Have roofing material of a type customarily used on dwellings constructed on-site (such as but not limited to: asphalt shingles, cedar shingles, and metal);
- (6) Not be constructed with an integral chassis or permanent/detachable hitch; or wheels, axles, or other device allowing transportation; and
- (7) Be designed to be transported by a trailer or other similar carrier that is not designed to be permanently attached to the dwelling or remain with it after the structure is placed on its foundation.

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County

Allen County, Indiana.

Credit Union

An establishment that provides retail banking, lending, and financial services to individuals and businesses. **Accessory uses** may include **automatic teller machines** and **drive-through facilities**.

Crematory

A facility containing furnaces for the reduction of dead bodies to ashes by fire.

Critical Facility (see Floodplain Regulations – §154.412(B), Definitions)

Customer Service Facility

A facility, other than a retail store, operated by a public or **private utility**, at which customers of the utility may make bill payments, obtain product or service information, or conduct similar business.

Dating Service

Any business that offers to provide or does provide an introduction between two **persons** for a period of companionship for which service a fee is charged, levied, or otherwise imposed.

Day Care (see Day Care, Child)

Day Care, Adult (see Day Care, Child)

Day Care, Child

A service that provides for the care, health, safety, and supervision of an individual, not related to the provider, on a regular basis, in a residential **structure** other than the individual's own home, as an **accessory use** to a ~~single-family dwelling~~ residential building. The provision of **day care** shall be a permitted **use** in all **residential zoning districts** if the following **conditions** are met:

- (1) The home shall be ~~the a~~ a primary residence of the ~~day care~~ day care provider; and
- (2) Services shall be provided for fewer than six (6) adults or children not related to the provider; and
- (3) Care is provided for less than 24 hours per day.

Deck

An unroofed platform, either freestanding or attached to a **building**, which is supported by pillars or posts.

Department of Health

The Fort Wayne-Allen County Department of Health.

Department of Planning Services (DPS)

The department established jointly by, and providing planning and permitting services to, Allen County and the Town of Huntertown, and any successor agency. For purposes of reviewing the completeness of zoning applications, and granting an **Improvement Location Permit**, **Certificate of Compliance**, or **Certificate of Use** for a wireless service provider, DPS shall be the "permit authority" under I.C. 8-1-32.3, et seq.

HUNTERTOWN ZONING ORDINANCE

Domestic Farm Animal

Calves, cattle, emus, goats, horses, llamas, ostriches, poultry (including chickens and quail), sheep, and similar animals (pigeons shall not be considered to be **domestic farm animals**).

Dormitory

A **building** used as group living quarters for a student body or religious order as an **accessory use** for a college, university, boarding **school**, **convent**, monastery or other similar institutional **use**.

Double Frontage Lot

A lot having **frontage** on two separate parallel or approximately parallel dedicated **streets**. (Also known as a “**through lot**”).

Drive-Through Facility

Building or **structure** used to provide or dispense products or services, through an attendant, a **window** or an automated machine, to **persons** remaining in vehicles in a designated stacking aisle. A **drive-through facility** may be in combination with other **uses**, such as **banks**, **credit unions**, loan associations, **automated teller machines (ATM’s)**, dry cleaners, drug stores, pharmacies, **restaurants** or similar **uses**. A **drive-through facility** does not include a car wash, **automobile maintenance** facility (quick service), or **gas station**.

Driveway

An unobstructed paved or unpaved strip providing access to a vehicle **parking space**, loading space, or maneuvering facility.

Dry Cleaning Store

An establishment where laundry or dry cleaning is dropped off by customers or picked up by customers but not including any on-site cleaning or dry cleaning activities.

Dwelling

Any **building** that is wholly or partly used or intended to be used for a residence by human occupants, including but not limited to the **use** of living, sleeping, cooking, and eating.

Dwelling, Multiple Family

A **building** or portion of a **building** used for occupancy by three (3) or more **families** living independently of each other. For purposes of this ordinance, a **condominium structure** containing three (3) or more individual **dwelling** units shall be defined as a **multiple family dwelling** unit.

Dwelling, Single Family (Detached)

A **residential building** used for occupancy by one household, including **Type I manufactured homes**, which is not attached to any other **dwelling** unit through shared side or rear **walls**, floors or ceilings, or corner points. Temporary housing such as **bed and breakfasts**, **boarding houses**, **hotels**, **motels**, **nursing homes**, tents, and **recreational vehicles**, shall not be regarded as **single family dwellings**. The dwelling shall have a minimum of 700 square feet of gross floor area, not including attached garage space if applicable.

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Dwelling, Single Family (Attached)

A single **residential building** consisting of two **single family dwellings** on two individual **lots**, attached on a common **lot line**, intended for occupancy by one household per unit. Each **dwelling** unit may be attached to no more than one other **dwelling** unit.

Dwelling, Townhouse

A **single family dwelling** unit with two (2) or more floors located on a separate **lot** or **development site**, with a private entrance and direct ground level access to the outdoors and a totally exposed front and rear **wall** to be used for access, light, and ventilation, and attached to one or more similar units. **Townhouse dwellings** are typically part of a **structure** whose **dwelling** units are attached in a linear arrangement with no other **dwelling** or **use**, or portion of another **dwelling** or **use** directly above or below the unit, and separated from adjoining unit(s) by a continuous **wall**.

Dwelling, Two Family

A detached residential **structure**, used for occupancy by two households living independently of each other, including but not limited to **structures** in which the two units are connected to allow assistance in daily living activities between the two households. Each **dwelling** shall have a minimum of 700 square feet of **gross floor area**, not including attached **garage** space if applicable.

Dwelling Unit, Residential

One or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the **dwelling** unit for the exclusive **use** of a single **family** maintaining a household.

Easement

A recorded grant by a property **owner** to a third party, the general public, **public utility** or utilities, or a governmental or quasi-governmental entity permitting the **use** of land for a specifically stated purpose or purposes.

Easement, Roadway

A roadway, approved by the **Commission** over private property, that permits a specific and limited **use** of that thoroughfare to the grantee of the **easement**.

Easement, Utility and Service

A portion or strip of land that is part of a **lot** or **parcel** but that has been reserved for the specific purpose of utilities and related services.

Educational Institution

Public, non-public, parochial, or other post-secondary **school**, junior college, college or university, other than a **business school**; the **use** may also include recreational **uses**, living quarters, dining rooms, heating plants and other incidental facilities for students, teachers and employees.

Elevated Structure (see Floodplain Regulations – §154.412(B), Definitions)

Elevation Certificate (see Floodplain Regulations – §154.412(B), Definitions)

Emergency Program (see Floodplain Regulations – §154.412(B), Definitions)

HUNTERTOWN ZONING ORDINANCE

Manufactured Home, Type I

A **structure**, fabricated in an off-site **manufacturing** facility for installation or assembly at a **building** site, that is designed for **use** as a **dwelling**, either by itself or in conjunction with other similar units. Typically, a **modular home** would fall under this definition. To be considered a **Type I manufactured home**, the **structure** must:

- (1) Be constructed in conformance with the Indiana One and **Two Family Dwelling** Code;
- (2) Consist of two or more sections;
- (3) Be placed on a continuous, permanent under floor foundation that is not pierced, except for required ventilation and access;
- (4) Have siding and roofing material of a type customarily used on **dwellings** constructed on-site;
- (5) Not be constructed with an integral chassis or permanent/detachable hitch; or wheels, axles, or other device allowing transportation; and
- (6) Be designed to be transported by a trailer or other similar carrier that is not designed to be permanently attached to the **dwelling** or remain with it after the **structure** is placed on its foundation.

Manufactured Home, Type II

A **structure**, fabricated in an off-site **manufacturing** facility for installation or assembly at a **building** site, bearing a seal certifying that it is built in compliance with the Federal **Manufactured Home** Construction and Safety Standards Act (42 USC Section 5401, et. Seq.) or IC 22-15-4-1, as may be amended, (as opposed to a **Type I manufactured home** that is built in conformance with the Indiana One and **Two Family Dwelling** Code). To be considered a **Type II manufactured home**, the **structure** must:

- (1) Contain at least seven hundred (700) square feet of **occupied space** per **dwelling** unit;
- (2) Be a double or multiple section unit;
- (3) Be placed on a permanent under-floor foundation installed in conformance with the Indiana One and **Two Family Dwelling** Code and according to the manufacturer's installation specifications;
- (4) Be placed onto a permanent perimeter enclosure in conformance with the Indiana One and **Two Family Dwelling** Code;
- (5) Have the wheels, axles, and hitch mechanisms removed;
- (6) Have siding and roofing material of a type customarily used on **dwellings** constructed on-site;
- (7) Be connected to all the utilities necessary for the occupancy of the unit, in conformance with the Indiana One and **Two Family Dwelling** Code; and
- (8) Have been constructed after January 1, 1981.

Manufactured Home, Type III

A **structure**, fabricated in an off-site **manufacturing** facility, which is transportable in one or more sections and is designed for **use** as a **single family dwelling**. A **mobile home** would meet this definition. To be considered a **Type III manufactured home**, the **structure** must:

- (1) Be properly connected to all utilities necessary for the occupancy of the unit; and
- (2) Be set on piers and properly skirted, with wheels and axles removed, ~~in a manufactured home park.~~
- (3) A **Manufactured home, Type III** is not permitted by right, and is only eligible for a **special use** in the MHS district.

HUNTERTOWN ZONING ORDINANCE

Person

An individual, firm, company, corporation, limited liability company, partnership, limited partnership, joint venture, trust, or any other incorporated or unincorporated associations or organizations, including the respective agents of such **persons**.

Personal Services

An establishment that primarily engages in providing services generally involving the care of the **person** or his or her personal goods or apparel, including adoption service, **adult care center**, bankruptcy service, **barber shop**, **beauty shop**, bookkeeping service, **child care center**, **clothing** alterations, collection agency, consulting service, **correctional services facility**, copy/duplicating service, counseling service, credit service, **customer service facility**, **dating service**, **day care**, day spa, embroidery, **employment agency**, finance agency, **financial planning service**, fitness center, **funeral home**, **health club**, investment service, legal service, **massage therapy**, nail salon, nutrition service, security service, social service agency, tailor, tanning salon, **travel agency**, tutoring service, wedding consultant, and weight loss service.

Pet Store

A retail establishment offering small animals, fish, or birds for sale as pets and where all creatures for sale are housed within the **building**.

Photography Studio

An establishment that specializes in offering professional images or photographs by means of shooting, processing, and printing images of the subject. This **use** may include the developing of film to produce images and the sales of images produced by the establishment.

Physical Map Revision (see Floodplain Regulations – §154.412(B), Definitions)

Plan Commission (PC) (see “Commission”)

The Allen County **Plan Commission** as designated by Section 152.40 and IC 36.7.4.410, et seq, or successor **Plan Commission**.

Planning Jurisdiction

That land lying within the incorporated boundaries of Huntertown and any additional areas where extra-territorial **planning jurisdiction** has been granted by the Allen **County Commissioners**.

Planning Staff

The personnel of the Land **Use** division of the **Department of Planning Services**.

Plant Nursery

A place where plants are propagated and grown to usable size or otherwise kept for sale, including retail and wholesale nurseries, and the sale of related items, along with any **buildings** and **structures** necessary for the operation of the facility.

Plat

The drawing on which a plan of **subdivision** is presented to the **Plan Commission** (or an approved committee of the **Commission**) for approval, showing the length, width, and size of each **lot**, and public ways or places. A **plat** must be properly approved and recorded to be of effect.

HUNTERTOWN ZONING ORDINANCE

Plat, Major

A **subdivision** of a **parcel** of land that is reviewed and approved in accordance with the **Subdivision** regulations, and is intended to be filed with the Allen **County Recorder's** office; excluding an **exempt division of land** under §154.303(C)(2) and a **minor plat**. All **lots** in a **major plat** shall be served by a public sanitary sewer system. **Major Plats** shall only be permitted in R, MH, C, or I **zoning districts**. No further **subdivision** of a recorded **major plat** shall be permitted, unless the **plat** is replatted.

Plat, Minor

A **subdivision** of a **parcel** of land, that creates no more than six (6) **lots**, and that is reviewed and approved in accordance with this ordinance. No further **subdivision** of a platted and recorded **minor plat** shall be permitted, unless the **minor plat** is replatted in accordance with this ordinance.

Plat Committee

A group of officials appointed by the **Plan Commission** to hold hearings on and dispose of **subdivision** applications on behalf of the **Commission**.

Play Equipment

Accessory structures and uses, used for **recreation** and play, including jungle gyms, play houses, play sets/**structures/equipment**, skateboard halfpipes, swing sets, trampolines, tree houses, and sandboxes, but excluding materials that meet the definition of junk as set forth herein.

Police Station

Any **building** or part of a **building** that is designated by a chief of police or sheriff to be used as a police or sheriff's station or substation and at which duly authorized officers perform law enforcement functions.

Porch, Open

A roofed **structure** attached to a **building** and open on two (2) or more sides. A screened in **porch** shall not be considered open.

Portable Storage Container

A semi-trailer, truck box, shipping container or other similar container placed on a property for **use** as accessory **storage**. Dumpsters or roll-off containers used for the temporary **storage** of **solid waste** shall not be included under this definition.

Preschool

A **school** for children primarily between the ages of three and five, providing preparation for elementary **school**.

Primary Building (see "Building, Primary")

Printing Services

A retail establishment that includes a quick print **shop** or the operation of offset printing and other related equipment, such as, but not limited to, paper cutters, collating machines, multi-colored press equipment, plate burners, digital services, publishing, binding and **photographic** developing equipment.

Professional Engineer

An **engineer** who is licensed in compliance with the laws of the State of Indiana.

HUNTERTOWN ZONING ORDINANCE

Recycling Processing Facility

A recycling facility that receives distinct and recognizable **solid waste** items such as metal, computer and electronic equipment, newspapers, magazines, books, and other paper products, glass, metal cans, and other similar products are recycled, reprocessed, and treated in order to return those products to a condition where they may be again be used in new products. Based on a calendar quarter, a **recycling processing facility** must have not more than ten percent (10%) by volume of the **solid waste** that passes through the facility ultimately taken for final disposal.

Refuse

All waste solids (except body wastes), including **garbage**, rubbish, ashes, and dead animals.

Regular Program (see Floodplain Regulations – §154.412(B), Definitions)

Regulatory Flood (see Floodplain Regulations – §154.412(B), Definitions)

Rehabilitation Facility

An inpatient facility which provides skilled nursing care and intensive rehabilitative services. Overnight patient stays shall be permitted as part of this use. This use includes a **detoxification facility**.

Rehabilitation/Renovation

The act or process of improving a **structure's** condition through repair and alterations while respecting those features **significant** to its architectural, historic or cultural value.

Religious Institution

A **structure** or place in which worship, ceremonies, rituals, and **education** pertaining to a particular system of beliefs are held, together with its **accessory buildings and uses** (including **buildings** used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group. **Accessory buildings, structures, or uses** may include athletic/**recreation fields** (non-illuminated); assembly **buildings** (including gymnasiums); **clothing** or food banks; **convents**/parsonage/rectories or similar residences; **day care**; counseling or **education**; **school** facilities; parking; or caretaker's housing. Examples include **churches, mosques, synagogues, temples**, or other places of worship.

Rental and Leasing Store

A retail establishment that rents to the general public merchandise, such as furniture, appliances, and similar goods, that are housed inside a **building**.

Repetitive Loss (see Floodplain Regulations – §154.412(B), Definitions)

Research and Development Facility

A facility including research, synthesis, analysis, **development** and testing **laboratories**, including the fabrication, assembly, mixing and preparation of equipment and components incidental, convenient or necessary to the conduct of those activities.

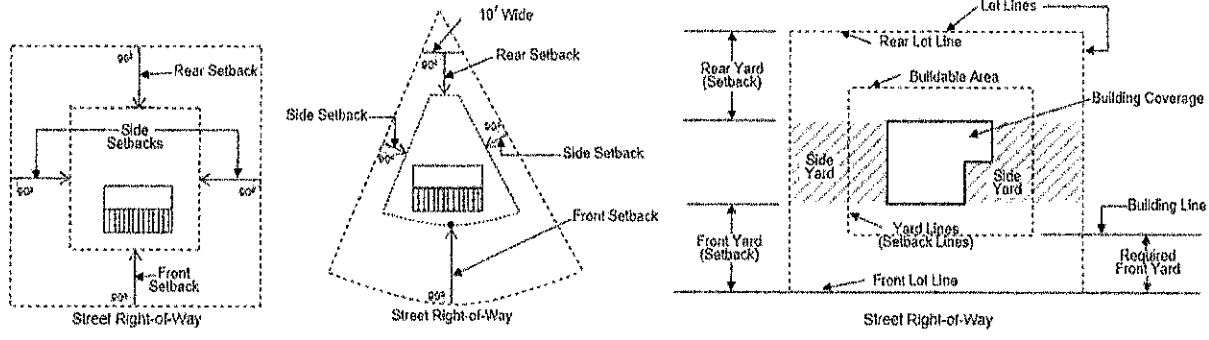
Research and Scientific Laboratory

A facility or area for conducting scientific research, investigation, testing, or experimentation, but not including facilities for the manufacture or sale of products, except as incidental to the main purpose of the **laboratory**.

HUNTERTOWN ZONING ORDINANCE

Setback

The distance on a **lot** measured from the edge of a **right-of-way** that must remain open, unoccupied and unobstructed by **structures**, except as otherwise provided or permitted in the ordinance.



Sexual Encounter Establishment

An establishment that as one of its purposes offers for any form of consideration a place where two or more **persons** may congregate, associate, or consort for the purpose of engaging in **specified sexual activities** or where one or more of the **person** is **nude or semi-nude**. This definition shall not include a licensed **health care facility**, or establishment where a medical practitioner, psychologist, psychiatrist, or similar professional **person** licensed by the state engages in medically approved and recognized sexual therapy.

Sexually Oriented Business

An **adult bookstore**, **adult cabaret**, **adult motion picture theater**, **adult night club**, **adult novelty store**, **adult video store**, **nude or semi-nude model studio**, or **sexual encounter establishment**.

Shed

An ~~outbuilding or other structure~~ that is accessory to a principal use on the same lot. An accessory structure to a single family or two family residential use used for the storage of household recreational or yard equipment, gardening materials, tools, and household similar items, but excluding portable storage containers, shipping containers, truck bodies, and other abandoned vehicles or portions of vehicles.

Shooting Range

An area or facility to be used for firearm target practice, competitions, or similar **uses**, including but not limited to archery, skeet, trap, paintball, and similar shooting activities, and including both indoor and outdoor facilities.

Shop

A place where merchandise is offered for sale; a store.

Shopping Center

A **development** that includes more than one **multiple tenant** or **single tenant retail facility**, or other retail **use** located on a **development site** or combination of **development sites**.

HUNTERTOWN ZONING ORDINANCE

Specified Anatomical Areas

This term includes (1) less than completely and opaquely covered: human genitals, pubic regions, cleft of buttocks, anus, or female breast below a point immediately above the top of the areola; and (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities

Actual or simulated sexual conduct, normal or perverted acts of human masturbation; deviate sexual intercourse; oral copulation, sodomy, sexual intercourse; or physical contact, fondling, or erotic touching, in an act of apparent sexual simulation or gratification, of a **person's** clothed or unclothed genitals, pubic area, buttocks, anus or the breast of a female; or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification, or excretory functions in connection with any of the above activities.

Stadium/Racetrack

Any **structure** with tiers of seats rising around an unenclosed sports field, playing court, or public exhibition area. **Stadium/racetracks** are primarily used for sports and athletic events. Entertainment and other public gathering purposes, such as concerts and conferences may be permitted as an **accessory use** of a **stadium/racetrack**.

Start of Construction (see Floodplain Regulations – §154.412(B), Definitions)

Steeple

A conical, pyramidal, or similar **structure** on the top of a tower or roof of a **religious institution**.

Stoop

A small set of stairs ending in a platform leading to the entrance of a **building**.

Storage

The keeping of goods, materials, equipment or vehicles on a property.

Storage Building

Structures used for the **storage** or warehousing of goods, but not including **temporary storage** containers such as portable on-demand units or tractor trailers used for **storage**.

Storage Shed (see “Shed”)

~~An **accessory structure** to a single **family** or two **family** residential use used for the **storage** of household recreational or **yard** equipment, gardening materials, tools, and household similar items, but excluding **portable storage containers**, shipping containers, truck bodies, and other abandoned vehicles or portions of vehicles.~~

Story

That portion of a **building** included between the surface of any floor and the surface of the floor next above, or if there is no floor above it, then the space between any floor and the ceiling next above it; also any portion of a **building** used for human occupancy between the topmost floor and the roof. A basement shall not be counted as a **story** unless the height of the surface of the first floor above the average elevation of the finished **lot** grade at the front of the **building** exceeds four (4) feet.

HUNTERTOWN ZONING ORDINANCE

Transition

For purposes of **sign** regulation, a visual effect used on a **changeable copy sign** to change from one message to another.

Transitional Use

A **use** that is intended to serve as a low-intensity intermediate **use** between existing residential land **uses** (especially single **family**) and higher-intensity **nonresidential uses**, as an area changes from residential **use** to **nonresidential use**. A **transitional use** shall only be permitted to be considered as a **special use** on **lots** which adjoin an arterial or collector roadway.

Trash

Combustible waste materials, excluding **garbage**, but including the residue from the burning of coal, coke, wood, and other combustible materials; boxes, cans, cartons, crockery, excelsior, glass, leather, metals, mineral matter, paper, rags, rubber, tires, vegetative matter, wood, and other similar materials.

Travel

For purposes of **sign** regulation, a mode of message **transition** on a **changeable copy sign** where the message appears to move horizontally across the display surface.

Treatment Center

A facility for the on-site drug, mental health, or psychiatric treatment, therapy, or counseling of individuals. Overnight patient stays shall not be permitted as part of this use.

Trellis

A **structure** of open latticework, typically used as a support for vines and other plants.

Truck Depot/Terminal

A facility in which goods shipped by truck are loaded, unloaded, or transferred between trucks for shipping or distribution, together with incidental truck **storage**, maintenance, and administrative offices.

Truck Fueling Station

A facility where gas and other supplies are sold, where the gas dispensing facilities are designed to primarily service semi-trailer or tractor trailer truck vehicles. A **truck fueling station** would not offer **accessory uses** such as overnight accommodations, shower facilities, or **restaurant** facilities. A **truck fueling station** may include a **convenience store**. For the purposes of determining permitted **uses**, a compressed natural gas fueling station shall be considered a **truck fueling station**.

Truck Stop

An establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks and similar heavy commercial vehicles, including the sale of accessories and equipment for those vehicles. A **truck stop** may also include overnight accommodations, showers and **restaurant** facilities primarily for the **use** of truck crews.

HUNTERTOWN ZONING ORDINANCE

Use, Primary

The predominant **use** of any **lot, tract, development site, building, or structure** permitted as a matter of right under the applicable **zoning district**, or by the approval of a **special use**, conditional **use**, or by **use** variance. Unless otherwise prohibited by this chapter more than one **primary use** may exist on or within **building(s)** or **structure(s)** or on a **lot, tract, or development site** provided there is compliance with all other applicable ordinance provisions.

Use, Single Family

A residential **use** which consists of occupancy by one **family** as a single housekeeping unit. To be considered a **single family use** the **dwelling unit** must have one primary entrance, a single primary kitchen, and all individuals must have full **use** of the entire residence (excluding individual bedrooms). Except for residential facilities for the developmentally disabled or **mentally ill**, or a **residential facility (other)**, services shall not be provided to residents. A **fraternity or sorority house** shall not be considered a **single family use**.

Utility Facility, Private

Buildings, structures, or other facilities used or intended to be used by any private utility other than telecommunications facilities. This category includes **buildings or structures** that house or contain facilities for the operation of water, wastewater, waste disposal, or electricity services. This **use** also includes water **storage tanks**; electric or gas substations, water or wastewater pumping stations, or similar **structures** used as an intermediary switching, boosting, distribution, or transfer station of electricity, natural gas, water, or wastewater. This category includes passageways, including **easements**, for the express purpose of transmitting or transporting electricity, gas, water, sewage, or other similar services on a local level. Additionally, a **private utility facility** means any energy device and/or system that generates energy from renewable energy resources including biofuels, geothermal, or similar sources. **Accessory uses** may include control, monitoring, data, or transmission equipment.

Utility Fixture (see “Utility Fixture, Accessory”)

Utility Fixture, Accessory

An accessory fixture or **use of building or lot** for utility purposes, including heating units, air conditioning units, back-up generators, heat pumps, meter propane/oil tanks, **on-site sewage system** or septic tank covers, pumps, inspection pipes, solar panels (**building** mounted), utility connection enclosure boxes, electric vehicle charging stations, or well heads.

Variance (see Floodplain Regulations – §154.412(B), Definitions)

Veterinary Clinic (see “Animal Hospital”)

Violation

The failure of a **structure** or other **development** to be fully compliant with this ordinance.

Waiver

An adjustment to an ordinance standard or a complete removal of an ordinance requirement

Wall

The vertical exterior surface of a **building or structure**.



15617 Lima Road ★ P.O. Box 95 ★ Huntertown, IN 46748
Phone: (260) 637-5058 ★ Fax: (260) 637-5891

April 21st, 2025

TO: Allen County Department of Planning Services
200 East Berry Street
Suite 150, Citizen Square
Fort Wayne, IN 46802

RE: Proposed 2025 Huntertown Zoning Ordinance Technical Amendments Summary

The Huntertown Town Council has reviewed the proposed technical amendments to the Huntertown Zoning Ordinance. On behalf of the Huntertown Town Council, I submit the following:

The Huntertown Town Council has no comment on the proposal to permit Detached Accessory Dwelling Units (ADUs) to be permitted as an accessory to a primary residential structure in AR, R1, R2, R3, and MHS Zoning Districts. Council Member(s) do have concerns about the permitting of ADUs, specifically the possibility that they would be used for rental purposes, as well as the lack of enforcement from the County level. The Town Council is supportive of the development standards that are required, including square footage of less than 700 square feet, no separate entrances on the front façade of integrated units, and floor plan requirements. The Huntertown Town Council is supportive of a Homeowner's Association's right to not allow an ADU as part of their restrictive covenants.

The Huntertown Town Council has no comment on the proposed special use permitting of Container Homes in certain districts, providing that all metrics of the definition are met.

The Huntertown Town Council is supportive of the proposed height updates, as well as the update to Residential Impact Mitigation Standards. The Town Council understands that the height analysis of waivers and variances applied for supports the proposed building/structure height maximums.

The Huntertown Town Council is supportive of the proposed language surrounding roadway easements and private streets. As stated in the proposed amendment, the Town of Huntertown is supportive of requiring a private street to satisfy all applicable Town of Huntertown and Allen County public street design and construction standards, as well as the proposed requirement that an express easement be granted to all public and quasi-public agencies for use of such streets by emergency, utility, and/or school vehicles.

A representative for the Town of Huntertown will not be available to attend the Allen County Plan Commission Public Hearing in May, but any questions before or after the meeting can be sent to the email address below.

Thank you,

Hannah Walker, Huntertown Town Manager
(260) 338-2707

TownManager@Huntertown.in.gov

HUNTERTOWN ORDINANCE NO. 2025-_____

**ORDINANCE TO AMEND CHAPTER 154 OF THE TOWN
OF HUNTERTOWN, STATE OF INDIANA, ORDINANCE**

WHEREAS, the Town Council of the Town of Huntertown, State of Indiana, pursuant to Indiana Code § 36-7 et. seq., as amended, has authority to plan for and regulate the use and zoning of real property located within its municipal boundaries; and,

WHEREAS the Town Council desires to update the Town zoning ordinance by adding a new Town Center Zoning District and aligning language throughout the Huntertown Zoning Ordinance to accommodate the new Zoning District; and,

WHEREAS the Allen County Plan Commission serves as the Plan Commission for the Town; and,

WHEREAS the Allen County Department of Planning Services serves as the Land Use staff for the Town; and,

WHEREAS the Allen County Department of Planning Services staff prepared the amendment and presented it to the Plan Commission; and,

WHEREAS the Allen County Plan Commission published the required notice and held a public hearing on this proposed text amendment on the 12th day of June 2025; and,

WHEREAS, after deliberating, the Plan Commission resolved to recommend that the Town:

(1) **Amend Chapter 154 (Zoning Code) of the Town of Huntertown Code of Ordinances** Section 154.200 (Zoning Districts), Section 154.400 (Additional General Standards) and Section 154.500 (Administration)

(2) **WHEREAS** the Allen County Plan Commission held a business meeting on the 26th day of June 2025, and took action on the submitted text amendments; and,

WHEREAS the Allen County Plan Commission, pursuant to LC. § 36-7-4-605(a)(2) certified the proposed text amendments with a DO PASS recommendation to the Huntertown Town Council;

THEREFORE, BE IT ORDAINED by the Town Council, the legislative body of the Town of Huntertown, Indiana that the Town Council concurs with the Plan Commission's recommendation and hereby approves and adopts the amendments of Chapter 154 to the Huntertown Code of Ordinances, all as attached hereto.

ADOPTED THIS _____ day of _____ 2025

**THE TOWN COUNCIL OF
HUNTERTOWN, STATE OF INDIANA**

Bradley Hite, Council President

Brandon Seifert, Council Vice- President

Michael Aker, Council Member

Patricia Freck, Council Member

Tina McDonald, Council Member

Attest:

Ryan Schwab, Clerk-Treasurer

FACT SHEET

Petition #ZORD-2025-0004		Project Start: April 2025
PROPOSAL:	Amendments to Section 154 of Huntertown Code	
APPLICANT:	Allen County Plan Commission	
REQUEST:	To adopt an amendment to the Huntertown Zoning Ordinance, which amends or repeals and replaces the text of the following Sections: 154.200 (Zoning Districts) 154.400 (Additional General Standards) 154.500 (Administration)	
AFFECTED AREA:	Huntertown planning jurisdiction	

12 June 2025 Public Hearing

- One person spoke in support.
- One letter of support received from Huntertown Town Council
- No one spoke in opposition or with concerns.
- Paul Lagemann was absent.

26 June 2025 Business Meeting

Plan Commission Recommendation: Do Pass

- A motion was made by Adam Day and seconded by Jennifer Bennett to return the ordinance to the Town of Huntertown Town Council for their final decision.
- Ron Turpin was absent.
- 8-0 MOTION PASSED

Fact Sheet Prepared by:
Dave Schaab, Senior Land Use Planner
July 3, 2025

PROJECT SUMMARY

A new Town Center zoning district is proposed to be added to the Huntertown Zoning Ordinance. This amendment is intended to provide the Town of Huntertown with an avenue to designate a Town Center which will permit future retail, commerce, and leisure development to support both the Town's vision and the growing residential development surrounding the Town.

The creation of a Town Center zoning district has been requested by Huntertown. The All-In-Allen Comprehensive Plan provides support for the zoning district through Economic Development Goal 2, Strategies 2.1 and 2.4.

Objective:

1. Implement the policies and action steps of the All In Allen Comprehensive Plan;
2. Add a new Town Center Zoning District to the Huntertown Zoning Ordinance; and
3. Align language throughout the Huntertown Zoning Ordinance to accommodate new Zoning District,
4. Implement elements of the 2022 Huntertown Town Center Vision Study.

A summary of the proposed 2025 Town Center amendments is below; the proposed effective date is September 1, 2025. To maintain zoning ordinance alignment, the Grabill, Monroeville, and Woodburn zoning ordinances may be amended.

PUBLIC HEARING SUMMARY:

Presenter: Dave Schaab, Senior Planner for Special Projects, presented the request as outlined above.

Public Comments: Hannah Walker, Huntertown Town Manager, spoke in support, referencing working on this together with Department of Planning Services for the last 6-7 months; 2022 Town vision Statement; public input; reference in 2023 All-In-Allen Comprehensive Plan.

ALLEN COUNTY PLAN COMMISSION • FINDINGS OF FACT

ZORD-2025-0004

Amendments to Section 154 of Huntertown Code

PROPOSAL: Petition ZORD-2025-0004, Amendments to Section 154 of Huntertown Code

APPLICANT: Allen County Plan Commission

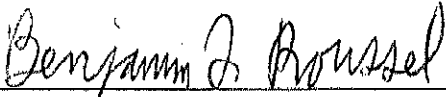
REQUEST: To adopt an amendment to the Huntertown Zoning Ordinance, which amends the text of the following Sections:

- Section 154.200 (Zoning Districts)
- Section 154.400 (Additional General Standards)
- Section 154.500 (Administration)

AFFECTED AREA: Huntertown planning jurisdiction

The Plan Commission recommends that Zoning Ordinance Amendment ZORD-2025-0004 be returned to the Town Council of the Town of Huntertown with a “Do Pass” recommendation.

These findings approved by the Allen County Plan Commission on June 26, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission

COMES NOW the Allen County Plan Commission pursuant to the authority vested in it by Indiana Code § 36-7-4-600, *et. seq.*, and adopts the following resolution.

**Resolution of the Allen County Plan Commission
Certifying a Proposal for the Amendment of the Huntertown Zoning Ordinance**

WHEREAS, the Allen County Plan Commission initiated a proposal for the amendment of the Huntertown Zoning Ordinance (Section 154 of the Huntertown Code), which amends the text of the following Zoning Ordinance Sections: 154.200 (Zoning Districts), 154.400 (Additional General Standards), 154.500 (Administration); and:

WHEREAS, the Allen County Plan Commission prepared the proposal so that it was consistent with Ind. Code § 36-7-4-601; and

WHEREAS, the Allen County Plan Commission provided for publication of a public hearing on the proposal in *The Journal Gazette*, according to law; and,

WHEREAS, pursuant to Ind. Code § 36-7-4-604, on June 12, 2025, the Allen County Plan Commission conducted a public hearing on the proposal; and

WHEREAS, the Allen County Plan Commission held a public business meeting on June 26, 2025, to consider the proposal; and

WHEREAS, pursuant to Ind. Code § 36-7-4-605, the Allen County Plan Commission is hereby certifying its recommendation to the Town of Huntertown Town Council concerning the proposal to amend the Huntertown Zoning Ordinance, which amends the text of the following Zoning Ordinance Sections: 154.200 (Zoning Districts), 154.400 (Additional General Standards), 154.500 (Administration); and

NOW, THEREFORE, BE IT RESOLVED that the Allen County Plan Commission, after meeting in open session, hereby certifies to the Town of Huntertown Town Council a favorable recommendation to amend the Huntertown Zoning Ordinance; and

BE IT FURTHER RESOLVED that the amendment of the Huntertown Zoning Ordinance shall have an effective date of September 1, 2025; and

BE IT FINALLY RESOLVED that the Executive Director of the Department of Planning Services is hereby directed to present a copy of this Resolution, along with the attached amendments, to the Town of Huntertown Town Council, in accordance with Indiana law.

ADOPTED THIS 26th day of June, 2025.

Benjamin J. Roussel

Benjamin J. Roussel
Executive Director
Secretary to the Commission

7/7/2025

date of signature

2025 Huntertown Town Center Zoning Ordinance Amendment Summary

A new Town Center zoning district is proposed to be added to the Huntertown Zoning Ordinance. This amendment is intended to provide the Town of Huntertown with an avenue to designate a Town Center which will permit future retail, commerce, and leisure development to support both the Town's vision and the growing residential development surrounding the Town.

The creation of a Town Center zoning district has been requested by Huntertown. The All-In-Allen Comprehensive Plan provides support for the zoning district through Economic Development Goal 2, Strategies 2.1 and 2.4.

Objective:

1. Implement the policies and action steps of the All In Allen Comprehensive Plan;
2. Add a new Town Center Zoning District to the Huntertown Zoning Ordinance; and
3. Align language throughout the Huntertown Zoning Ordinance to accommodate new Zoning District,
4. Implement elements of the 2022 Huntertown Town Center Vision Study.

A summary of the proposed 2025 Town Center amendments is below; the proposed effective date is September 1, 2025. To maintain zoning ordinance alignment, the Grabill, Monroeville, and Woodburn zoning ordinances may be amended.

Draft Summary of Amendments			
No.	Keyword/Reference Huntertown	Issue	Proposed Amendments
TOC1	Table of Contents (page 2)	The TOC does not include a Town Center zoning district.	In §154.211, replace <i>Reserved</i> with <i>Town Center</i>
GZDP1	General Zoning District Provisions §154.201(B) (p. 15)	There is no District Designation for Town Center	Add <i>TC</i> and <i>Town Center</i> to the District Designations table.
TC1	Town Center §154.211 (p. 53)	The Town of Huntertown has requested a Town Center Zoning District.	Replace <i>Reserved</i> with the Town Center zoning district.
ACC1	Accessory Structures and Uses §154.402(B)(4)(a)(ii) (p. 173)	Town Center temporary outdoor sales and outdoor display will be addressed.	Update language to include Town Center: "In TC, C2, and NC districts , outdoor display and temporary outdoor sales shall be permitted within..."
ACC2	Accessory Structures and Uses §154.402(B)(4)(b)(i) (p. 173)	Town Center permanent outdoor sales will not be permitted.	Update language to include Town Center: "In TC, C1, and BTI districts , permanent outdoor sales shall not be permitted;"
ACC3	Accessory Structures and Uses §154.402(B)(4)(c)(ii) (p. 173)	Town Center outdoor storage will be addressed.	Update language to include Town Center: "In TC, C2, NC, SC, C3, and C4 districts , outdoor storage shall: be located behind the primary structure ..."
PARK1	Parking §154.407(C)(2) (p. 191)	Parking in the Town Center district will not be permitted in front of buildings.	Add language to identify parking restrictions as §154.407(C)(2)(d): "In TC districts, off-street parking shall not be located in front of any new structure."

2025 Huntertown Town Center Zoning Ordinance Amendment Summary

Draft Summary of Amendments			
No.	Keyword/Reference Huntertown	Issue	Proposed Amendments
PARK2	Parking Credits §154.407(D)(2) (p. 194)	Parking credits will be allowed in the Town Center district.	Update language to include TC: "To allow for flexibility in the Town's nonresidential zoning districts (TC, C1 through C4, SC, NC, BTI , and I1 through I3) and in order to accomplish..."
SIGN1	Signs §154.409 (p. 217)	Permitted signs will need to be designated for the Town Center.	Add a table identifying permitted signs to the Signs general standards section.
SU1	Special Uses Table §154.503(D)(1) (p. 275)	The Special Uses table does not currently include the new Town Center Zoning District Special Uses	Update the Special Uses table to include the Town Center designated special uses.
DEF1	Definitions §154.506(B) (p. 340)	The Town Center needs to be identified as a Nonresidential District .	Update the Nonresidential District definition to include TC: "The TC, C1, C2, NC, SC, C3, C4, BTI , I1, I2, and I3 zoning districts ."

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ZONING DISTRICTS

§ 152.201 GENERAL ZONING DISTRICT PROVISIONS

(A) Purpose

The purpose of this section is to establish designations, standards, and requirements for the following:

- (1) **Zoning district** boundaries;
- (2) **Zoning district** conversions;
- (3) **Zoning district** designations;
- (4) Zoning maps; and
- (5) **Zoning district** and map determinations and interpretations.

(B) Zoning Districts

All of the area within the **planning jurisdiction** of the **Plan Commission** is hereby divided and classified into the **zoning districts** designated in the following table.

DISTRICT DESIGNATIONS	
AR	Low Intensity Residential
R1	Single Family Residential
R2	Two Family Residential
R3	Multiple Family Residential
MHS	Manufactured Home Subdivision
TC	Town Center
C1	Professional Office and Personal Services
C2	Limited Commercial
NC	Neighborhood Center
SC	Shopping Center
C3	General Commercial
C4	Intensive Commercial
BTI	Business, Technology, and Industrial Park
I1	Limited Industrial
I2	General Industrial
I3	Intensive Industrial

(C) Zoning Maps

The **zoning districts** designated herein, and the boundaries of the respective **zoning districts**, shall be as shown on the Huntertown zoning maps on file in the office of the **DPS** staff. The zoning maps are hereby incorporated as part of this chapter.

§ 152.202 RESERVED-TC TOWN CENTER

(A) Purpose

The Huntertown Town Center Zoning District is intended to identify the areas of Huntertown that hold a special importance to the community due to the historic character of and future vision for the district. It is intended that the TC District allow for and encourage mixed uses with a focus on neighborhood oriented commercial and personal service uses at the street level. New development is encouraged to locate buildings close to the street in order to enhance pedestrian activity throughout the district. New residential development is encouraged to be located on the upper floors of new and existing commercial structures. Parking standards in these areas should allow for on-street parking, the use of alleys to access parking areas behind buildings as well as access to public transit routes and alternative transportation modes.

(B) Permitted Uses

In TC districts, outdoor display shall meet the building setback standards; display area shall be limited to a maximum of 10% of the primary structure or tenant space. Outdoor storage shall be located behind the primary structure, or on the internal side of a corner lot; and be located on a paved or permitted gravel surface. The below uses are permitted as a matter of right in a TC district; drive-through facilities, gas stations and/or gas pumps/canopies shall not be permitted as either a primary or an accessory use in this district.

TC TOWN CENTER SPECIFIC PERMITTED USES	
Accessory building/structure/use	Audiologist
Accountant	Audio-visual studio
Adoption service	Automatic teller machine
Advertising	Automobile accessory store (indoor)
Air conditioning sales	Bait sales
Alteration service	Bakery goods
Animal grooming (indoor)	Bank
Animal hospital (indoor)	Bankruptcy service
Animal obedience school (indoor)	Banquet hall
Answering service	Barber shop
Antique shop	Beauty shop
Apparel and accessory store	Bed and breakfast
Appraiser	Bicycle sales and repair shop
Arcade	Billiard or pool hall
Architect	Bingo establishment
Art gallery	Blood bank
Art instruction	Blood or plasma donor facility
Art studio	Book store
Art supply store	Bookkeeping service
Attorney	Bowling alley
Auction service	Brewery (micro)

TC TOWN CENTER SPECIFIC PERMITTED USES	
Broadcast studio	Dentist
Broker	Department store
Business training	Diagnostic center
Candy store	Dialysis center
Catalog showroom	Dinner theater
Caterer	Distillery (micro)
Chiropractor	Doctor
Clinic	Driving instruction
Clock sales	Drug store
Clothing/costume alterations	Dry cleaning store
Clothing/costume rental	Dwelling, Multiple Family ⁽²⁾
Clothing/costume store	Embroidery
Club, private	Employment agency
Coffee shop	Engineer
Collection agency	Entertainment facility (indoor)
Community Center	Fabric shop
Community Facility	Farmers market (including outdoor sales)
Community Garden	Finance agency
Computer sales and service	Financial planning service
Computer software store	Fitness center
Computer training	Flea market (indoor)
Consignment shop	Floor covering store
Consulting service	Florist
Consumer electronics sales	Foundation office
Consumer electronics service	Fruit/vegetable store (indoor)
Convenience store	Funeral home
Cosmetic store	Furniture store
Counseling service	Furrier
Craft instruction	Game rental
Craft studio	Game sales
Craft supply store	Gift shop
Credit service	Glass cutting/glazing shop
Credit union	Graphic design service
Customer service facility	Greenhouse (retail, indoor)
Dance instruction	Grocery store or supermarket
Data processing facility	Group residential facility (large)
Data storage facility	Gymnastics instruction
Dating Service	Hardware store
Day spa	Haunted house
Delicatessen	Health club

TC TOWN CENTER SPECIFIC PERMITTED USES	
Heating sales	Optometrist
Hobby shop	Package liquor store
Home improvement business	Paint store
Home improvement store	Painting studio
Home repair	Parking area (off-site) ⁽¹⁾
Hot tub sales	Parking structure ⁽³⁾
Ice cream store	Pet store
Insurance agency	Pharmacy
Interior decorating store	Photography studio
Interior design service	Photography supply store
Internet service	Photography training
Investment service	Physical therapy facility
Jewelry sales	Picture framing facility
Laboratory	Pilates instruction
Land surveyor	Planetarium
Leather goods store	Planner
Legal service	Podiatrist
Library	Pottery sales
Live-work unit	Public transportation facility
Loan office	Radio station
Luggage store	Real estate office
Marketing agency	Reception hall
Martial arts training	Recording studio
Massage Therapy	Recreation Facility
Meat/fish market	Rental store
Medical supply sales	Residential dwelling unit ⁽²⁾
Medical training	Restaurant
Mortgage service	Sandwich shop
Movie rental	Savings and loan
Movie sales	Sculpture studio
Museum	Security service
Music instruction	Shoe repair shop
Music store	Shoe store
Music studio	Sign sales store
Musical instrument store	Skating rink
Nail salon	Sleep disorder facility
Neighborhood facility	Social service agency
Nutrition service	Sporting goods sales
Ophthalmologist	Stained glass studio
Optician	Stationery store

TC TOWN CENTER SPECIFIC PERMITTED USES	
Stock and Bond Broker	Title company
Surgery center	Toy store
Swim club (indoor)	Travel agency
Swimming pool sales (indoor)	Tutoring service
Tailor	Universally permitted use ⁽¹⁾
Tavern	Variety store
Tax consulting	Veterinary clinic (indoor)
Taxi service	Watch sales
Tea room	Website service
Telephone sales	Wedding consultant
Telephone service	Weight loss service
Television station	Window sales (indoor)
Tennis club	Yoga instruction
Theater	
Notes: (1) See universally permitted use definition for additional standards. (2) Above, to the rear of, or attached to a permitted nonresidential use . (3) If integrated within the footprint of a new building for a permitted, primary use .	

(C) Special Uses

The following uses may be approved by the **Board of Zoning Appeals** after the filing of a **Special Use** petition:

- (1) **Educational Institution** associated **uses** (on non-contiguous properties, not otherwise permitted)
- (2) **Nature Preserve** (that includes a structure or parking lot)
- (3) **Nonconforming Use** (allow conforming status to existing **use**, excluding gas stations, or expansion of existing nonconforming use)
- (4) **Religious institution** or non-public **school** illuminated **athletic field(s)**

Recreation Area (outdoor)

(D) Accessory Buildings, Structures and Uses

The noted accessory buildings, structures, and uses shall be permitted as set forth below:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit ⁽¹⁾	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	
Note:		
(1) If integrated into a single family detached dwelling; the integrated accessory dwelling unit shall be at least 300 square feet		

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building, including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Donation site/recycling collection point ⁽¹⁾
Grill or fire pit	Dumpster ⁽¹⁾
4H/similar indoor small animal project	Family counseling or education
Home occupation	Food bank
Hot tub, Jacuzzi, or spa	Maintenance building
Shed	Outdoor events (short-term)
Smoke house/oven (outdoor)	Performances (indoor)
Tree house	Shop (for sale of religious institution related items)
Note:	
(1) Also permitted for nonresidential uses	

Development Standards

- (1) The standards in the following table shall apply in the TC district; all standards are minimum standards unless otherwise noted (see also the permitted yard projections and additional location standards on the following page).

TC TOWN CENTER DEVELOPMENT STANDARDS		
Height (maximum) ⁽¹⁾		
Primary building or structure	Up to three stories or 60' ⁽²⁾	
Accessory building or structure	Up to two stories or 30' ⁽²⁾	
Front yard		
All lots	0' minimum 25' maximum	
Side yard (interior lot)		
Primary building		
Height	If adjacent to a residential district	If not adjacent to a residential district
Up to 30'	25'	0'
Over 30'	50'	0'
Accessory building or structure		
Height	If adjacent to a residential district	If not adjacent to a residential district
Up to 30'	25'	0'
Over 30'	50'	0'
Side yard (corner lot)		
Primary building – corner lot street side yard	10'	
Accessory building – corner lot street side yard	10'	
Rear yard		
Primary building		
Height	If adjacent to a residential district	If not adjacent to a residential district
Up to 30'	25'	15'
Over 30'	50'	25'
Accessory building or structure		
Height	If adjacent to a residential district	If not adjacent to a residential district
Up to 30'	25'	10'
Over 30'	50'	25'
Notes:		
(1) See §154.405(C) (Development Standards Waivers and Exceptions) for exceptions; §154.409 (Signs) for maximum sign heights; and §154.404(O) (Residential Impact Mitigation) for additional restrictions		
(2) Whichever is less		

- (2) Except as noted in the table below, **buildings and structures** shall not project into or be located in a required yard.

ADDITIONAL YARD LOCATION AND YARD PROJECTION STANDARDS			
Buildings/structures	Required Yard		
	Front	Side	Rear
Access ramp	Permitted ⁽¹⁾	Permitted ⁽¹⁾	Permitted ⁽¹⁾
Arbor, basketball goal, bird bath/house/feeder, driveway, flagpole, garden (private), landscape elements, mail/newspaper delivery box, property boundary marker, small satellite dish, trellis, yard light	Permitted ⁽¹⁾	Permitted ⁽¹⁾	Permitted ⁽¹⁾
Architectural feature (belt course, chimney, cornice, eave, fireplace, overhang, sill, bay/bow window, or similar feature)	May project up to 2'	May project up to 2'	May project up to 2'
Awning or canopy ⁽⁴⁾	May project up to 4'	May project up to 4' ⁽²⁾	May project up to 4' ⁽³⁾
Balcony or open stairway ⁽⁴⁾	May project up to 4'	May project up to 4' ⁽²⁾	May project up to 4' ⁽³⁾
Bath house/cabana, carport, garage, gazebo, greenhouse, pergola, shed, smoke house (personal), swimming pool	Not permitted ⁽⁵⁾	Not permitted ⁽⁵⁾	Not permitted ⁽⁵⁾
Deck, landing or porch, open (shall not extend above the height of the first floor) ⁽⁴⁾	May project up to 8'	May project up to 4' ⁽²⁾	May project up to 8' ⁽³⁾
Dog/pet house, fire pit, grill, hot tub, oven (outdoor), play equipment, radio antenna (amateur), large satellite dish, tree house	Not permitted ⁽⁵⁾	Not permitted ⁽⁵⁾	Permitted
Fence (ornamental, permitted up to 3' in height)	Permitted	Permitted	Permitted
Fence (non-ornamental, permitted up to 8' in height)	Not permitted ⁽⁴⁾	Permitted ⁽⁵⁾	Permitted ⁽⁵⁾
Fire escape	May project up to 4'	May project up to 4'	May project up to 4'
Slab on grade patio	May project up to 8'	May project up to 4' ⁽²⁾	May project up to 8' ⁽³⁾
Stoop	Permitted ⁽¹⁾	May project up to 4' ⁽²⁾	Permitted ⁽¹⁾
Wall (freestanding; permitted up to 8' in height)	Not permitted ⁽⁵⁾	Permitted ⁽⁶⁾	Permitted ⁽⁶⁾
Wall (retaining, up to 3' in height)	Permitted	Permitted	Permitted
Wall (retaining, over 3' in height)	Not permitted ⁽⁴⁾	Permitted ⁽⁵⁾	Permitted ⁽⁵⁾
Notes:			
(1) May be located within required yard with no setback			
(2) However, a 3' side yard shall be maintained			
(3) However, a 5' rear yard shall be maintained			
(4) If not adjacent to a residential district; shall not project if adjacent to a residential district			
(5) Shall meet minimum primary structure setback			
(6) However, fences and walls shall meet corner lot primary structure setback standard			

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(3) **Accessory Uses**

(a) **Outdoor Display and Temporary Outdoor Sales**

Nonresidential **outdoor display** and temporary **outdoor sales** shall only be permitted as follows:

- (i) In C1 and **BTI districts**, **outdoor display** and temporary **outdoor sales** shall not be permitted;
- (ii) In TC, C2 and NC **districts**, **outdoor display** and temporary **outdoor sales** shall be permitted within ten (10) feet of the **primary structure** on the front or **street side(s)**; or beneath a **gas station canopy**;
- (iii) In SC, C3, C4, I1, I2, and I3 **districts**, except for **automobile**, boat, and similar **motor vehicle sales uses**, **outdoor display** and temporary **outdoor sales** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space;
- (iv) Items offered for sale shall be displayed on a paved or similar improved surface (excluding gravel surfaces).

(b) **Permanent Outdoor Sales**

Permanent outdoor sales shall only be permitted as follows:

- (i) In TC, C1 and **BTI districts**, **permanent outdoor sales** shall not be permitted;
- (ii) In C2 and NC **districts**, **permanent outdoor sales** shall be permitted within ten (10) feet of the **primary structure** on the front or **street side(s)**; or beneath a **gas station canopy**;
- (iii) In SC, C3, C4, I1, I2, and I3 **districts**, **permanent outdoor sales** shall be permitted within ten (10) feet of the **primary structure** on the front or **street side(s)**; or beneath a **gas station canopy**; and
- (iv) Items offered for sale shall be displayed on a paved or similar improved surface (excluding gravel surfaces).

(c) **Outdoor Storage**

Nonresidential **outdoor storage** shall only be permitted as follows (see §154.408, Landscape Standards, for specific **outdoor storage** landscape provisions):

- (i) In C1 and **BTI districts**, **outdoor storage** shall not be permitted;
- (ii) In TC, C2, NC, SC, C3, and C4 **districts**, **outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface;
- (iii) In any commercial or industrial **district**, if over five (5) vehicles are stored outdoors the vehicle **storage** area shall be screened from **adjacent residential zoning districts** and **public street rights-of-way**; the **outdoor storage** of dismantled vehicles shall be prohibited;
- (iv) In I1 **districts**, **outdoor storage** shall be allowed between the rear of the **building** and the **rear lot line**; the area of the **storage** may be up to the square footage of the **primary structure**;

§ 152.401 PARKING

(A) Purpose

The purpose of this section is to establish standards for the provision of adequate off-street parking facilities, including standards for bicycle facilities and **parking structures**, for permitted or approved residential, commercial, mixed-use, industrial and other **nonresidential uses**.

(B) Applicability

The minimum off-street parking requirements of this section shall apply to:

- (1) Any new freestanding **building or use**, except for the excluded **uses** in §154.407(D)(1)(d). In cases where a **building addition** of over 50% of the **gross floor area** of an existing **primary building** or displaces existing **parking spaces**, the current parking provisions shall also be reviewed by **DPS** staff to see if additional parking should be provided. This review shall consider the existing number of **parking spaces** provided, the ability to provide additional on-site parking, and the availability of additional parking in the immediate area.

- (2) Reserved

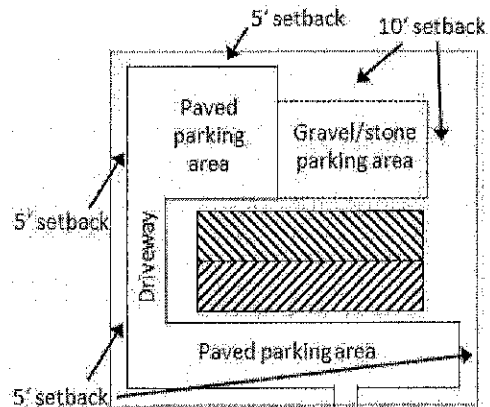
(C) General Parking Standards

(1) Location On-Site Required

All **parking spaces** required by this section shall be provided on the same **lot, tract or development site** as the **building, structure, or use** for which the spaces are required, except in the case of **off-site parking areas** for **religious institutions** or **school uses**, where the **lot** is either under the same ownership or operates under an executed agreement allowing for its **use** and is directly across an **alley right-of-way** from the **primary use**.

(2) Parking Area Location Standards

- (a) Any paved area used for off-street public or employee parking, including internal **driveways** and driving lanes, shall meet the following standards, except for:
 - (i) **Driveways** or driving lanes that provide direct access between the **parking area** and a **public or private street**; and
 - (ii) Any single or two **family residential driveway** or **parking area** that does not meet the definition of “**public parking area**”.
- (b) Paved areas shall be located a minimum of five (5) feet from any **lot line**.
- (c) Gravel areas shall be located a minimum of ten (10) feet from any **lot line**.
- (d) In TC districts, off-street parking shall not be located in front of any new structure.



STACKING SPACE PROVISIONS	
Proposed Use	Stacking Standard (spaces per measurement type)
Automatic teller machine	2 per drive-through lane
Bank	2 per drive-through lane
Car wash	6 per automatic washing bay 1 per manual washing bay
Drug store/pharmacy	2 per point of sale (payment) window
Restaurant	4 per point of sale (payment) window
Other retail use w/accessory drive-through facility	2 per point of sale (payment) window

(3) Credits

To allow for flexibility in the **Town's nonresidential zoning districts** (TC, C1 through C4, SC, NC, **BTI**, and I1 through I3) and in order to accomplish the **Comprehensive Plan's** objectives of urban revitalization, enhancing the pedestrian environment, and encouraging the use of transit, **parking space** credits shall be allowed for **nonresidential uses** in these **districts** as set forth below:

- (a) **On-street parking spaces** directly in front of and to the side of the **lot, tract, or development site** where the proposed or existing **use** is located may be counted towards satisfying the minimum **off-street** parking requirements.
- (b) One (1) required **off-street parking space** for each on-site bicycle rack (a rack must store a minimum of four (4) bicycles), up to two (2) % of the total parking requirement.
- (c) If access to public transit is located within 400 feet of the **lot, tract, or development site** where the proposed or existing **use** is located, this may serve in lieu of one (1) required **off-street parking space**.
- (d) If construction techniques such as pervious pavement, block and concrete modular pavers, and grid pavers are used for **off-street** parking surfaces, each space provided as a result may serve in lieu of two (2) required **off-street parking spaces**, up to a maximum of ten (10) % of the number of required spaces.

(D) Parking Lot Improvement Standards

(1) Highway Department Standards

All land used for off-street parking and all **driveways** serving **parking areas**, whether required by this ordinance or provided voluntarily, shall comply with those minimum standards and specifications for paving, surfacing, and drainage established by the **Town**. In the event of any inconsistency between those standards and specifications and the requirements of this ordinance, the **Town's** standards and specifications shall apply.

(2) Paving and Drainage

- (a) All land used for off-street parking and all **driveways** serving parking, delivery, and loading areas, shall be paved with asphalt, concrete, pervious pavement (which may include block, concrete, similar modular pavers, and grid pavers); or other approved all-weather hard surfaces, and shall be drained with materials and in a manner that meets the current minimum standards and specifications for **parking areas** adopted by the **Town**, except as provided in §154.407(E)(2)(b) below.

TOWN CENTER DISTRICT PERMANENT SIGN STANDARDS		
Sign Type	Zoning District	TC
Freestanding		
DC signs shall be ground-mounted signs (pole-mounted signs are not permitted)		
Number of signs per street frontage		1
Maximum size (square feet)		80
Maximum changeable copy area		40
Maximum height (feet)		8
Setback from lot line (feet)		5
Setback from residential zoning district (distance indicated or 5' from side lot line opposite residential district , whichever is less)		50
Wall		
Signs shall not cover exterior windows; for multiple tenant space buildings the allowance shall be per tenant space façade		
Maximum coverage per façade (below second story sill)		25%
Maximum coverage per façade (above second story sill)		25%
Maximum changeable copy area (square feet)		40
Awning		
Maximum coverage (of outer awning surface)		50%
Setback from lot line (feet)		0
Backlighting permitted		Yes
Blade		
Permitted for properties located on arterial streets ; multiple signs are permitted; total square footage shall not exceed 80 square feet		
Maximum size (square feet)		80
Distance sign can extend from building (feet)		4
Blade		
For property frontages not located on arterial streets ; multiple signs are permitted; total square footage shall not exceed 30 square feet		
Maximum size (square feet)		30
Distance sign can extend from building (feet)		4
Canopy		
Maximum coverage (of front and side canopy faces)		50%
Distance sign can extend above canopy (feet)		1
Backlighting permitted		Yes
Drive-Through		
For a primary building with an accessory drive-through facility		
Number of signs permitted (per lot)		2
Maximum size (square feet)		50
Maximum height		10
Setback from lot line (feet); Shall not be located in required front or side yard		0
Marquee		
Maximum height of sign (feet)		5
Distance sign can extend above marquee (feet)		6
Projecting		
Multiple signs are permitted; total square footage shall not exceed 30 square feet		
Maximum size (square feet)		12
Distance sign can extend from building (feet)		4

(E) **Special Uses**

(1) **List of Special Uses**

The following **special uses** may be permitted by the **Board of Zoning Appeals** in the **zoning districts** shown in the table below, after public hearing pursuant to §154.503(A)(1). To approve a **special use**, the **Board** shall determine that the application meets the criteria in §154.503(D)(2) below and any other requirements stated for the specific **use** in this ordinance. The **Board** may impose reasonable **conditions** as part of its approval.

SPECIAL USES	
Special Use	District(s) Where Allowed
Accessory building conversion to a single family dwelling	AR
Accessory building, as a primary building, on a site of at least five (5) acres	AR
Airstrip/heliport (corporate or multiple owner use)	AR
Animal keeping (outdoor, small animal)	R1, R2, R3, and MHS
Animal service, indoor	C1
Animal slaughter house (outdoor)	I2
Automatic teller machine (ATM) (stand-alone)	C1
Automobile maintenance (quick service)	C2, NC, and SC
Automobile service, general	I1
Bed and breakfast	AR, R1, R2, R3, and MHS
Boarding house	AR, R1, R2, R3, and MHS
Class II Child care home	AR, R1, R2, R3, and MHS
Club, private ⁽¹⁾	R1, R2, R3, MHS, and C1
Commercial communication tower ⁽²⁾	C1, C2, NC, SC, C3, C4, BTI, I1, I2, and I3
Community facility not otherwise permitted (transitional use)	R1, R2, R3, and MHS
Community garden that includes a structure	AR, R1, R2, R3, MHS, and C1
Country club	AR, R1, R2, R3, and MHS
Educational institution (not otherwise permitted)	AR, R1, R2, R3, and MHS
Educational institution-associated facilities, uses, and areas (on noncontiguous properties)	AR, R1, R2, R3, MHS ⁽¹⁾ , and TC
Educational institution-associated uses (on non-contiguous properties, not otherwise permitted)	C1, C2, NC, SC, C3, and C4
Emergency response facility (transitional use)	R1, R2, R3, and MHS
Flood control improvement project/non-permitted fill, private	Any district
Fuel storage facility	I2
Funeral home	AR, R1, R2, R3, and MHS
Gas station (including convenience store)	C2, NC, I1, and I2
Golf course	R1, R2, R3, and MHS
Greenhouse (retail)	C2, NC, and SC
Group residential facility (large) ⁽¹⁾	AR, R1, R2, R3, MHS, C1, C2, NC, SC, C3, C4, I1, I2, and I3
Heliport	R1, R2, R3, and MHS
Home business ⁽²⁾	AR, R1, R2, R3, and MHS
Home business (in an existing single family detached dwelling only) ⁽²⁾	C1, C2, NC, C3, and C4
Home workshop ⁽²⁾	AR
Homeless shelter (accessory to a religious institution for up to eight (8) individuals)	AR, R1, R2, R3, and MHS
Homeless shelter (if adjacent to a residential district or accessory to a religious institution)	C1, C2, NC, SC, C3, and C4

SPECIAL USES	
Special Use	District(s) Where Allowed
Illuminated recreation field (if adjacent to a residential district)	BTI, I1, I2, and I3
Instruction/training/education (transitional use)	R1, R2, R3, and MHS
Junk yard (outdoor)	I2
Live-work unit (transitional use)	R1, R2, R3, and MHS
Manufactured home, Type II⁽²⁾	AR, R1, R2, R3, , C1, C2, NC, SC, C3, and C4
Manufactured home, Type III	MHS
Medical office (transitional use)	R1, R2, R3, and MHS
Metal and plastic extrusion and molding	I1
Metal cutting facility	I1
Metal fabricating facility	I1
Metal processing facility	I1
Model home (for an extension of time or expansion of scope)	AR, R1, R2, and R3, and MHS
Motor vehicle storage yard	I2
Museum	R1, R2, R3, and MHS
Nature preserve (that includes a structure or parking area)	AR, R1, R2, R3, and MHS, and TC
Neighborhood facility	AR, R1, R2, R3, and MHS
Nonconforming use (expansion of existing nonconforming use, or allow conforming status to existing use)	AR, R1, R2, R3, MHS, TC, C1, C2, NC, SC, C3, C4, BTI , I1, I2, and I3
Open use of land (not otherwise permitted)	I3
Outdoor use (in conjunction with a permitted primary use)	C2 and NC
Parking area (as a primary use, a special use shall not be required for a universally permitted off-site parking area)	C1
Parking area (as a primary use, if adjacent to a residential district), a special use shall not be required for a universally permitted off-site parking area	C2, NC, SC, C3, C4, I1, and I2
Parking or outdoor display area, gravel (not otherwise permitted)	I2 and I3
Personal service (transitional use, excluding copy/duplicating service, health club/fitness center, or social service agency)	R1, R2, R3, and MHS
Plant nursery	C2, NC, and SC
Processing facility (small scale)	I1
Professional office/business service (transitional use, excluding bank, credit union, loan office, or savings and loan)	R1, R2, R3, and MHS
Reception, meeting, or recreation hall; clubhouse	AR
Recreation area	AR and TC ⁽¹⁾
Recreation area (including accessory recreation areas)	C2, NC, and SC
Recreation facility	AR
Recreation facility (if adjacent to a residential district)	C2, NC, and SC
Recreation use, outdoor (athletic field, riding stable, swim club, tennis club)	R1, R2, R3, MHS, and C1
Recreation use, outdoor (amusement park, go-cart facility, stadium/race track, and water park, only; if adjacent to a residential district)	C3, and C4
Religious institution or non-public school illuminated athletic field(s)	AR, R1, R2, R3, MHS, C1, C2, NC, and SC
Residential facility for a court-ordered re-entry program	AR, R1, R2, R3, MHS, TC, C1, C2, NC, SC, C3, C4, I1, I2, and I3
Residential facility for homeless individuals (for up to eight (8) individuals)	AR, R1, R2, R3, and MHS
Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district)	C1, C2, NC, SC, C3, C4, I1, I2, and I3

National Flood Insurance Program (NFIP) (see Floodplain Regulations – §154.412(B), Definitions)

National Geodetic Vertical Datum (NGVD) of 1929 as corrected in 1929 (see Floodplain Regulations – §154.412(B), Definitions)

Nature Preserve

An area intended to remain in a predominantly natural or undeveloped state to provide resource protection and passive recreational opportunities.

Neighborhood Center

A facility operated by a recognized neighborhood association and typically includes administrative office activities for the association as well as low intensity community services. Activities shall not include commercial or **uses** that create land **use** conflicts within a residential neighborhood.

Neighborhood Facility

A facility intended to serve or accommodate the needs of a specific segment of a community or area. **Neighborhood facilities** shall include, but not be limited to, playgrounds, non-platted **subdivision** amenities, and similar **uses**.

New Construction (see Floodplain Regulations – §154.412(B), Definitions)

New Manufactured Home Park or Subdivision (see Floodplain Regulations – §154.412(B), Definitions)

Newspaper Publishing Facility

An enclosed facility for the printing and distribution of newspapers, newsletters, and other similar media that is printed on newsprint-type paper for sale and general circulation.

Nightclub

An establishment dispensing liquor and meals in which music, dancing, or entertainment is provided. Any establishment that meets the definition of “**adult cabaret**” or “**adult nightclub**” is not included under this definition.

Nits

A **nit** is a photometric unit equivalent to one cd/m² (**candela** per square meter).

Non-Boundary River Floodway (see Floodplain Regulations – §154.412(B), Definitions)

Nonconforming Building/Structure

An existing **building** or **structure** that was constructed in conformance with the applicable ordinance at the time of construction that fails to comply with the requirements set forth in this ordinance applicable to the **district** in which the **building** or **structure** is located.

Nonconforming Use

A **use** of land, or of a **building** or **structure**, that lawfully existed prior to the effective date of this ordinance that fails to comply with the requirements set forth in this ordinance applicable to the **district** in which the **use** is located.

Nonresidential District

The TC, C1, C2, NC, SC, C3, C4, **BTI**, I1, I2, and I3 **zoning districts**.

RESOLUTION 2025-012
A RESOLUTION OF THE TOWN OF HUNTERTOWN, INDIANA ADOPTING THE
AMERICANS WITH DISABILITIES ACT (ADA) ADA COORDINATOR AND
PROCEDURES

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, in compliance with Title II of the ADA the Town of Huntertown shall name an ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA the Town of Huntertown shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA the Town of Huntertown shall publish notice to the public regarding the ADA;

WHEREAS, in compliance with Title II of the ADA the Town of Huntertown shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Huntertown, Indiana:

**Hannah Walker, Town Manager, is designated as the ADA
Coordinator for the Town of Huntertown.**

The Town of Huntertown ADA Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the Town of Huntertown.

In compliance with Federal and State laws as set forth above, the Town Council resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and Town of Huntertown Grievance Procedure under the Americans with Disabilities Act on its website and at such other locations as may be determined from time to time.

PASSED, APPROVED AND ADOPTED this 21st day of July 2025 by the Huntertown Town Council.

By: _____
Bradley Hite, President

By: _____
Brandon Seifert, Vice-President

By: _____
Mike Aker, Member

By: _____
Pat Freck, Member

ATTEST:

By: _____
Tina McDonald, Member

Ryan Schwab, Clerk-Treasurer

Non-discrimination Notice

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Huntertown will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: the Town of Huntertown does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: the Town of Huntertown will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Town of Huntertown programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: the Town of Huntertown will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the Town of Huntertown offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Huntertown, should contact the office of the **ADA Coordinator, Hannah Walker at 260-338-2707**, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Huntertown to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Town of Huntertown is not accessible to persons with disabilities should be directed to **Hannah Walker at 260-338-2707**.

The Town of Huntertown will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Grievance Procedure under The Americans with Disabilities Act Town of Huntertown, Indiana

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Huntertown. The Town of Huntertown's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Hannah Walker, Town Manager
Town of Huntertown
15617 Lima Road
Huntertown, IN 46748
260-338-2707
TownManager@Huntertown.in.gov

Within 15 calendar days after receipt of the complaint, the ADA Coordinator designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Huntertown and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Council or designee.

Within 15 calendar days after receipt of the appeal, the Town Council or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Council or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or designee, appeals to the Town Council or designee, and responses from these two offices will be retained by the Town of Huntertown for at least three years.

RESOLUTION 2025 - 013

**A RESOLUTION OF THE TOWN COUNCIL
OF HUNTERTOWN OF ALLEN COUNTY, INDIANA
APPOINTING THE TITLE VI COORDINATOR**

WHEREAS the Federal government enacted Title VI of the Civil Rights Act of 1964 (Title VI) to prevent discrimination under any program or activity receiving Federal financial assistance;

WHEREAS in compliance with Title VI, Huntertown will name a Title VI Coordinator;

WHEREAS Huntertown will publish notice of its Title VI Coordinator's name, office address, and telephone number along with its Title VI Nondiscrimination Policy on its website;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Huntertown, Indiana as follows:

Hannah Walker, Town Manager, is designated as the Title VI Coordinator for Huntertown.

The Huntertown Grievance Procedure is adopted for addressing complaints alleging discrimination under Title VI in the provision of services, activities, programs or benefits by Huntertown with complaints to be directed to the Title VI Coordinator.

For notice purposes, Huntertown will post the contact information regarding the Title VI Coordinator and Huntertown's Title VI Nondiscrimination Policy on its website and at such other locations as may be determined from time to time.

RESOLVED AND ADOPTED this 21st day of July, 2025 by the Huntertown Town Council.

By: _____
Bradley Hite, President

By: _____
Brandon Seifert, Vice-President

By: _____
Mike Aker, Member

By: _____
Pat Freck, Member

ATTEST:

By: _____
Tina McDonald, Member

Ryan Schwab, Clerk-Treasurer

HUNTERTOWN RESOLUTION NO. 2025- 014

RESOLUTION TO ESTABLISH FUNDS FOR MONIES DEPOSITED IN LIEU OF COMPLIANCE WITH HUNTERTOWN ZONING ORDINANCE § 154.404(N)(3)(B)

WHEREAS, developers and businesses have previously deposited funds with the Town of Huntertown in lieu of compliance with Huntertown Zoning Ordinance § 154.404(N)(3)(b) which requires construction of sidewalks a minimum of five (5) feet in width along the full frontage of any street adjoining a major subdivision to the standards and specifications of the Town of Huntertown; and

WHEREAS, as the funds were deposited in anticipation of improvements of adjoining roads occurring and construction of the sidewalks in conjunction with those road construction projects; and

WHEREAS, some of the deposited funds have been comingled; and

WHEREAS, it is appropriate to segregate those funds into separate funds which will ultimately be used to construct sidewalks in accordance with the Huntertown Ordinance § 154.404(N)(3)(b).

NOW, THEREFORE, BE IT RESOLVED, that:

1. \$37,479.45 received in connection with the Copper Creek Development shall be set aside in a Hathaway Road Sidewalk Fund to be established by the Clerk-Treasurer to be applied for sidewalk construction on Hathaway Road when that road improvement project is undertaken.

2. \$32,599.00, consisting of \$18,500.00 related to the Copper Creek Development, \$6,355 related to Ricker's construction, and \$7,744.00 related to Summit Dental construction, which is currently in the Old Lima Road Sidewalk Fund, shall be set aside in a State Road 3 Sidewalk Fund to be established by the Clerk-Treasurer to be applied to sidewalk construction along State Road 3.

3. \$10,500.00 received in connection with the Carroll Road construction project shall be set aside in a Carroll Road Sidewalk Fund to be established by the Clerk-Treasurer to be applied to sidewalk construction along Carroll Road.

RESOLUTION ADOPTED this _____ day of July 2025.

TOWN OF HUNTERTOWN

By: _____
Brad Hite, President

By: _____
Brandon Seifert, Vice-President

By: _____
Mike Aker, Council Member

By: _____
Patricia Freck, Council Member

By: _____
Tina McDonald, Council Member

ATTEST:

Ryan Schwab, Clerk-Treasurer