

ORDINANCE NO: 2024-BC-O-7

**ORDINANCE AMENDING TEXT OF THE MADISON COUNTY LAND USE
AND DEVELOPMENT CODE ORDINANCE NO. 2002-BC-O-06**

WHEREAS, the Madison County Planning Commission did on April 9, 2024, pursuant to Indiana Code §36-7-4-607, in accordance with Indiana Code §36-7-4-604, conduct a public hearing concerning certain amendments to the Madison County Land Use and Development Code heretofore approved; and

WHEREAS, after conducting said hearing, the Madison County Planning Commission did certify the recommendation to the Madison County Board of Commissioners; and

WHEREAS, the Board of Commissioners concur in the recommendations of the Madison County Planning Commission regarding the amendment as hereinafter set forth.

NOW THEREFORE, BE IT ORDAINED by the Commissioners of Madison County, Indiana, that Ordinance No: 2002-BC-O-06 is hereby amended as follows:

AS-02 - This Accessory Use/Structure Standards section applies to the following districts:
AP, AG, CR

E. Semi-trailers, Personal-On-Demand Storage (PODS), truck box beds, busses shipping containers, intermodal shipping containers, and other similar items shall be considered accessory structures in these zoning districts if the following conditions are met:

- ✓ Improvement location permit (one-time fee only) required for any size of shipping container-type structure (fee same as accessory structure).
 - Exception, dumpster type containers being used for debris removal on remodel and construction sites do not require a permit but must conform to guidelines of TY-02-D.
- ✓ Parcel is 4 acres or greater.
 - Exception, property owners with shipping containers (or similar devices) on property less than 4 acres as of the date of this ordinance may keep the container if it generally meets the other requirements of this section in the opinion of the director within 120 days of the date of this ordinance and has no other zoning violations by the end of the 120-day period.
- ✓ Unit is entirely behind the rear of house (defined as the area behind a horizontal extension of the house rear).
- ✓ Unit must be on concrete pad or pier.
- ✓ Unit cannot be located in any easement or state or local right-of-way.
- ✓ Unit complies to one of the following:

- Screened by vegetation or fencing from all road frontages and adjacent property lines nearer than 100'; fencing should not be higher than the maximum height allowed for that zoning district.
- Enclosed in a building (e.g., a pole barn);
- OR has pitched roof and painted to match/complement home.

AS-03 – This Accessory Use/Structure Standards section applies to the following districts: R1, R2, R3

D. Semi-trailers, Personal-On-Demand Storage (PODS), truck box beds, busses shipping containers, intermodal shipping containers, and other similar items shall be considered accessory structures in these zoning districts if the following conditions are met:

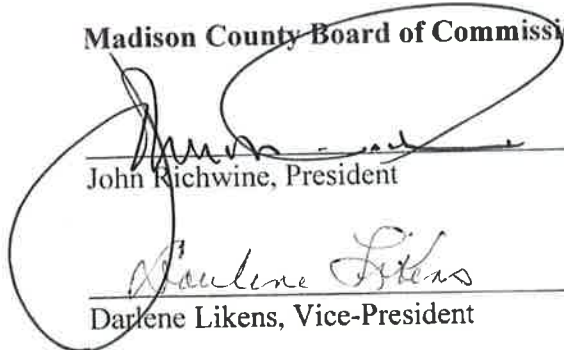
- ✓ Improvement location permit (one-time fee only) required for any size of shipping container-type structure (fee same as accessory structure).
 - Exception, dumpster type containers being used for debris removal on remodel and construction sites do not require a permit but must conform to guidelines of TY-02-D.
- ✓ Parcel is 4 acres or greater.
 - Exception, property owners with shipping containers (or similar devices) on property less than 4 acres as of the date of this ordinance may keep the container if it generally meets the other requirements of this section in the opinion of the director within 120 days of the date of this ordinance and has no other zoning violations by the end of the 120-day period.
- ✓ Unit is entirely behind the rear of house (defined as the area behind a horizontal extension of the house rear).
- ✓ Unit must be on concrete pad or pier.
- ✓ Unit cannot be in any easement or state or local right-of-way.
- ✓ Unit complies to one of the following:
 - Screened by vegetation (based on a mutually agreed-upon plan between the property owner and planning office staff) or fencing from all road frontages and adjacent property lines nearer than 100'; fencing should not be higher than the maximum height allowed for that zoning district.
 - Enclosed in a building (e.g., a pole barn);
 - OR has pitched roof and painted to match/complement home.

TU-02: This Temporary Use/Structure Standards section applies to the following districts: AP, AG, CR, R1, R2, 43, MR, MH

D. Construction trailers, Semi-trailers, personal-On-Demand Storage (PODS), truck box beds, busses shipping containers, intermodal shipping containers, dumpsters and other similar items are permitted as temporary structures for up to 8 months in any 1-year period unless otherwise approved with a special use from the Madison County Board of Zoning Appeals. Such equipment shall not be in any right-of-way, required setback, easement, or buffer yard.

SO ORDAINED by the Board of Commissioners of Madison County, Indiana, this 16th
day of April, 2024.

Madison County Board of Commissioners



John Richwine, President



Darlene Likens, Vice-President



Olivia Pratt, Member

Attest:



Rick Gardner, Auditor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Jeffrey K. Graham

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

The Madison County Plan Commission hereby certifies with a **FAVORABLE** recommendation to the Text Amendment to Madison County Ordinance No. 2002-BC-O- regarding shipping containers as contained in the Madison County Land Use and Development Code.

SO CERTIFIED THIS 9th day of April , 2024.

MADISON COUNTY PLAN COMMISSION

By: /s/ Olivia Pratt
Olivia Pratt, President

Attest:

/s/ Nikki Wood
Nikki Wood, Secretary

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