



HUNTERTOWN TOWN COUNCIL MEETING AGENDA

Monday, August 18, 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

- August 4, 2025, Regular Meeting
- August 18, 2025, Executive Session

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

- August 18, 2025

NEW BUSINESS

- TC Ordinance 2025-011 – Floodplain Amendment
- TC Ordinance 2025-012 – Flood Hazards within Huntertown
- Change Order No. 10 – Carroll Road Reconstruction
- Huntertown CCMG 2025-2 – Apollo Drive street improvements engineering agreement

OLD BUSINESS

- TC Ordinance 2025-009 – Amending Chapter 154 of the Town of Huntertown Ordinance
- Willow Creek Middle School connection/tap fee discussion

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 Tuesday, September 2, 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.

Meeting of the Town Council of Huntertown, Indiana
Monday, August 4, 2025, 6:00 p.m.
Huntertown Town Hall, 15617 Lima Road

A public meeting of the Huntertown Town Council was held on Monday, August 4, 2025, at Huntertown Town Hall, 15617 Lima Road, Huntertown, IN. Present were town council members Patricia Freck; Tina McDonald; and Brandon Seifert; Town Manager Hannah Walker; Clerk-Treasurer Ryan Schwab; Resource Officer Brandon Reichert; Derek Frederickson and Jim Breckler of Engineering Resources Inc.; Mike Hawk of Hawk Haynie Kammeyer & Smith; seven (7) members of the public and zero (0) members of the media. Absent were council members Michael Aker and Brad Hite (P). The meeting was livestreamed on the Town's YouTube Channel.

Brandon Seifert called the meeting to order at 6:10 p.m. with the Pledge of Allegiance.

COUNCIL ACTION

Patricia Freck made a motion to approve the minutes of July 21, 2025, regular meeting. Tina McDonald seconded. Motion carried 3-0.

Tina McDonald made a motion to approve the general, water, and sewer claims dated August 4, 2025, in the amount of \$426,639.10. Patricia Freck seconded. Motion carried 3-0.

Tina McDonald made a motion to approve Pay-Application No. 1 in the amount of \$640,615.02 to Landmark Structures for work complete on the Northwest Water Tower & Main Extension project. Patricia Freck seconded. Jim Breckler covered the details of the Pay Application, noting that approximately \$900,000 in ARPA funds from Allen County is being used to pay for part of this project. The council will be receiving the pay applications until that amount is fully exhausted and then the Utility Service Board will take over the approval of pay applications from there. After no further discussion, the motion carried 4-0.

Tina McDonald made a motion to approve a quote in the amount of \$46,250 from M&S Excavating for the destruction of town owned property at 15637 Lima Road. Patricia Freck seconded. Hannah Walker provided council with a copy of the three quotes received for the service, noting that M&S Excavating provided the lowest quote. After no further discussion, the motion carried 3-0.

NEW BUSINESS

Outside of items listed under Council Action, the following New Business was brought forth:

- Residents Megan Rogers and Ryan Miller of 1535 Fairway Court provided the council with a packet of information and a collection of photographs expressing health and safety concerns related to a compost site at the town's Street Department facility located at 1640 W. Cedar Canyon Road. They highlighted concerns about the town not being registered with IDEM to run a compost site; the site being too close to residential homes; the lack of security cameras at the site; compost leachate causing issues with water quality and disease prevention; dust noise and odor; and the possibility of raw sewage being dumped from town owned vehicles at the site. They are formally requesting the facility be moved away from any residential area. Hannah Walker and Brandon Reichert confirmed that security cameras are on site and are used daily to monitor who is using the facility. Walker said that the facility houses the street department and that compost

recycling is a service the town offers to its residents. She said that town vehicles and equipment are stored on site as well as leftover supplies for the water and wastewater utility. The site is audited annually for the town's MS4 requirements through IDEM, and the site has not been cited once. Walker said she would talk with the head of the street department and follow through with IDEM about if the site needs permitted.

- Hannah Walker provided the council with an outline of fees that were quoted to Northwest Allen County Schools under the previous ordinance compared to what the cost would be to connect to the current ordinance. Under the previous ordinance, the school was charged one Equivalent Residential Unit (ERU) for the sewer area connection fee and sewer system development charge. Additionally, no system development charge for water was quoted as it did not exist in the previous ordinance. This provided the school a total quoted cost to connect at \$15,739. The new ordinance would charge the school district an estimated 37 ERU's for each the water system development charge, sewer area connection fee and sewer system development charge and bring the total connection cost to \$270,479.15. Walker added that the school was quoted this amount in early 2024, just before construction began. She also stated that she spoke with a representative of Northwest Allen County Schools earlier that day, who asked for the town to delay a vote until they can gather more information on this topic. Lastly, she noted that the utility service board, at its meeting earlier in the evening, voted to recommend the council to charge the rate of the current ordinance. Brandon Seifert said the school should be charged by the current ordinance. He does not want the town to get into a pattern of choosing which high-end users get to connect at a discounted rate or not. He said that since the town made local developers follow the ordinance earlier this year when they had prior contracts, the town must do the same with the school. He also said that a developer spoke to the USB and said development group he works with has around 2,200 lots tied into different developments in Huntertown and estimated that the ordinance changes in 2025 cost his development group \$8 million even after they had agreements based on the prior ordinance. Tina McDonald said she agreed that the school should pay based off the current ordinance unless you could give her a reason otherwise. Patricia Freck said she would like to table the conversation and allow the school to provide the council with its findings and suggestions to resolve the matter. Seifert said that it was not offered to the developers who have paid extra and should not be offered to the school. Seifert also said the town attorney advised the USB to follow its current ordinance. Mike Hawk said the council should follow its current ordinance but could amend it if it wanted to make a special change for the school district. After no further discussion, no action was taken.

OLD BUSINESS

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

REPORTS

Tina McDonald had the following report:

- She complimented the Huntertown Heritage Days committee for putting on a really good, well-attended festival.

Resource Officer Brandon Reichert had the following report:

- He requested access to the town-owned building at 15735 Lima Road for training purposes before destruction.
- He said Heritage Days went smoothly, but the department did have its usual complaints about road closures for the parade.
- Traffic enforcement is on the rise in Huntertown.
- The third resource officer could be hired by the end of the month.

Clerk-Treasurer Ryan Schwab had the following report:

- He planned to provide council with 2026 budget materials by Tuesday, August 5, 2025. He also highlighted the key dates in the budgeting process.

Town Manager Hannah Walker had the following report:

- She requested permission to seek appraisals of two town owned properties for potential sale.
- She asked if council members would like to participate in a Greater Fort Wayne Economic Development Summit to be held on Thursday, September 11, 2025. Tina McDonald and Brandon Seifert have already committed, and Patricia Freck said she would check her schedule.
- She is working on a new Code Enforcement plan for the town.
- She asked for any information on homes who were grandfathered into the town's ordinance preventing the ownership of chickens.

Derek Frederickson of Engineering Resources had the following report:

- He handed out an updated summary of remaining capacity at the water treatment plant and wastewater treatment plant.

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 7:42 .m.

Attest: _____

Brad Hite
President

Ryan Schwab
Clerk Treasurer

**Joint Executive Session of the Town Council and Redevelopment Commission
Huntertown, Indiana
Thursday, August 14, 2025**

A Joint Executive Session of the Town Council and Redevelopment Commission of Huntertown, Indiana was held at Huntertown Town Hall, 15617 Lima Road, on Thursday, August 14, 2025, at 5:30 p.m. The Council/Commission 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; and IC 5-14-1.5-6.1 (b)(19) which reads as follows: (19) To have communications with an attorney that are subject to the attorney client privilege.

Council members present: Michael Aker, Patricia Freck, Brad Hite (P); Tina McDonald and Brandon Seifert. Commission members present were Michael Aker, Randy Bailey, Dan Roy and Brandon Seifert (P). Also present was Town Manager Hannah Walker and Clerk-Treasurer Ryan Schwab. Attorney Thomas Pittman of Barnes and Thornburg attended virtually via Microsoft Teams.

Brad Hite called the meeting to order at 5:30 p.m.

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

Patricia Freck made a motion to adjourn. Tina McDonald seconded. A voice vote was taken with all in favor and the meeting adjourned at 6:45 p.m.

Brad Hite,
Town Council President

Brandon Seifert
Redevelopment Commission 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.

August 18, 2025

Fiscal Officer

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF HUNTERTOWN

AUGUST 18, 2025

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 9 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 1,346,879.94.

Dated this 18th day of August 2025.

MICHAEL AKER

PATRICIA FRECK

BRADLEY HITE (PRESIDENT)

TINA McDONALD

BRANDON SEIFERT

Signatures of Governing Board

Accounts Payable Register

APV Register Batch - AUGUST 18, 2025

All History

Ordered By APV Number

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
08/05/2025	48186	A. E. BOYCE COMPANY INC.		6101001360.000	WATER - CONTRACTUAL SERVICES	(1/3) KEYSTONE RENEWAL	4960.00	19848 08/05/2025	
08/08/2025	48187	PAYROLL FUND		1101001102.000	GEN - CLERK-TREASURER	Clerk-treasurer	1284.15	11405 08/06/2025	
08/08/2025	48187	PAYROLL FUND		1101001106.000	GEN - FICA	Empr Liability Medicare	26.24	11405 08/06/2025	
08/08/2025	48187	PAYROLL FUND		1101001106.000	GEN - FICA	Empr Liability FICA	112.17	11405 08/06/2025	
08/08/2025	48187	PAYROLL FUND		2201001101.000	MOVH - WAGES	Salaries - MOVH	4667.73	11405 08/06/2025	
08/08/2025	48187	PAYROLL FUND		2201001103.000	MOVH - FICA	Empr Liability FICA	271.03	11405 08/06/2025	
08/08/2025	48187	PAYROLL FUND		2201001103.000	MOVH - FICA	Empr Liability Medicare	63.36	11405 08/06/2025	
08/08/2025	48187	PAYROLL FUND		1101001108.000	GEN - TOWN MANAGER	GEN - Town Manager	525.00	11405 08/06/2025	
08/08/2025	48188	NET PAY		8901001110.000	PAYROLL - NET SALARIES	Net Entry	25899.61	48188M 08/08/2025	
08/08/2025	48189	PAYROLL FUND		6101001111.000	WATER - SALARIES AND WAGES - OFFICE	WAT - Plant Salaries	15419.08	19849 08/06/2025	
08/08/2025	48189	PAYROLL FUND		6101001131.000	WATER - EMP. FICA, UNEMPLOYMENT INS	Empr Liability Medicare	208.39	19849 08/06/2025	
08/08/2025	48189	PAYROLL FUND		6101001131.000	WATER - EMP. FICA, UNEMPLOYMENT INS	Empr Liability FICA	890.98	19849 08/06/2025	
08/08/2025	48190	PAYROLL FUND		6201001111.000	SEWER - SALARIES & HOURLY WAGES OFFICE	SEW - Plant Salaries	15640.64	11993 08/06/2025	
08/08/2025	48190	PAYROLL FUND		6201001131.000	SEWER - FICA	Empr Liability FICA	919.20	11993 08/06/2025	
08/08/2025	48190	PAYROLL FUND		6201001131.000	SEWER - FICA	Empr Liability Medicare	214.98	11993 08/06/2025	
08/06/2025	48191	INTERNAL REVENUE SERVICE		8901001921.000	PAYROLL - 941 PAYMENTS	FEDERAL	2992.38	48191M 08/08/2025	
08/06/2025	48191	INTERNAL REVENUE SERVICE		8901001922.000	PAYROLL - FICA WITHHELD	FICA	4386.76	48191M 08/08/2025	
08/06/2025	48191	INTERNAL REVENUE SERVICE		8901001923.000	PAYROLL - MEDICARE WITHHELD	MEDICARE	1025.94	48191M 08/08/2025	
08/06/2025	48192	PERF		8901001926.000	PAYROLL - PERF	8/8 PAYROLL	6142.69	48192M 08/08/2025	
08/06/2025	48193	PAYROLL FUND		1101001104.000	GEN - PERF	CLERK/TM 8/8 PAYROLL	202.63	11406 08/06/2025	
08/06/2025	48193	PAYROLL FUND		2201001102.000	MOVH - PERF	8/8 PAYROLL	522.77	11406 08/06/2025	
08/06/2025	48194	PAYROLL FUND		6101001130.000	WATER - PERF	8/8 PAYROLL	1726.97	19850 08/06/2025	
08/06/2025	48195	PAYROLL FUND		6201001130.000	SEWER - PERF	8/8 PAYROLL	1751.73	11994 08/06/2025	
08/06/2025	48196	COMMUNITY STATE BANK		8901001590.000	PAYROLL MISCELLANEOUS	8/8 HSA PULL	619.41	48196M 08/08/2025	
08/06/2025	48197	INDIANA STATE CENTRAL		8901001591.000	PAYROLL GARNISHMENT	CHILD SUPPORT	244.00	48197M 08/08/2025	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
COLLECTION UNIT									
07/31/2025	48198	BNY MELLON CORPORATE TRUST		4503001361.000	SRF - B&I	JULY 1 2025 BOND INTEREST PAYMENT	105922.90	48198M 07/31/2025	
07/31/2025	48198	BNY MELLON CORPORATE TRUST		4503001361.000	SRF - B&I	JULY 1 INTEREST PAYMENT	112050.00	48198M 07/31/2025	
08/08/2025	48199	INDIANA DEPT. OF REVENUE		6101001501.000	WATER - SALES TAX	JUNE SALES TAX	15651.90	48199M 08/08/2025	
08/08/2025	48199	INDIANA DEPT. OF REVENUE		6101001501.000	WATER - SALES TAX	UNPAID JULY TAX FROM JUNE PAYMENT	1297.57	48199M 08/08/2025	
08/08/2025	48200	NEC CLOUD COMMUNICATIONS AMERICA, INC.		6101001212.000	WATER - TELEPHONE	TOWN HALL PHONES (AP)	191.12	48200M 08/08/2025	
08/08/2025	48201	INVOICE CLOUD INC.		6101001360.000	WATER - CONTRACTUAL SERVICES	PORTAL FEE (JULY)	25.00	48201M 08/08/2025	
08/08/2025	48202	COMCAST		6101001212.000	WATER - TELEPHONE	CC SHOP INTERNET (AP)	98.65	48202M 08/08/2025	
08/08/2025	48203	INDIANA MICHIGAN POWER		2201001351.000	MVH - ELECTRIC	STREET LIGHT ACCT 043-465-357-0-8	1035.28	11407 08/08/2025	
08/08/2025	48204	LANDMARK STRUCTURES LLP		2404001990.000	ARPA ALLEN COUNTY GRANT - MISCELLANEOUS	WATER TOWER PAY APP 1	640615.02	11408 08/08/2025	
08/08/2025	48205	BENJAMIN Z AND KYLA M KRAFT		6201001430.000	SEWER - IMPROVEMENTS & ADDITIONS	PAY APP FINAL	11016.15	11995 08/08/2025	
08/08/2025	48206	R.G. ZACHRICH CONSTRUCTION INC.		6201001430.000	SEWER - IMPROVEMENTS & ADDITIONS	LIFT STATION PAY APP 4	152009.08	11996 08/08/2025	
08/08/2025	48207	REPUBLIC SERVICES #091		6601001360.000	SANITATION CONTRACTURAL SERVICES	TRASH/RECYCLING (JULY)	88462.50	11409 08/12/2025	
08/08/2025	48208	REPUBLIC SERVICES #091		6201001220.000	SEWER - CHEMICALS	SLUDGE REMOVAL AT WWTP 7/17, 7/23, 7/30	3711.20	11997 08/12/2025	
08/08/2025	48209	NORTHEASTERN REMC		6201001353.000	SEWER - UTILITY BILLS	WWTP #1	8548.91	11998 08/12/2025	
08/08/2025	48209	NORTHEASTERN REMC		6201001353.000	SEWER - UTILITY BILLS	WWTP #2	2709.20	11998 08/12/2025	
08/13/2025	48210	UNITED STATES POSTAL SERVICE		6201001211.000	SEWER - POSTAGE	AUGUST DELINQUENT NOTICES (AP)	244.20	48210M 08/13/2025	
08/13/2025	48211	WATER OPERATING		6101001521.000	WATER - DEPRECIATION TRANSFER	MONTHLY TRANSFER	11875.88	/ /	
08/13/2025	48212	CINTAS CORP		6101001132.000	WATER - UNIFORMS	(1/2) UNIFORMS 8/6, 8/14	115.89	/ /	
08/13/2025	48213	CINTAS CORP		6201001132.000	SEWER - UNIFORMS	(1/2) UNIFORMS 8/6, 8/14	115.90	/ /	
08/13/2025	48214	OTIS ELEVATOR COMPANY		1101001311.000	GEN - MISC SERVICES	LOGISTICS AND FUEL IMPACT FEE	125.00	/ /	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	DATE	MEMORANDUM
08/13/2025	48215	BROWN & SONS FUEL CO. INC		2201001201.000	MVH - GARAGE & MOTOR	(1/3) DIESEL/UNLEADED (JULY)	1150.09		//	
08/13/2025	48216	BROWN & SONS FUEL CO. INC		6101001320.000	WATER - FUEL/GASOLINE	(1/3) DIESEL/UNLEADED (JULY)	1150.08		//	
08/13/2025	48217	BROWN & SONS FUEL CO. INC		6201001320.000	SEWER - FUEL/GASOLINE	(1/3) DIESEL/UNLEADED (JULY)	1150.08		//	
08/13/2025	48218	MAILING & SHIPPING SOLUTIONS INC		1101001311.000	GEN - MISC SERVICES	(1/3) ANNUAL MAINTENANCE AGREEMENT	297.76		//	
08/13/2025	48219	MAILING & SHIPPING SOLUTIONS INC		6101001360.000	WATER - CONTRACTUAL SERVICES	(1/3) ANNUAL MAINTENANCE AGREEMENT	297.75		//	
08/13/2025	48220	MAILING & SHIPPING SOLUTIONS INC		6201001361.000	SEWER - CONTRACTURAL SERVICES	(1/3) ANNUAL MAINTENANCE AGREEMENT	297.75		//	
08/13/2025	48221	ATOMIC WATER SOLUTIONS, LLC		1101001201.000	GEN - OFFICE SUPPLIES/POSTAGE	5-GALLON WATER JUGS (4)	39.00		//	
08/13/2025	48222	ATOMIC WATER SOLUTIONS, LLC		6101001220.000	WATER - CHEMICALS	SALT FOR WATER SOFTENER	144.00		//	
08/13/2025	48222	ATOMIC WATER SOLUTIONS, LLC		6101001360.000	WATER - CONTRACTUAL SERVICES	WATER SOFTENER RENTAL	35.00		//	
08/13/2025	48223	LAWNSPLUS LANDSCAPING SERVICES		1101001311.000	GEN - MISC SERVICES	HERBICIDE APPLICATION TO ISLAND BEDS	100.00		//	
08/13/2025	48224	TIM SCHOBERT		6101001590.000	WATER - MISCELLANEOUS EXPENSE	REFUND FOR WTP PRINTER (SAMS CLUB)	369.00		//	
08/13/2025	48225	BATTERIES PLUS BULBS		2201001361.000	MVH - REPAIRS AND MAINTENANCE	VARIOUS BATTERIES FOR SHOP	89.98		//	
08/13/2025	48226	INDIANA UNDERGROUND PLANT PROTECTION SERVICE INC.		6101001232.000	WATER - LOCATES	JULY LOCATES	213.28		//	
08/13/2025	48227	INDIANA UNDERGROUND PLANT PROTECTION SERVICE INC.		6201001232.000	SEWER - LOCATES	JULY LOCATES	213.27		//	
08/13/2025	48228	SHERIFF OF ALLEN COUNTY		1101001304.000	GEN - POLICE PROTECTION	RESOURCE OFFICER CONTRACT	19457.36		//	
08/13/2025	48229	FORT WAYNE IT SOLUTIONS		6101001360.000	WATER - CONTRACTUAL SERVICES	MANAGED IT SERVICES	1836.00		//	
08/13/2025	48230	BASSETT ELECTRIC MOTORS, INC		6201001360.000	SEWER - REPAIRS & MAINTENANCE	7HP GORMAN RUPP PUMP REPAIR	2888.00		//	
08/13/2025	48230	BASSETT ELECTRIC MOTORS, INC		6201001360.000	SEWER - REPAIRS & MAINTENANCE	14HP GORMAN RUPP PUMP REPAIR	2116.00		//	
08/13/2025	48231	SIMPLX SECURITY		1101001204.000	GEN - BUILDING EQUIPMENT & REPAIR	ALARM MONITORING	253.25		//	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK # DATE	MEMORANDUM
08/13/2025	48232	DELTA T MECHANICAL, INC.		6101001362.000	WATER - REPAIRS & MAINTENANCE	CONDENSOR FAN MOTOR REPAIR AT WTP	2964.36	//	
08/13/2025	48233	ENGINEERING RESOURCES, INC		1101001302.000	GEN - ENGINEER	ON CALL SERVICES (DEC 24)	518.50	//	
08/13/2025	48234	BROWN EQUIPMENT COMPANY, INC		2201001361.000	MVH - REPAIRS AND MAINTENANCE	GUTTER BROOM FOR STREET SWEEPER	111.93	//	
08/13/2025	48234	BROWN EQUIPMENT COMPANY, INC		2201001361.000	MVH - REPAIRS AND MAINTENANCE	STEEL BRUCH FOR STREET SWEEPER	145.92	//	
08/13/2025	48235	BROWN EQUIPMENT COMPANY, INC		6201001230.000	SEWER - MATERIALS & SUPPLIES	MANHOLE RING/HOOK	435.72	//	
08/13/2025	48236	WM IMAGING SOLUTIONS, INC		6101001210.000	WATER - OFFICE SUPPLIES	TONER FOR UTILITY OFFICE PRINTER	99.00	//	
08/13/2025	48236	WM IMAGING SOLUTIONS, INC		6101001210.000	WATER - OFFICE SUPPLIES	MONTHLY COPIER CONTRACT	50.34	//	
08/13/2025	48237	M.C. WHEELER & SONS, INC.		6101001362.000	WATER - REPAIRS & MAINTENANCE	WELL 7 REHAB WORK	15681.20	//	
08/13/2025	48238	HOUSER AUTOMOTIVE, INC		2201001361.000	MVH - REPAIRS AND MAINTENANCE	(1/3) VARIOUS VEHICLE REPAIRS	222.73	//	
08/13/2025	48239	HOUSER AUTOMOTIVE, INC		6101001362.000	WATER - REPAIRS & MAINTENANCE	(1/3) VARIOUS VEHICLE REPAIRS	222.74	//	
08/13/2025	48240	HOUSER AUTOMOTIVE, INC		6201001360.000	SEWER - REPAIRS & MAINTENANCE	(1/3) VARIOUS VEHICLE REPAIRS	222.74	//	
08/13/2025	48241	ALEXANDER CHEMICAL CORPORATION		6101001220.000	WATER - CHEMICALS	AMMONIA	1317.32	//	
08/13/2025	48242	HD SUPPLY INC		6201001362.000	SEWER - SAMPLES/TESTING	VARIOUS TEST KITS	263.13	//	
08/13/2025	48243	PHYSICIANS HEALTH PLAN		8901001930.000	PAYROLL-INSURANCE DEDUCTION	HEALTH INSURANCE PREMIUM (SEPT)	2593.54	//	
08/13/2025	48243	PHYSICIANS HEALTH PLAN		2201001104.000	MVH - INSURANCE	HEALTH INSURANCE PREMIUM (SEPT)	1169.09	//	
08/13/2025	48244	PHYSICIANS HEALTH PLAN		6101001341.000	WATER - HEALTH INSURANCE	HEALTH INSURANCE PREMIUM (SEPT)	3347.64	//	
08/13/2025	48245	PHYSICIANS HEALTH PLAN		6201001341.000	SEWER - HEALTH INSURANCE	HEALTH INSURANCE PREMIUM (SEPT)	3284.16	//	
08/14/2025	48246	UTILITY SUPPLY COMPANY		6101001230.000	WATER - MATERIALS & SUPPLIES	CC SMITH BLAIR SADDLE	174.00	//	
08/14/2025	48247	STEVE LITCHFIELD		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	DATE	MEMORANDUM
08/14/2025	48248	ASHLEY WASHINGTON		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48249	JERIS NOYE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48250	KIMBERLY BURNS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48251	PEDRO LLAMAS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48252	JOHN HAPNER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48253	GREG SMITH		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48254	TYLER COATS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48255	HEATHER BIGGS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48256	LAWRENCE NEVERS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48257	JEFF WRIGHT		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48258	CAROL ANGLIN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48259	TAMI AND JOHN HARTNUP		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48260	WARD E. COLLINS III		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48261	WALLACE BUTTS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48262	ERIC MYERS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48263	OUR HOPE LUTHERAN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48264	MITCHELL MILLER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48265	GARY AND JEAN POTTER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		
08/14/2025	48266	DELORES BOLEYN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	/ /		

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
08/14/2025	48267	REX HARRIS		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48268	TRENT GUMPP		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48269	DARLENE HARMMEYER		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48270	KELLY HART		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48271	SCOTT AND SARAH BOWLES		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48272	SARAH TRAN		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48273	MARIAN WELLER		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48274	PAUL AND MINDY HURLEY		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48275	RITA LANE		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48276	LARRY BERCOT		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48277	AMY SLOFFER		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48278	DEBBIE TANNEHILL		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48279	MARTIN INTERIORS INC		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48280	LAKES AT WILLOW CREEK ASSOCIATION		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48280	LAKES AT WILLOW CREEK ASSOCIATION		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48281	JAMES RUSSELL		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48282	JAMES AND LISA FRY		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	
08/14/2025	48283	JUDY AND ASHLEY HILDENBRAND		6104001391.000	REFUNDS	WATER CUSTOMER DEPOSIT DEPOSIT RETURN REFUNDS	25.00	/ /	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
08/14/2025	48284	STEVE AND KACY DESMONDS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48285	MICHELLE TROWBRIDGE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48286	KORTNEY WEBB		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48287	KENNETH TAYLOR		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48288	TANYA HALL		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48289	MARY GRAVES		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48290	CARROLL CREEK HOMEOWNERS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48291	CHESTER ZEIDLER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48292	WILLIAM OSBORNE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48293	LISA OWENS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48294	WALLY WURMEL		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48295	STEVE DEWALD		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48296	KATHERINE DAVIS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48297	BRADEN JOHNSON		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48298	EDWARD JARBOE		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48299	STEPHEN GREGOR		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48300	DAN GOODWIN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48301	LISA GINGERICH		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48302	JERED NEAL		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	

Date: 08/15/2025 10:12:45 AM

APVREGISTER.FRX

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK CHECK # DATE	MEMORANDUM
					REFUNDS				
08/14/2025	48303	JANET PEPPLER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48304	JASON KOHLOFF		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48305	JOSEPH ELEFTT		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48306	SUMER CLARK		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48307	THOMAS HOOG		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48308	DYLON ALLEN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48309	PAT FRAIZER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48310	DAWN & JEFF FORTUNE-BROWN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48311	MARK SPENCER		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48312	MARTHA FREED		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48313	KARA ALLEN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48314	JOHNNY NGUYEN		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48315	AMY LLAMAS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48316	MICHAEL STAMETS		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/14/2025	48317	RICHARD BOLES		6104001391.000	WATER CUSTOMER DEPOSIT REFUNDS	DEPOSIT RETURN	25.00	//	
08/15/2025	48318	WATER SOLUTIONS UNLIMITED		6101001220.000	WATER - CHEMICALS	CHLORINE/OTHER CHEMICALS	6117.50	//	
08/15/2025	48319	INGERSOLL-RAND INDUSTRIAL U.S. INC		6201001230.000	SEWER - MATERIALS & SUPPLIES	VIROUS FILTERS/SUPPLIES FOR WWTP	276.10	//	
08/15/2025	48320	M&S EXCAVATING		2209001316.000	CREDIT - MISC CONTRACTUAL	50-PERCENT DOWNPAYMENT ON 15733 LIMA ROAD DEMO	23125.00	//	

Accounts Payable Register

DATE FILED	APV #	NAME OF PAYEE	PO #	APPROP #	APPROPRIATION	DESCRIPTION	AMOUNT	CHECK #	CHECK DATE	MEMORANDUM
08/15/2025	48321	USI CONSULTANTS INC		2201001306.000	MVH - LEGAL/ENGINEER SERVICES	CARROLL ROAD CI 22 (20-PERCENT)	820.09		//	
08/15/2025	48321	USI CONSULTANTS INC		2406001302.000	CARROLL ROAD GRANT - ENGINEERING	CARROLL ROAD CI 22 (80-PERCENT)	3280.35		//	
*** GRAND TOTAL ***							1346879.94			

Allowance Docket

For payfile ending 08/02/2025 12:00:00 AM
All Records
Ordered by Employee Name
Grouped By Location

Page : 1

Date: 08/07/2025 08:50:16 AM
EMPDOCK.FRX
User ID: RYAN

Pay Period	Employee Ending Number	Employee Name	Distribution Name	All Paytypes Except Overtime	Overtime Only
Location : Blank					
08/02/2025	322	Arrowsmith, Tyler D.	SEW - Plant Salaries	\$841.92	\$0.00
08/02/2025	322	Arrowsmith, Tyler D.	Salaries - MVH	\$420.96	\$0.00
08/02/2025	322	Arrowsmith, Tyler D.	WAT - Plant Salaries	\$841.92	\$0.00
08/02/2025	318	Bailey, Randy C.	SEW - Plant Salaries	\$1000.00	\$262.47
08/02/2025	318	Bailey, Randy C.	Salaries - MVH	\$500.00	\$131.24
08/02/2025	318	Bailey, Randy C.	WAT - Plant Salaries	\$1000.00	\$262.47
08/02/2025	309	Brindle, Gabriel S.	SEW - Plant Salaries	\$250.00	\$16.40
08/02/2025	309	Brindle, Gabriel S.	Salaries - MVH	\$250.00	\$16.41
08/02/2025	309	Brindle, Gabriel S.	WAT - Plant Salaries	\$2000.00	\$131.24
08/02/2025	304	Chesney, Tyler J.	SEW - Plant Salaries	\$841.92	\$252.61
08/02/2025	304	Chesney, Tyler J.	Salaries - MVH	\$420.96	\$126.30
08/02/2025	304	Chesney, Tyler J.	WAT - Plant Salaries	\$841.92	\$252.61
08/02/2025	311	Dafforn, Darren W.	SEW - Plant Salaries	\$2221.87	\$162.59
08/02/2025	311	Dafforn, Darren W.	Salaries - MVH	\$277.74	\$20.33
08/02/2025	311	Dafforn, Darren W.	WAT - Plant Salaries	\$277.73	\$20.32
08/02/2025	324	Deisler, Drew K.	SEW - Plant Salaries	\$722.24	\$47.40
08/02/2025	324	Deisler, Drew K.	Salaries - MVH	\$361.12	\$23.71
08/02/2025	324	Deisler, Drew K.	WAT - Plant Salaries	\$722.24	\$47.40
08/02/2025	314	Marquart, Anthony K.	SEW - Plant Salaries	\$740.30	\$54.18
08/02/2025	314	Marquart, Anthony K.	Salaries - MVH	\$370.14	\$27.08
08/02/2025	314	Marquart, Anthony K.	WAT - Plant Salaries	\$740.30	\$54.18
08/02/2025	207	Payne, Sheridan L.	SEW - Plant Salaries	\$1052.00	\$0.00
08/02/2025	207	Payne, Sheridan L.	WAT - Plant Salaries	\$1052.00	\$0.00
08/02/2025	310	Roberson, Austin P.	SEW - Plant Salaries	\$841.92	\$63.15
08/02/2025	310	Roberson, Austin P.	Salaries - MVH	\$420.96	\$31.58
08/02/2025	310	Roberson, Austin P.	WAT - Plant Salaries	\$841.92	\$63.15
08/02/2025	317	Schobert, Timothy L.	SEW - Plant Salaries	\$915.84	\$34.34
08/02/2025	317	Schobert, Timothy L.	Salaries - MVH	\$457.92	\$17.18
08/02/2025	317	Schobert, Timothy L.	WAT - Plant Salaries	\$915.84	\$34.34
08/02/2025	105	Schwab, Ryan M.	Clerk-treasurer	\$1284.15	\$0.00
08/02/2025	105	Schwab, Ryan M.	SEW - Plant Salaries	\$642.07	\$0.00
08/02/2025	105	Schwab, Ryan M.	WAT - Plant Salaries	\$642.08	\$0.00
08/02/2025	306	Shellman, Dillon J.	SEW - Plant Salaries	\$752.00	\$28.20
08/02/2025	306	Shellman, Dillon J.	Salaries - MVH	\$376.00	\$14.10
08/02/2025	306	Shellman, Dillon J.	WAT - Plant Salaries	\$752.00	\$28.20
08/02/2025	208	Sprague, Martha	SEW - Plant Salaries	\$1176.40	\$0.00
08/02/2025	208	Sprague, Martha	WAT - Plant Salaries	\$1176.40	\$0.00
08/02/2025	209	Thews, Leslie M.	SEW - Plant Salaries	\$862.80	\$0.00

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Date: 08/07/2025 08:50:16 AM

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User ID: RYAN

Pay Period Ending	Employee Number	Employee Name	Distribution Name	All Paytypes Except Overtime	Overtime Only
08/02/2025	209	Thews, Leslie M.	WAT - Plant Salaries	\$862.80	\$0.00
08/02/2025	115	Walker, Hannah C.	GEN - Town Manager	\$525.00	\$0.00
08/02/2025	115	Walker, Hannah C.	SEW - Plant Salaries	\$1050.00	\$0.00
08/02/2025	115	Walker, Hannah C.	WAT - Plant Salaries	\$1050.00	\$0.00
08/02/2025	315	Worman, Thomas L.	SEW - Plant Salaries	\$740.30	\$67.72
08/02/2025	315	Worman, Thomas L.	Salaries - MVH	\$370.14	\$33.86
08/02/2025	315	Worman, Thomas L.	WAT - Plant Salaries	\$740.30	\$67.72
Location Subtotal : Blank				\$35144.12	\$2392.48
Total				\$35144.12	\$2392.48

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 IC5-11-10-1-6.

Date _____

Fiscal Officer

Allowance Of Accounts Payable Vouchers

Town Of Huntertown

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 2 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$37536.60

Dated this _____ day of _____

Signatures of Governing Board

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, WHICH AMENDS OR REPEALS AND REPLACES THE TEXT OF THE FOLLOWING SECTIONS: SECTION 154.100 (GENERAL PROVISIONS), SECTION 154.400 (ADDITIONAL GENERAL STANDARDS), AND SECTION 154.500 (ADMINISTRATION); AND

WHEREAS, the Town Council of the Town of Huntertown (the "Town"), 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 Allen County and City of Fort Wayne zoning ordinances; 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 titled ZORD-2025-0006 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 amendment on the 17th day of July 2025; and,

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

Amends or repeals and replaces the text of the following Sections: Section 154.100 (General Provisions), Section 154.400 (Additional General Standards), and Section 154.500 (Administration); and

WHEREAS the Allen County Plan Commission held a business meeting on the 24th day of July 2025, and took action on the submitted amendments; and,

WHEREAS the Allen County Plan Commission, pursuant to I.C. § 36-7-4-605(a)(2), by a vote of 7 -0, 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, State of Indiana, that the Town Council concurs with the Plan Commission's recommendation and hereby approves and adopts the replacement of 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) to the Huntertown Code of Ordinances, which is attached hereto. This ordinance shall have an effective date is September 1, 2025.

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

By: _____
Tina McDonald, Council Member

Attest:

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

FACT SHEET

Petition #ZORD-2025-0006 Project Start: June 2025

PROPOSAL: Petition ZORD-2025-0006, Amendments to Section 154 of the 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 154.100 (General Provisions)
 Section 154.400 (Additional General Standards)
 Section 154.500 (Administration)
AFFECTED AREA: Huntertown planning jurisdiction

17 July 2025 Public Hearing

- No one spoke in support, opposition, or with concerns.
- Paul Lagemann and Jennifer Bennett were absent.

24 July 2025 Business Meeting

Plan Commission Recommendation: Do Pass

- A motion was made by John Henry and seconded by Paul Lagemann to return the ordinance to the Town of Huntertown Town Council for their final decision.
- Emily Grabill was present for Mike Fruchey.
- Adam Day, Ron Turpin, and James Wolff were absent.
- **6-0 MOTION PASSED**

Fact Sheet Prepared by:
Karen Couture, Associate Land Use Planner
July 28, 2025

PROJECT SUMMARY

This set of Floodplain amendments is proposed to:

- 1) Realign duties between Allen County Departments for more efficient government procedures; and
- 2) Remove Floodplain Administrator duties from the Department of Planning Services (DPS) and convey the Floodplain Administrator duties to the Allen County Surveyor's Office (ACSO).

A summary of the proposed 2025 Floodplain amendments is attached; the proposed effective date is September 1, 2025.

PUBLIC HEARING SUMMARY:

Presenter: Ben Roussel, Executive Director, 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 or repeals and replaces the text of the following Sections: Section 154.100 (General Provisions), Section 154.400 (Additional General Standards), and Section 154.500 (Administration); and

WHEREAS, the Allen County Plan Commission prepared proposal ZORD-2025-0006 so that it was consistent with Ind. Code § 36-7-4-601; and

WHEREAS, pursuant to Ind. Code § 36-7-4-604 the Allen County Plan Commission provided for publication of a public hearing on the proposal in *The Journal Gazette*, and conducted a public hearing on the proposal on July 17, 2025; and

WHEREAS, the Allen County Plan Commission held a business meeting on July 24, 2025 to consider and take action on the proposal; and

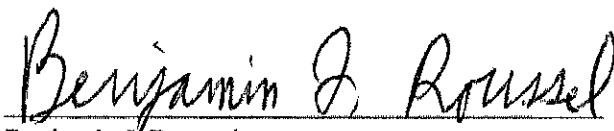
WHEREAS, pursuant to Ind. Code § 36-7-4-605, the Allen County Plan Commission is hereby certifying its recommendation to the Town of Huntertown Town Council concerning the proposal to amend the Huntertown Zoning Ordinance, which amends or repeals and replaces the text of the following Sections: Section 154.100 (General Provisions), Section 154.400 (Additional General Standards), and Section 154.500 (Administration).

NOW, THEREFORE, BE IT RESOLVED by the Allen County Plan Commission, 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 upon approval 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 24th day of July, 2025.


Benjamin J. Roussel
Executive Director
Secretary to the Commission


date of signature

ALLEN COUNTY PLAN COMMISSION

Findings of Fact • July 2025

PROPOSAL: Petition ZORD-2025-0006, Amendments to Section 154 of the
Huntertown Code

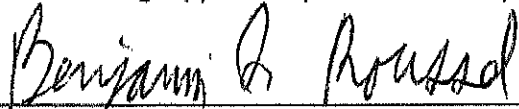
APPLICANT: Allen County Plan Commission

REQUEST: To adopt an amendment to the Huntertown Zoning Ordinance, which
amends or repeals and replaces the text of the following Sections:
Section 154.100 (General Provisions)
Section 154.400 (Additional General Standards)
Section 154.500 (Administration)

AFFECTED AREA: Huntertown planning jurisdiction

The Plan Commission recommends that Rezoning Petition ZORD-2025-0006 be returned to the Town Board of Huntertown with a "Do Pass" recommendation.

These findings approved by the Allen County Plan Commission on July 24, 2025.



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Executive Director
Secretary to the Commission

DRAFT Grabill, Huntertown, Monroeville, and Woodburn Zoning Ordinance

Floodplain Amendments Summary

This set of Floodplain amendments is proposed to:

- 1) Realign duties between Allen County Departments for more efficient government procedures; and
- 2) Remove Floodplain Administrator duties from the Department of Planning Services (DPS) and convey the Floodplain Administrator duties to the Allen County Surveyor's Office (ACSO).

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

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
TOC 1	Table of Contents GR HT MV WB (3)	Remove Floodplain Administrator duties from the Department of Planning Services (DPS) and convey the Floodplain Administrator duties to the Allen County Surveyor's Office (ACSO).	Replaced "Floodplain" with "Reserved"
OD 1	Overlay Districts GR HT MV WB (6)	§154.113 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Removed "Overlay district shall include the Floodplain regulations"
AGS 1	Additional General Standards HT (167) GR, MV, WB (169)	§154.401 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Removed "and floodplain management"
DDS 1	Development Design Standards HT (178) GR, MV, WB (180)	§154.404 (H) Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Removed reference to existing location of floodplain management regulations and added "and managed by the Allen County Surveyor's Office"
DDS 2	Development Design Standards HT (185) MV, WB (187) GR (188)	§154.404 (W) (7) Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Removed "including but not limited to the provisions of §154.412 (Floodplain)"
FP 1	Floodplain HT (227-253) GR (229-258) MV (229-260) WB (230-262)	§154.412 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Replaced entire Floodplain section with "Reserved"
PRO 1	Procedures HT (275) GR (277) MV (281) WB (286)	§154.503 (D) Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Removed "Flood control improvement project/non-permitted fill; private" from the Special Uses table

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
DEF 1	Definitions HT (297-370) GR (299-371) MV (303-372) WB (309-382)	§154.506 Remove Floodplain Administrator duties from the Department of Planning Services (DPS) and convey the Floodplain Administrator duties to the Allen County Surveyor's Office (ACSO).	Removed all referenced floodplain definition terms.
DEF 2	Definitions HT (298) GR (300) MV (304) WB (310)	§154.506 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Removed "For the purposes of the floodplain regulations, adjacent shall mean "adjoining"" from the definition of adjacent.
DEF 3	Definitions HT (312) GR (313) MV (317) WB (324)	§154.506 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Removed "management" from the definition of Common Area.
DEF 4	Definitions HT (323) GR (324) MV (327) WB (335)	§154.506 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Replaced "– §154.412 (B), Definitions" with "Management" in the definition of Flood.
DEF 5	Definitions HT (323) GR (325) MV (328) WB (335)	§154.506 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Replaced "– §154.412 (B), Definitions" with "Management" in the definition of Floodplain.
DEF 6	Definitions HT (323) GR (325) MV (328) WB (335)	§154.506 Remove Floodplain Administrator duties from DPS and convey these duties to ACSO.	Added "Floodplain management regulations are managed by the Allen County Surveyor's Office" as the definition of Floodplain Management Regulations.

ORDINANCE NO. _____
CONCERNING THE FLOOD HAZARDS WITHIN
THE TOWN OF HUNTERTOWN

WHEREAS, Allen County Ordinance No. 05-02-25-05 (Allen County Code Title 21) has been adopted concerning building and improvements in flood hazard areas; and

WHEREAS, jurisdictions desiring to participate in the National Flood Insurance Program are required to be covered by an ordinance such as Allen County Ordinance No. 05-02-25-05 (Allen County Code Title 21) and

WHEREAS, it is desirable that real estate located within the jurisdiction of the Town of Huntertown be eligible for insurance available pursuant to the National Flood Insurance Program.

NOW THEREFORE, BE IT ORDERED that the Town of Huntertown does hereby indicate its intention to maintain participation in the National Flood Insurance Program.

BE IT FURTHER ORDAINED that the Town of Huntertown does hereby adopt by reference the provisions of Allen County Ordinance No. 05-02-25-05 (Allen County Code Title 21).

BE IT FURTHER ORDAINED that the or appropriate agency of Huntertown, Indiana maintain a copy of this ordinance, together with Allen County Ordinance No. 05-02-25-05 (Allen County Code Title 21) in the manner town ordinances are kept and available for public inspection.

ORDAINED 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

By: _____
Tina McDonald, Council Member

Attest:

Ryan Schwab, Clerk-Treasurer

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.: 010

EWA: N or Force Acct: N

Date Generated: 00/00/0000

Date Approved: 00/00/0000

Reason Code: ERRORS & OMISSIONS, Item Related

Description: Over Under

Original Contract Amount

\$ 4,171,738.27

Current Change Order Amount

\$ 0.00

Percent: 0.000 %

Total Previous Approved Changes

\$ 287,513.56

Percent: 6.892 %

Total Change To-Date

\$ 287,513.56

Percent: 6.892 %

Modified Contract Amount

\$ 4,459,251.83

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 Concurs 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: R -41664
Project: 1801748 - 1801749 - State:180174900LC2
Change Order Nbr: 010
Change Order Description: Over Under
Reason Code: ERRORS & OMISSIONS, Item Related

CLN	PCN	PLN	Item Code	Unit	Unit Price	CO Qty	Comment	Amount Change
0002	1801749	0002	107-09358	EACH	1,076.190	1.000	C	Amount:\$ 1,076.19
Item Description: INSPECTION HOLE, DEEPER THAN 3 FT								
Supplemental Description1:								
Supplemental Description2:								
0006	1801749	0006	109-08440	DOL	1.000	11835.800	C	Amount:\$ 11,835.80
Item Description: QUALITY ADJUSTMENTS, HMA								
Supplemental Description1:								
Supplemental Description2:								
0016	1801749	0015	202-91385	EACH	876.920	4.000	C	Amount:\$ 3,507.68
Item Description: INLET, REMOVE								
Supplemental Description1:								
Supplemental Description2:								
0018	1801749	0017	202-96133	LFT	45.430	436.500	C	Amount:\$ 19,830.19
Item Description: PIPE, REMOVE								
Supplemental Description1:								
Supplemental Description2:								
0019	1801749	0018	203-02000	CYS	40.590	1503.080	C	Amount:\$ 61,010.01
Item Description: EXCAVATION, COMMON								
Supplemental Description1:								
Supplemental Description2:								
0020	1801749	0019	203-02070	CYS	22.000	-119.110	C	Amount:\$ -2,620.42
Item Description: BORROW								
Supplemental Description1:								
Supplemental Description2:								
0021	1801749	0020	205-12108	DOL	1.000	-20693.000	C	Amount:\$ -20,693.00
Item Description: STORMWATER MANAGEMENT BUDGET								
Supplemental Description1:								
Supplemental Description2:								
0024	1801749	0023	207-08264	SYS	10.950	470.740	C	Amount:\$ 5,154.60
Item Description: SUBGRADE TREATMENT, TYPE II								
Supplemental Description1:								
Supplemental Description2:								
0025	1801749	0024	207-08266	SYS	6.500	212.340	C	Amount:\$ 1,380.21
Item Description: SUBGRADE TREATMENT, TYPE III								
Supplemental Description1:								
Supplemental Description2:								
0026	1801749	0025	207-12636	SYS	16.310	-10332.780	C	Amount:\$ -168,527.64
Item Description: SUBGRADE TREATMENT, TYPE IBL								
Supplemental Description1:								

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Supplemental Description2:

0027	1801749	0028	211-09264	CYS	47.640	25.100	C	Amount:\$	1,195.76
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Item Description: STRUCTURE BACKFILL, TYPE 1

Supplemental Description1:

Supplemental Description2:

0028	1801749	0129	211-09264	CYS	45.640	-366.400	C	Amount:\$	-16,722.49
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Item Description: STRUCTURE BACKFILL, TYPE 1

Supplemental Description1: , WATER

Supplemental Description2:

0029	1801749	0027	213-09269	CYS	540.590	-10.000	C	Amount:\$	-5,405.90
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Item Description: FLOWABLE BACKFILL, NON-REMOVABLE

Supplemental Description1:

Supplemental Description2:

0030	1801749	0028	214-11796	SYS	6.730	-1.520	C	Amount:\$	-10.22
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Item Description: GEOGRID, TYPE IB

Supplemental Description1:

Supplemental Description2:

0031	1801749	0029	301-12234	CYS	45.640	3518.140	C	Amount:\$	160,567.90
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Item Description: COMPACTED AGGREGATE NO. 53

Supplemental Description1:

Supplemental Description2:

0033	1801749	0031	302-12387	CYS	50.810	-161.250	C	Amount:\$	-8,193.11
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Item Description: AGGREGATE DRAINAGE LAYER

Supplemental Description1: , NO. 1 STONE CHOKED WITH 10F

Supplemental Description2:

0035	1801749	0032	306-08034	SYS	3.150	1.440	C	Amount:\$	4.53
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Item Description: MILLING, ASPHALT, 1 1/2 IN.

Supplemental Description1:

Supplemental Description2:

0036	1801749	0033	401-07321	TON	95.000	377.580	C	Amount:\$	35,870.10
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Item Description: QC/QA-HMA, 2, 64, SURFACE, 9.5 mm

Supplemental Description1:

Supplemental Description2:

0037	1801749	0034	401-07390	TON	85.000	-162.650	C	Amount:\$	-13,825.25
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Item Description: QC/QA-HMA, 2, 64, INTERMEDIATE, 19.0 mm

Supplemental Description1:

Supplemental Description2:

0038	1801749	0035	401-10258	LFT	0.150	-4110.000	C	Amount:\$	-616.50
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Item Description: JOINT ADHESIVE, SURFACE

Supplemental Description1:

Supplemental Description2:

0039	1801749	0036	401-10259	LFT	0.200	-4075.000	C	Amount:\$	-815.00
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Item Description: JOINT ADHESIVE, INTERMEDIATE

Supplemental Description1:

Supplemental Description2:

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0040	1801749	0037	401-11785	LFT	0.100	-7325.000	C	Amount:\$	-732.50
Item Description: LIQUID ASPHALT SEALANT									
Supplemental Description1:									
Supplemental Description2:									
0041	1801749	0038	406-05520	TON	550.000	-4.520	C	Amount:\$	-2,486.00
Item Description: ASPHALT FOR TACK COAT									
Supplemental Description1:									
Supplemental Description2:									
0042	1801749	0039	604-05528	TON	155.000	86.760	C	Amount:\$	13,447.80
Item Description: HMA FOR SIDEWALK									
Supplemental Description1:									
Supplemental Description2:									
0043	1801749	0040	604-06070	SYS	50.000	-169.400	C	Amount:\$	-8,470.00
Item Description: SIDEWALK, CONCRETE									
Supplemental Description1:									
Supplemental Description2:									
0044	1801749	0041	604-08086	SYS	250.000	-39.530	C	Amount:\$	-9,882.50
Item Description: CURB RAMP, CONCRETE									
Supplemental Description1:									
Supplemental Description2:									
0045	1801749	0042	604-12083	SYS	150.000	-34.720	C	Amount:\$	-5,208.00
Item Description: DETECTABLE WARNING SURFACES									
Supplemental Description1:									
Supplemental Description2:									
0046	1801749	0043	605-06125	LFT	65.000	6.500	C	Amount:\$	422.50
Item Description: CURB, CONCRETE, MODIFIED									
Supplemental Description1:									
Supplemental Description2:									
0047	1801749	0044	605-06140	LFT	30.000	405.500	C	Amount:\$	12,165.00
Item Description: CURB AND GUTTER, CONCRETE									
Supplemental Description1:									
Supplemental Description2:									
0048	1801749	0045	605-06250	SYS	175.000	-0.450	C	Amount:\$	-78.75
Item Description: CENTER CURB, C CONCRETE									
Supplemental Description1:									
Supplemental Description2:									
0049	1801749	0046	610-07487	TON	140.000	80.650	C	Amount:\$	11,291.00
Item Description: HMA FOR APPROACHES, TYPE B									
Supplemental Description1:									
Supplemental Description2:									
0050	1801749	0047	610-08446	SYS	82.000	-177.090	C	Amount:\$	-14,521.38
Item Description: PCCP FOR APPROACHES, 6 IN.									
Supplemental Description1:									
Supplemental Description2:									
0052	1801749	0049	611-06498	EACH	335.000	1.000	C	Amount:\$	335.00

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Item Description: MAILBOX ASSEMBLY, DOUBLE

Supplemental Description1:

Supplemental Description2:

0055	1801749	0050	616-06405	TON	52.450	-137.000	C	Amount:\$	-7,185.65
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Item Description: RIPRAP, REVETMENT

Supplemental Description1:

Supplemental Description2:

0056	1801749	0051	616-12249	SYS	10.460	-220.000	C	Amount:\$	-2,301.20
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Item Description: GEOTEXTILE FOR RIPRAP TYPE 2B

Supplemental Description1:

Supplemental Description2:

0058	1801749	0053	621-06560	SYS	0.820	3495.180	C	Amount:\$	2,866.04
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Item Description: MULCHED SEEDING U

Supplemental Description1:

Supplemental Description2:

0059	1801749	0054	621-06567	KGAL	5.000	-43.000	C	Amount:\$	-215.00
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Item Description: WATER

Supplemental Description1:

Supplemental Description2:

0060	1801749	0055	621-06575	SYS	4.860	-363.750	C	Amount:\$	-1,767.82
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Item Description: SODDING, NURSERY

Supplemental Description1:

Supplemental Description2:

0062	1801749	0130	715-02745	EACH	6,754.000	-2.000	C	Amount:\$	-13,508.00
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Item Description: GATE VALVE WITH VALVE BOX 8 IN.

Supplemental Description1:

Supplemental Description2:

0063	1801749	0131	715-02874	EACH	2,220.000	2.000	C	Amount:\$	4,440.00
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Item Description: CURB STOP AND BOX

Supplemental Description1:

Supplemental Description2:

0068	1801749	0132	715-04965	LFT	144.390	156.000	C	Amount:\$	22,524.84
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Item Description: WATER SERVICE LINE

Supplemental Description1:

Supplemental Description2:

0069	1801749	0061	715-05048	LFT	57.290	100.000	C	Amount:\$	5,729.00
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Item Description: PIPE, TYPE 4, CIRCULAR, 6 IN.

Supplemental Description1:

Supplemental Description2:

0070	1801749	0062	715-05149	LFT	81.340	-111.700	C	Amount:\$	-9,085.67
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Item Description: PIPE, TYPE 2, CIRCULAR, 12 IN.

Supplemental Description1:

Supplemental Description2:

0071	1801749	0063	715-05151	LFT	84.990	43.500	C	Amount:\$	3,697.06
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Item Description: PIPE, TYPE 2, CIRCULAR, 15 IN.

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Supplemental Description1:

Supplemental Description2:

0072	1801749	0064	715-05152	LFT	120.760	7.500	C	Amount:\$	905.70
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Item Description: PIPE, TYPE 2, CIRCULAR, 18 IN.

Supplemental Description1:

Supplemental Description2:

0073	1801749	0065	715-05154	LFT	127.260	-9.000	C	Amount:\$	-1,145.34
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Item Description: PIPE, TYPE 2, CIRCULAR, 24 IN.

Supplemental Description1:

Supplemental Description2:

0075	1801749	0134	715-93913	LFT	83.680	18.000	C	Amount:\$	1,506.24
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Item Description: WATER MAIN, 8 IN.

Supplemental Description1:

Supplemental Description2:

0078	1801749	0068	720-12797	EACH	1,000.000	-2.000	C	Amount:\$	-2,000.00
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Item Description: CASTING, INLET, ADJUST TO GRADE

Supplemental Description1:

Supplemental Description2:

0079	1801749	0069	720-45030	EACH	2,992.000	-1.000	C	Amount:\$	-2,992.00
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Item Description: INLET, E7

Supplemental Description1:

Supplemental Description2:

0081	1801749	0137	720-45035	EACH	2,992.000	-1.000	C	Amount:\$	-2,992.00
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Item Description: INLET, F7

Supplemental Description1:

Supplemental Description2:

0084	1801749	0072	720-94208	EACH	3,960.000	-1.000	C	Amount:\$	-3,960.00
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Item Description: MANHOLE, C10

Supplemental Description1:

Supplemental Description2:

0085	1801749	0135	720-95422	EACH	8,850.000	-1.000	C	Amount:\$	-8,850.00
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Item Description: MANHOLE, J4

Supplemental Description1: , AIR RELEASE STRUCTURE

Supplemental Description2:

0087	1801749	0073	720-98555	EACH	3,652.000	1.000	C	Amount:\$	3,652.00
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Item Description: INLET, C15

Supplemental Description1:

Supplemental Description2:

0089	1801749	0075	801-06207	LFT	1.350	-8538.000	C	Amount:\$	-11,526.30
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Item Description: TEMPORARY PAVEMENT MARKING, REMOVABLE, 4 IN.

Supplemental Description1:

Supplemental Description2:

0090	1801749	0076	801-06625	EACH	169.000	6.000	C	Amount:\$	1,014.00
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Item Description: DETOUR ROUTE MARKER ASSEMBLY

Supplemental Description1:

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Supplemental Description2:

0091	1801749	0077	801-06640	EACH	242.000	-19.000	C	Amount:\$	-4,598.00
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Item Description: CONSTRUCTION SIGN, A

Supplemental Description1:

Supplemental Description2:

0092	1801749	0078	801-06645	EACH	118.000	-8.000	C	Amount:\$	-944.00
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Item Description: CONSTRUCTION SIGN, B

Supplemental Description1:

Supplemental Description2:

0094	1801749	0080	801-07119	LFT	18.320	6.000	C	Amount:\$	109.92
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Item Description: BARRICADE, III-B

Supplemental Description1:

Supplemental Description2:

0095	1801749	0081	801-94295	EACH	1,000.000	1.000	C	Amount:\$	1,000.00
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Item Description: SIGNAL HEAD RELOCATE

Supplemental Description1:

Supplemental Description2:

0096	1801749	0082	802-03126	EACH	125.000	4.000	C	Amount:\$	500.00
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Item Description: SIGN OVERHEAD RELOCATE

Supplemental Description1:

Supplemental Description2:

0097	1801749	0083	802-04089	EACH	50.000	-5.000	C	Amount:\$	-250.00
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Item Description: SIGN, SHEET, REMOVE

Supplemental Description1:

Supplemental Description2:

0098	1801749	0084	802-05701	LFT	18.000	-32.000	C	Amount:\$	-576.00
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Item Description: SIGN POST, SQUARE, TYPE 1, REINFORCED ANCHOR BASE

Supplemental Description1:

Supplemental Description2:

0099	1801749	0085	802-07060	EACH	75.000	-4.000	C	Amount:\$	-300.00
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Item Description: SIGN, SHEET, RELOCATE

Supplemental Description1:

Supplemental Description2:

0105	1801749	0091	805-01843	EACH	750.000	-2.000	C	Amount:\$	-1,500.00
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Item Description: HANDHOLE, SIGNAL, ADJUST TO GRADE

Supplemental Description1:

Supplemental Description2:

0119	1801749	0105	805-78470	LFT	0.600	1208.480	C	Amount:\$	725.08
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Item Description: SIGNAL CABLE, ROADWAY LOOP, COPPER, 1C/14 GAUGE

Supplemental Description1:

Supplemental Description2:

0120	1801749	0106	805-78480	LFT	2.500	309.000	C	Amount:\$	772.50
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Item Description: SIGNAL CABLE, CONTROL, COPPER, 3C/14 GAUGE

Supplemental Description1:

Supplemental Description2:

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0121	1801749	0107	805-78485	LFT	3.750	490.000	C	Amount:\$	1,837.50
Item Description: SIGNAL CABLE, CONTROL, COPPER, 5C/14 GAUGE									
Supplemental Description1:									
Supplemental Description2:									
0122	1801749	0108	805-78480	LFT	4.000	-80.000	C	Amount:\$	-320.00
Item Description: SIGNAL CABLE, CONTROL, COPPER, 7C/14 GAUGE									
Supplemental Description1:									
Supplemental Description2:									
0123	1801749	0109	805-78485	LFT	5.000	-31.000	C	Amount:\$	-155.00
Item Description: SIGNAL CABLE, CONTROL, COPPER, 9C/14 GAUGE									
Supplemental Description1:									
Supplemental Description2:									
0126	1801749	0112	805-78795	LFT	10.000	147.900	C	Amount:\$	1,479.00
Item Description: SAW CUT FOR ROADWAY LOOP DETECTOR AND SEALANT									
Supplemental Description1:									
Supplemental Description2:									
0129	1801749	0115	808-03439	LFT	15.000	46.000	C	Amount:\$	690.00
Item Description: TRANSVERSE MARKING, THERMOPLASTIC, CROSSWALK LINE, WHITE, 24									
Supplemental Description1:									
Supplemental Description2:									
0130	1801749	0116	808-06703	LFT	1.000	-265.000	C	Amount:\$	-265.00
Item Description: LINE, THERMOPLASTIC, SOLID, WHITE, 4 IN.									
Supplemental Description1:									
Supplemental Description2:									
0131	1801749	0117	808-06705	LFT	2.000	674.000	C	Amount:\$	1,348.00
Item Description: LINE, THERMOPLASTIC, SOLID, WHITE, 8 IN.									
Supplemental Description1:									
Supplemental Description2:									
0134	1801749	0120	808-11493	LFT	1.000	-50.000	C	Amount:\$	-50.00
Item Description: LINE, THERMOPLASTIC, DOTTED, YELLOW, 4 IN.									
Supplemental Description1:									
Supplemental Description2:									
0135	1801749	0121	808-12032	LFT	0.850	-4519.000	C	Amount:\$	-3,841.15
Item Description: GROOVING FOR PAVEMENT MARKINGS									
Supplemental Description1:									
Supplemental Description2:									
0136	1801749	0122	808-75215	LFT	8.000	209.700	C	Amount:\$	1,677.60
Item Description: LINE, THERMOPLASTIC, SOLID, WHITE, 12 IN.									
Supplemental Description1:									
Supplemental Description2:									
0137	1801749	0123	808-75240	LFT	1.000	33.000	C	Amount:\$	33.00
Item Description: LINE, THERMOPLASTIC, BROKEN, YELLOW, 4 IN.									
Supplemental Description1:									
Supplemental Description2:									
0138	1801749	0124	808-75245	LFT	1.000	-385.500	C	Amount:\$	-385.50

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Item Description: LINE, THERMOPLASTIC, SOLID, YELLOW, 4 IN.

Supplemental Description1:

Supplemental Description2:

0139	1801749	0125	808-75297	LFT	15.000	-11.900	C	Amount:\$	-178.50
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Item Description: TRANSVERSE MARKING, THERMOPLASTIC, STOP LINE, WHITE, 24 IN.

Supplemental Description1:

Supplemental Description2:

0141	1801749	0127	808-92027	LFT	2.000	-452.600	C	Amount:\$	-905.20
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Item Description: LINE, THERMOPLASTIC, SOLID, YELLOW, 8 IN.

Supplemental Description1:

Supplemental Description2:

0142	1801749	0128	808-96016	LFT	8.000	-468.200	C	Amount:\$	-3,745.60
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Item Description: LINE, THERMOPLASTIC, SOLID, YELLOW, 12 IN.

Supplemental Description1:

Supplemental Description2:

0146	1801749	0146	207-12635	SYS	21.240	-1536.130	C	Amount:\$	-32,627.40
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Item Description: SUBGRADE TREATMENT TYPE IBC

Supplemental Description1: Subgrade Treatment IBC

Supplemental Description2:

0147	1801748	0148	207-12636	SYS	-16.310	-315.000	C	Amount:\$	5,137.65
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Item Description: SUBGRADE TREATMENT TYPE IBL

Supplemental Description1: Subgrade Treament IBL

Supplemental Description2:

0148	1801749	0148	207-12636	SYS	-16.310	-10545.000	C	Amount:\$	171,988.95
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Item Description: SUBGRADE TREATMENT TYPE IBL

Supplemental Description1: Subgrade treatment IBL

Supplemental Description2:

Total Value for Change Order 010 = \$ 175,749.38

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

This change order is the over under for 1801749 project and a correction to change order 5 item 146

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
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APPROVED FOR LOCAL PUBLIC AGENCY

(SIGNATURE)

(TITLE)

(DATE)

(SIGNATURE)

(TITLE)

(DATE)

SUBMITTED FOR CONSIDERATION

PE/S _____

APPROVED FOR INDIANA DEPARTMENT OF TRANSPORTATION

Approval Level

Name of Approver

Date

Status

SUBMITTED TO:

Town of Huntertown

Ms Hannah Walker
Town Manager
15617 Lima Road
Huntertown, IN 46748



REGARDING:

**Huntertown CCMG 2025-2: Apollo Drive Street Improvements
Professional Engineering Services**

August 18, 2025

OVERVIEW:

Engineering Resources, Inc. is pleased to submit this proposal for engineering services to reconstruct Apollo Drive. These improvements will be designed and submitted for consideration under the CCMG 2025-2 call for projects, with construction planned for 2026. The total estimated construction cost is \$1.1 million. We remain ready to engage in these services should the council find our proposal acceptable.

We thank you for the opportunity to submit this proposal and look forward to meeting with you in person to further discuss our approach to your project. Should the Council find our proposal favorable, please sign and return one executed copy to our office. Also, please do not hesitate to call with any questions that you may have.

Sincerely,

Derek Frederickson, P.E.
Principal in Charge of Municipal Services
derek@eri.consulting

SHORT FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES

This is an Agreement between **Town of Huntertown** (Owner) and **Engineering Resources, Inc.** (Engineer). Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as **Huntertown CCMG 2025-2 Street Improvements** (Project). Engineer's services under this Agreement (Services) are generally identified as: **See "Scope of Engineering Services", Attachment A.**

Owner and Engineer further agree as follows:

1.01 Services of Engineer

- A. Engineer shall provide or furnish the Services set forth in this Agreement, and any Additional Services authorized by Owner and consented to by Engineer.

2.01 Owner's Responsibilities

- A. Owner shall provide Engineer with existing Project-related information and data in Owner's possession and needed by Engineer for performance of Engineer's Services. Owner will advise the Engineer of Project-related information and data known to Owner but not in Owner's possession. Engineer may use and rely upon Owner-furnished information and data in performing its Services, subject to any express limitations applicable to the furnished items.
 - 1. Following Engineer's assessment of initially-available Project information and data, and upon Engineer's request, Owner shall obtain, furnish, or otherwise make available (if necessary through retention of specialists or consultants) such additional Project-related information and data as is reasonably required to enable Engineer to complete its Services; or, with consent of Engineer, Owner may authorize the Engineer to obtain or provide all or part of such additional information and data as Additional Services.
- B. Owner shall provide necessary direction and make decisions, including prompt review of Engineer's submittals, and carry out its other responsibilities in a timely manner so as not to delay Engineer's performance. Owner shall give prompt notice to Engineer whenever Owner observes or otherwise becomes aware of (1) any relevant, material defect or nonconformance in Engineer's Services, or (2) any development that affects the scope or time of performance of Engineer's Services.

3.01 Schedule for Rendering Services

- A. Engineer shall complete its Services within the following specific time period: **as identified in "Scope of Engineering Services", Attachment A.** If no specific time period is indicated, Engineer shall complete its Services within a reasonable period of time.
- B. If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer's Services is impaired, or Engineer's Services are delayed or suspended, then the time for completion of Engineer's Services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.

4.01 Invoices and Payments

- A. Invoices: Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt.
- B. Payment: As compensation for Engineer providing or furnishing Services and Additional Services, Owner shall pay Engineer as set forth in this Paragraph 4.01, Invoices and Payments. If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Engineer in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.
- C. Failure to Pay: If Owner fails to make any payment due Engineer for Services, Additional Services, and expenses within 30 days after receipt of Engineer's invoice, then ~~(1) the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day; (2) in addition~~ Engineer may, after giving 7 days' written notice to Owner, suspend Services under this Agreement until Engineer has been paid in full all amounts due for Services, Additional Services, expenses, and other related charges, and in such case Owner waives any and all claims against Engineer for any such suspension; and ~~(3) if any payment due Engineer remains unpaid after 90 days,~~ Engineer may terminate the Agreement for cause pursuant to Paragraph 5.01.A.2.
- D. Reimbursable Expenses: Engineer is entitled to reimbursement of expenses only if so indicated in Paragraph 4.01.E or 4.01.F. If so entitled, and unless expressly specified otherwise, the amounts payable to Engineer for reimbursement of expenses will be the Project-related internal expenses actually incurred or allocated by Engineer, plus all invoiced external expenses allocable to the Project, including Engineer's subcontractor and subconsultant charges, with the external expenses multiplied by a factor of **1.10**.
- E. Basis of Payment
 - 1. Lump Sum. Owner shall pay Engineer for Services as follows:
 - a. A Lump Sum amount as stated in **"Scope of Engineering Services", Attachment A.**
 - b. In addition to the Lump Sum amount, reimbursement of the following expenses: **reimbursable expenses as stated in "Scope of Engineering Services", Attachment A.**
 - c. The portion of the compensation amount billed monthly for Engineer's Services will be based upon Engineer's estimate of the percentage of the total Services actually completed during the billing period.
- F. Additional Services: For Additional Services, Owner shall pay Engineer an amount equal to the cumulative hours charged in providing the Additional Services by Engineer's employees, times standard hourly rates for each applicable billing class; plus reimbursement of expenses incurred in connection with providing the Additional Services. Engineer's standard hourly rates are attached as **Attachment B.**

5.01 Termination

- A. Termination for Cause

1. Either party may terminate the Agreement for cause upon 30 days' written notice in the event of substantial failure by the other party to perform in accordance with the terms of the Agreement, through no fault of the terminating party.
 - a. Notwithstanding the foregoing, this Agreement will not terminate under Paragraph 5.01.A.1 if the party receiving such notice begins, within 7 days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt thereof; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30-day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein will extend up to, but in no case more than, 60 days after the date of receipt of the notice.
 2. In addition to its termination rights in Paragraph 5.01.A.1, Engineer may terminate this Agreement for cause upon 7 days' written notice (a) if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional, (b) if Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's control, (c) if payment due Engineer remains unpaid for 90 days, as set forth in Paragraph 4.01.C, or (d) as the result of the presence at the Site of undisclosed Constituents of Concern as set forth in Paragraph 6.01.I.
 3. Engineer will have no liability to Owner on account of any termination by Engineer for cause.
- B. Termination for Convenience: Owner may terminate this Agreement for convenience, effective upon Engineer's receipt of notice from Owner.
- C. Payments Upon Termination: In the event of any termination under Paragraph 5.01, Engineer will be entitled to invoice Owner and to receive full payment for all services performed or furnished in accordance with this Agreement, and to reimbursement of expenses incurred through the effective date of termination. Upon making such payment, Owner will have the limited right to the use of all deliverable documents, whether completed or under preparation, subject to the provisions of Paragraph 6.01.F, at Owner's sole risk.
1. If Owner has terminated the Agreement for cause and disputes Engineer's entitlement to compensation for services and reimbursement of expenses, then Engineer's entitlement to payment and Owner's rights to the use of the deliverable documents will be resolved in accordance with the dispute resolution provisions of this Agreement or as otherwise agreed in writing.
 2. If Owner has terminated the Agreement for convenience, or if Engineer has terminated the Agreement for cause, then Engineer will be entitled, in addition to the payments identified above, to invoice Owner and receive payment of a reasonable amount for services and expenses directly attributable to termination, both before and after the effective date of termination, such as reassignment of personnel, costs of terminating contracts with Engineer's subcontractors or subconsultants, and other related close-out costs, using methods and rates for Additional Services as set forth in Paragraph 4.01.F.

6.01 General Considerations

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Engineer. Subject to the foregoing standard of care, Engineer may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.
- B. Engineer shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor will Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to that Constructor's furnishing and performing of its work. Engineer shall not be responsible for the acts or omissions of any Constructor.
- C. Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform its work.
- D. Engineer's opinions of probable construction cost (if any) are to be made on the basis of Engineer's experience, qualifications, and general familiarity with the construction industry. However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by Engineer. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.
- E. Engineer shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents, other than those made by Engineer.
- F. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Engineer grants to Owner a limited license to use the deliverable documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment due and owing for all Services and Additional Services relating to preparation of the deliverable documents, and subject to the following limitations:
 - 1. Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer;
 - 2. any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific

purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and subconsultants;

3. Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and subconsultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and
 4. such limited license to Owner shall not create any rights in third parties.
- G. Owner and Engineer agree to transmit, and accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. Waiver of Damages; Limitation of Liability: To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's officers, directors, members, partners, agents, employees, subconsultants, and insurers, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project, from any cause or causes, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$100,000 or the total amount of compensation received by Engineer, whichever is greater.
- I. The parties acknowledge that Engineer's Services do not include any services related to unknown or undisclosed Constituents of Concern. If Engineer or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then Engineer may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
- J. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute will be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.
- K. This Agreement is to be governed by the laws of the state in which the Project is located.
- L. Engineer's Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.

7.01 Definitions

- A. Constructor—Any person or entity (not including the Engineer, its employees, agents, representatives, subcontractors, and subconsultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.
- B. Constituent of Concern—Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), lead based paint (as defined by the HUD/EPA standard), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to laws and regulations regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.

8.01 Successors, Assigns, and Beneficiaries

A. Successors and Assigns

- 1. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 8.01.A.2 the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- 2. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, money that is due or may become due) in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

- B. Beneficiaries: Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

9.01 Total Agreement

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

Attachments: "Scope of Engineering Services", Attachment A; "2025 Fee Schedule", Attachment B.

This Agreement's Effective Date is _____.

Owner:

Town of Huntertown, Indiana

(name of organization)

By: _____

(authorized individual's signature)

Date: _____

(date signed)

Name: _____

(typed or printed)

Title: _____

(typed or printed)

Address for giving notices:

Designated Representative:

Name: Hannah Walker

(typed or printed)

Title: Town Manager

(typed or printed)

Address:

P.O. Box 188

15617 Lima Rd.

Huntertown, IN 46748

Phone: 260-338-2707

Email: Hannah.walker@huntertown.in.gov

Engineer:

Engineering Resources, Inc.

(name of organization)

By: _____

(authorized individual's signature)

Date: 8/14/25

(date signed)

Name: Derek Frederickson, PE

(typed or printed)

Title: Vice President

(typed or printed)

Address for giving notices:

Engineering Resources, Inc.

4175 New Vision Drive

Fort Wayne, IN 46845

Designated Representative:

Name: Derek Frederickson, PE

(typed or printed)

Title: Vice President

(typed or printed)

Address:

Engineering Resources, Inc.

4175 New Vision Drive

Fort Wayne, IN 46845

Phone: 260-490-1025

Email: derek@eri.consulting

ATTACHMENT A

SCOPE OF ENGINEERING SERVICES AND WORK AUTHORIZATION

BASIC SERVICES

1. FIELD INVESTIGATION AND RECORD CONDITIONS:

- a. Engineering Resources will walk the roadway corridor and document existing conditions.
- b. Engineering Resources, with town assistance, will assess potential impacts to utilities for scope consideration
- c. A conceptual layout with an opinion of cost to meet the goals of the project will be provided to the Town for consideration and determination of the final scope.

2. PRELIMINARY DESIGN:

- a. Based upon Town review of the conceptual improvements, our office will prepare preliminary construction plans including recommendation of pavement and driveway removal and replacement limits as well as drainage improvements, quantity estimates, and as-drawn opinion of cost.
- b. A meeting will be scheduled to discuss the preliminary design and findings with the Town. The goal for this meeting will be to establish final application scope to support available funding and establish any bid alternatives to be implemented in the final design.

3. COMMUNITY CROSSING MATCHING GRANT APPLICATION ASSISTANCE:

- a. Assist the Town in preparing and submitting Community Crossing Matching Grant application.
- b. Task will include:
 - i. Reviewing application and scope for accordance with INDOT guidelines and requirements.
 - ii. Delineating between eligible and ineligible scope items.
 - iii. Preparing required documentation, including project exhibits, descriptions, and Engineer's opinion of probable cost.

4. FINAL DESIGN AND PERMITTING:

- a. Upon direction from the Town based on funding award, our office will prepare final construction documents, specifications, quantity estimates, and a final as-drawn opinion of cost.
- b. Permit Application to the Soil Water Conservation Service (SWCS): If the project disturbs more than one acre, we will submit plans and an application to the Soil Water Conservation Service for permitting.



5. BIDDING:

- a. Assist the Town to prepare the bid package and advertisement.
- b. Attendance at the Pre-Bid Conference.
- c. Answer contractor questions and issue addenda as related to the above referenced scope of work.
- d. Assist the Town to award the project to the successful low bidder.

6. CONTRACT ADMINISTRATION:

- a. Attend the pre-construction meeting.
- b. Review shop drawing submittals.
- c. Attendance at Construction Progress Meetings if requested by the Owner.
- d. Pay application Review.
- e. Preliminary punch list to document incomplete or non-compliant work.
- f. Final punch list to confirm that all outstanding items have been completed.

CLIENT-PROVIDED DELIVERABLES

The following items, if applicable, will be provided by the Owner to assist the Engineer in delivery of services, and not included with the Engineer's scope of work:

- a. Designated point of contact for Engineer,
- b. Record drawings,
- c. Access to the property,
- d. Municipal utility locating and potholing,
- e. Any other information that the Engineer should take into consideration in the design.

SERVICES NOT PROVIDED

Any services not listed above are currently excluded from our project scope. Examples of services not included in the proposed scope that would be considered Additional Services are as follows, but not limited to:

- a. Site lighting and electrical utility (assumed to not be required for this project).
- b. Electronic (AutoCad) file of site drawings and details (all construction documents will be provided in .tif or .pdf format for your use in reproduction).
- c. Environmental Permitting (assumed to not be required for this project).
- d. Underground utility testing (assumed to not be required for this project).
- e. Traffic study or signalized intersection modifications (assumed to not be required for this project).
- f. Domestic water and sanitary sewer reconstruction, beyond lateral service connections (assumed to not be required for this project).



- g. Permitting beyond what is defined in Section 4 above (assumed to not be required for this project).
- h. Landscaping and irrigation.
- i. Licensed Surveying Services (assumed not to be required for this project)
- j. Soil Borings and Pavement Cores (assumed not to be required for this project)

REIMBURSABLE SERVICES

The following services will be billed on a time and materials basis in addition to the basic agreement according to the attached fee schedule:

- a. Printing, copying, and distribution expenses. We will submit original drawings and specifications to Eastern Engineering or ARC Document Solutions for reproduction and forward the invoice to your office for processing.
- b. Permit application fees, if any.
- c. Easement descriptions. Legal description and exhibit for proposed easement locations, if required. Easement negotiations and language assumed to be provided by the Town.
- d. Record documents of the final construction. This requirement will be placed on the contractor as part of the contract requirements. Our office will incorporate the Contractor's record documents into the Town Base Mapping as part of the Basic Services.
- e. Construction observation, including troubleshooting constructability, re-design for unknown conditions, and coordinating with Contractor for non-compliant work (not included in basic services but available upon request).

SCHEDULE

We will commence the services described above upon execution of this proposal and will work with your office to produce final bidding documentation according to the Owner's schedule, pending reasonable transfer of information between all parties to accomplish the same goal. It is noted that as a condition of the CCMG grant award, the Town has 3 months from the time of award to design, bid, award, and sign contracts with the selected contractor.



FEE

We anticipate commencing work upon execution of this Agreement. Our office will produce one set of original documents for your use and distribution. The fee for these services will be on lump sum the amount described below:

BASIC SERVICES

Field Investigation and Record Conditions	\$ 2,500
Preliminary Design	\$ 32,600
CCMG Application	\$ 3,800
Final Design and Permitting	\$ 40,700
Bidding	\$ 4,700
<u>Contract Administration</u>	<u>\$ 8,100</u>
Total	\$ 92,400





2025 FEE SCHEDULE ATTACHMENT B

1. STANDARD BILLING RATES

Compensation to be made on a time basis shall be according to the number of hours expended on a project times the appropriate billing rate shown below. Descriptions for the billing categories listed below can be provided upon request:

a.	Senior Engineering / Project Management Services	\$184/hr.
b.	Project Engineering / Management Services	\$154/hr.
c.	Design Engineering Services	\$131/hr.
d.	Design / Document Preparation Services	\$113/hr.
e.	Standard AutoCAD Drafting Services	\$95/hr.
f.	Senior Construction Observation	\$107/hr.
g.	Construction Observation / Field Data Collection Services	\$93/hr.
h.	Intern AutoCAD Drafting / Construction Observation	\$78/hr.
i.	Clerical /Administration Services	\$81/hr.
j.	Forensic Engineering.....	\$250/hr.

2. REIMBURSABLE EXPENSES

a.	Automobile Transportation.....	Allowable IRS Rate/Mile
b.	Subconsultant Services.....	cost + 10%
c.	Other Reimbursable Expenses	cost + 10%



2025 FEE SCHEDULE
ATTACHMENT B

3. BILLING CATEGORY DESCRIPTIONS:

- a. **Senior Engineering / Project Management Services:** These services are provided by a senior member of the staff for: specialized design requirements, project reviews, coordination and administration. Depending on the degree of advanced engineering knowledge required for a project, the items described in the Project Engineering/Management Services shown below may be completed under this service item.
- b. **Project Engineering / Management Services:** These services are provided by the project manager or project engineer. Project tasks completed under this service item would include: site visits, project research, design calculations, plan development, coordination, project reviews, attending meetings and construction administration.
- c. **Design Engineering Services:** These services include: routine design calculations, document reviews and other standard tasks that are completed by a member of the staff other than the Project Engineer/Manager.
- d. **Design / Document Preparation Services:** These services include: Permit preparation and production of project documents and AutoCAD/Revit design and plan development beyond standard drafting procedures.
- e. **Standard AutoCAD Drafting Services:** These services include: basic AutoCAD drafting tasks necessary to develop plans and other required documents.
- f. **Senior Construction Observation:** These services are provided by a senior member of the staff for project oversight during construction to review, approve, observe, or document the actual construction for a project.
- g. **Construction Observation / Field Data Collection Services:** These services are the basic tasks during construction to review, approve, observe, or document the actual construction for a project. Services also includes any field data time that is completed within the design or construction timeline.
- h. **Intern AutoCAD Drafting / Construction Observation:** These services are provided by entry level staff that work under the direct supervision of the Construction Observer and assist them with the basic tasks during construction to review, approve, observe, or document the actual construction for a project. Services also includes any AutoCAD drafting time that is completed within the design or construction timeline.
- i. **Clerical /Administration Services:** These services are the basic tasks necessary to accomplish any project or other required documents that are completed by a member of the clerical staff. This includes word documentation, permits/form preparation, filing/submittal of documents, and other office duties.
- j. **Forensic Engineering:** Provided by a highly qualified senior member of the staff for specialized services. Involves the investigation of failures in facilities and infrastructure to interpret and determine the cause of the damage or failure that may lead to legal activity.

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HUNTERTOWN ORDINANCE NO. 2025-~~000~~

**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:	<p>To adopt an amendment to the Huntertown Zoning Ordinance, which amends or repeals and replaces the text of the following Sections:</p> <p>Section 152 (Comprehensive Plan)</p> <p>Section 154.200 (Zoning Districts)</p> <p>Section 154.300 (Development Processes and Standards)</p> <p>Section 154.400 (Additional General Standards)</p> <p>Section 154.500 (Administration)</p>
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

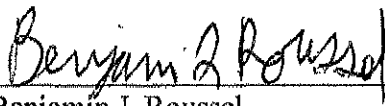
REQUEST: To adopt an amendment to the Huntertown Zoning Ordinance, which amends or repeals and replaces the text of the following Sections:

- 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 <i>right-of-way</i> 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'

HUNTERTOWN ZONING ORDINANCE

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HUNTERTOWN ZONING ORDINANCE

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.

HUNTERTOWN ZONING ORDINANCE

(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);

HUNTERTOWN ZONING ORDINANCE

- ~~(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**).

HUNTERTOWN ZONING ORDINANCE

(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	<u>Storage Building</u> ⁽¹⁾
Notes:	
(1) Also permitted for nonresidential uses	

HUNTERTOWN ZONING ORDINANCE

(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 <u>and at front lot line</u>)	
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)

HUNTERTOWN ZONING ORDINANCE

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 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 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>	

HUNTERTOWN ZONING ORDINANCE

(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			

HUNTERTOWN ZONING ORDINANCE

§ 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);

HUNTERTOWN ZONING ORDINANCE

- ~~(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 <u>and at front lot line unless otherwise stated</u>)	
Public sewer (interior lot)	50' (<u>25' at front lot line</u>)
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 <u>and at front lot line unless otherwise stated</u>)		
	Detached Single Family Dwelling	Attached Single Family Dwelling
Public sewer (interior lot)	50' <u>(at front lot line)</u>	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)
<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>	

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) <u>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</u>		

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</u> ⁽¹⁾
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		4075'	
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).

I1 LIMITED INDUSTRIAL DEVELOPMENT STANDARDS			
Height (maximum) ⁽¹⁾			
Primary or accessory nonresidential building or structure		50'7.5'	
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			

HUNTERTOWN ZONING ORDINANCE

(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 may 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.

HUNTERTOWN ZONING ORDINANCE

- (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.

~~(d)~~(e) 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.

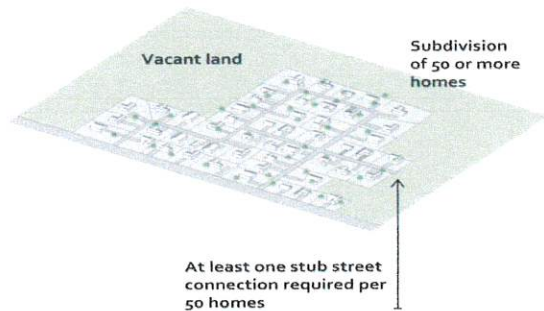
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~~(6)~~(7) Interconnection

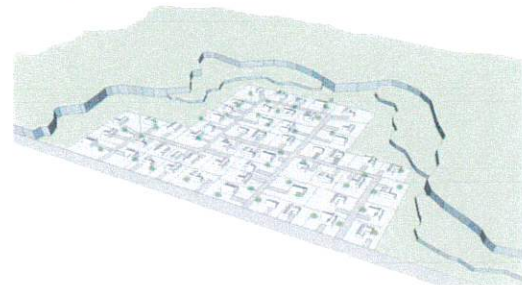
(a) Development Plans

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**.



No interconnection to adjoining vacant land required in case of topography constraints



(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

~~(i)~~(ii) Airport;

~~(ii)~~(iii) Cemetery;

~~(iii)~~(iv) Community garden;

~~(iv)~~(v) Fairground;

~~(v)~~(vi) Hospital;

~~(vi)~~(vii) Nature preserve;

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

~~(viii)~~(ix) School.

HUNTERTOWN ZONING ORDINANCE

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

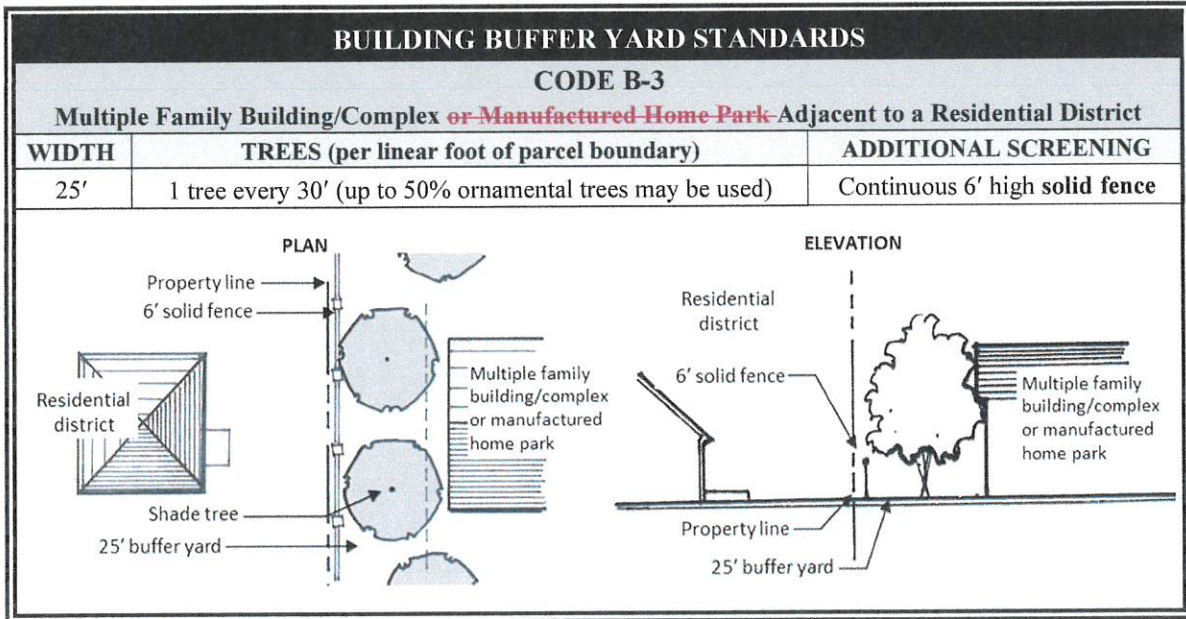
LANDSCAPE CODES – BUILDINGS AND OUTDOOR ACTIVITY AREAS			
Building Type		Landscape Code, if Adjacent To:	
		Residential districts	Nonresidential districts
Office, Personal Service or Other C1 Use Building		B-1	No requirement
Commercial, Retail, Industrial, or Universally Permitted Use Building		B-2	No 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:

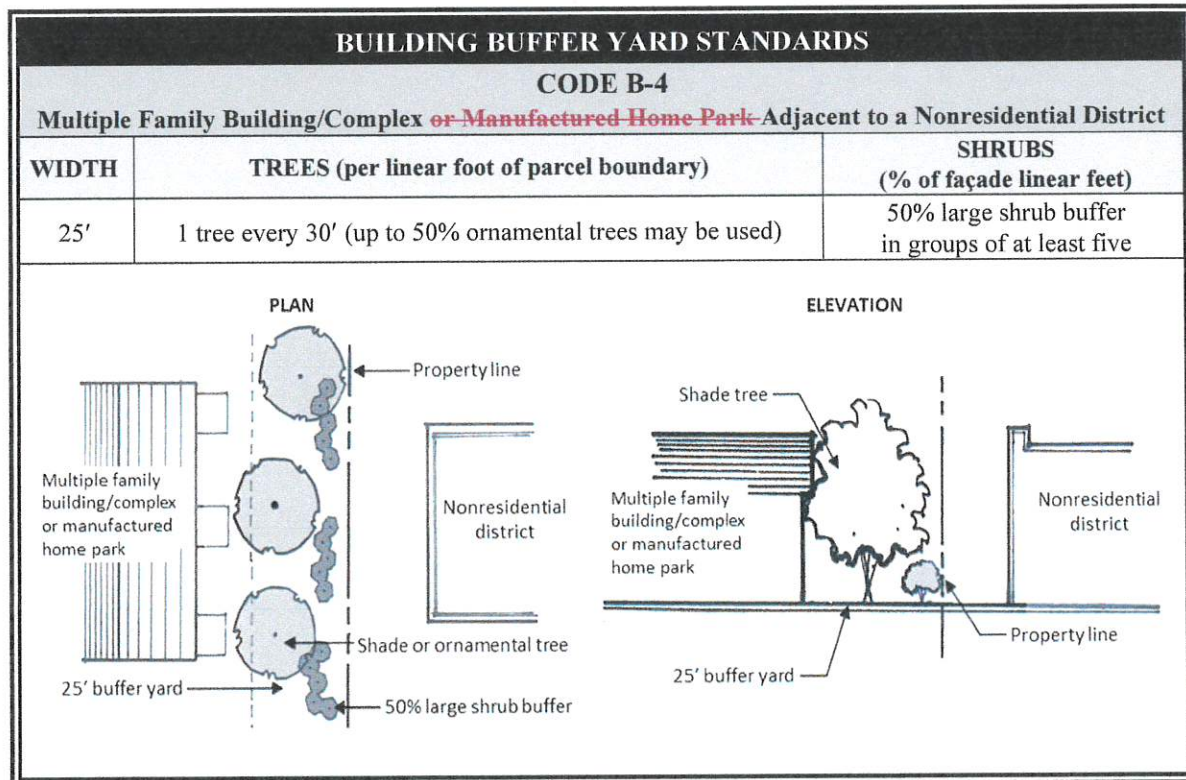
LANDSCAPE CODES – PARKING AND OUTDOOR DISPLAY AREAS	
Site Situation	Landscape Code
Adjacent to public street or private access drive	P-1
Adjacent to residential district	P-2
Adjacent to commercial district	P-3
Parking areas more than 50 spaces (shall not apply to outdoor display areas)	P-4

HUNTERTOWN ZONING ORDINANCE

- (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 the 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.

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- (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

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(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.

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(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

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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.

HUNTERTOWN ZONING ORDINANCE

§ 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

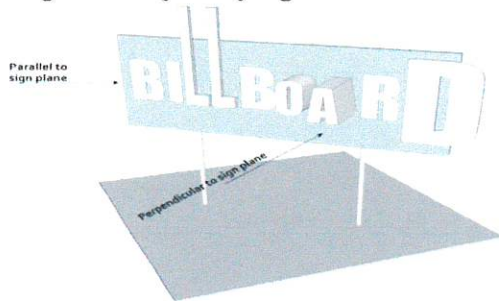
A **structure** or combination of **structures** that:

- (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**.

HUNTERTOWN ZONING ORDINANCE

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.

HUNTERTOWN ZONING ORDINANCE

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~~ primary residence of the 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.

HUNTERTOWN ZONING ORDINANCE

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.

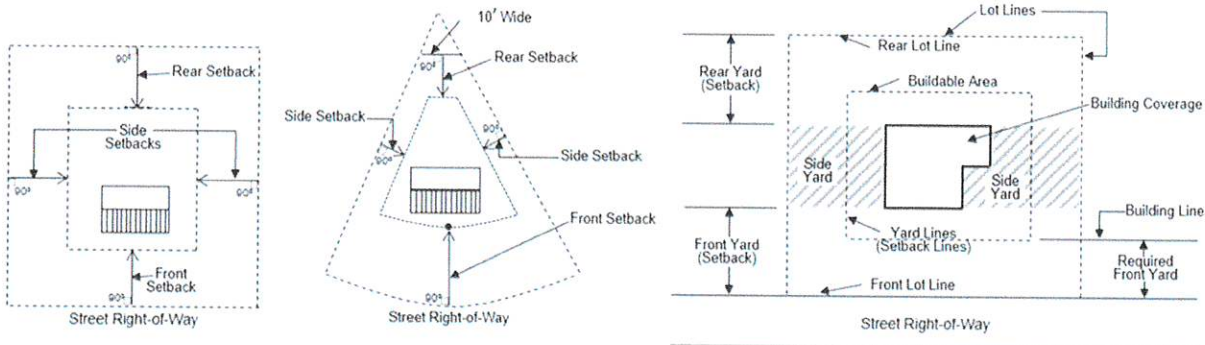
Research and Scientific Laboratory

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**.



TOWN OF HUNTERTOWN

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

7-21-2025

Huntertown Town Board

Regarding ADU's

GRB is excited that the city of Fort Wayne and Allen County have proposed and are planning to approve ADU units where restrictions allow. This has become a growing trend that can accommodate and meet a variety of household needs.

Primarily ADUs provide housing for a household member or friend, or to accommodate hobbies and the special interests of the household. Typically, a garage would be attached. We are happy that this is part of the planned use. The need for more garage space is growing.

We are hopeful to build a new subdivision on the Simon Road creating larger lots to accommodate this idea. Our plan is to coordinate architecture and design to compliment the main house.

Meetings needs and wants and increasing total construction cost should be a win-win for the community. We hope Huntertown will approve this new proposed ordinance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lonnie Norris', with a stylized flourish at the end.

Lonnie Norris VP
Granite Ridge Builders, Inc.

WILLOW CREEK MIDDLE SCHOOL CONNECTION CHARGES

Quoted Fees (Jan. 2024)

Correctly Calculated Fees (Jan. 2024)

WATER	
Permit Fee:	\$75.00
Tap Fee:	\$500.00
Meters (2" & 6"):	\$11,389.00
SEWER:	
Permit Fee:	\$75.00
Tap Fee:	\$500.00
Area Connection Fee:	\$2,000.00
System Development Charge:	\$1,200.00
TOTAL:	\$15,739.00

WATER	
Permit Fee:	\$75.00
Tap Fee:	\$500.00
Meters (2" & 4"):	\$8,929.15
SEWER:	
Permit Fee:	\$75.00
Tap Fee: \$50 per enrolled pupil	x 1,000 students = \$50,000
Area Connection Fee:	\$2,000 x 37 ERUS = \$74,000
System Development Charge:	\$1,200
TOTAL:	\$134,779.15

2025 Fees Per Ordinance (Assuming 37 ERUs)

WATER	
Permit Fee:	\$75.00
Tap Fee:	\$500.00
Meters (2" & 4"):	\$8,929.15
System Development Charge:	\$2,500 x 37 EI \$92,500
SEWER:	
Permit Fee:	\$75.00
Tap Fee: \$50 per enrolle	x 1,00 \$50,000
Area Connection Fee:	\$2,000 x 37 EI \$74,000
System Development Charge:	\$1,200 x 37 EI \$44,400
TOTAL	\$270,479.15

NACS Willow Creek Middle School Preconstruction Timeline

Milestone	Date(s)
Establishment of Total Project Cost	Wednesday, April 26, 2023
Advertisement	Wednesday, April 26, 2023
Preliminary Hearing	Monday, May 8, 2023
2nd Hearing	Monday, May 22, 2023
Resolution adopted for Project, Preliminary Determination, Reimbursement	Monday, May 22, 2023
30 day petition period start	Wednesday, May 24, 2023
30 day petition period end	Friday, June 23, 2023
Schematic Design Review/Approval	Monday, July 3, 2023
Resolution for plans, form of lease, and authorizing notice of lease	Monday, July 24, 2023
Publish notice on lease/notice of determination/additional appropriation	Wednesday, July 26, 2023
Publish 2nd notice of Determination	Wednesday, August 2, 2023
Hearing – lease, additional appropriation	Monday, August 28, 2023
Adoption – adopt resolutions	Monday, August 28, 2023
Approval	Monday, August 28, 2023
Notice of Execution of Lease	Wednesday, August 30, 2023
Design Development Review/Approval	Wednesday, September 6, 2023
Bond Closing	Wednesday, October 18, 2023
Construction Documents Received	Tuesday, December 5, 2023
Bid Letting	Monday, December 11, 2023
Bids Received	Tuesday, January 16, 2024
Project Post Bid Initial Review	Friday, January 19, 2024
GMP Finalized	Monday, January 22, 2024
Groundbreaking / Construction Start	Thursday, February 22, 2024