

ORDINANCE 2015- 12
AN ORDINANCE AMENDING THE
CASS COUNTY ZONING ORDINANCE
FOR ACCESSORY STRUCTURE HEIGHT

WHEREAS, the General Assembly of the State of Indiana granted powers to the counties to adopt zoning ordinances for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, the County of Cass County, Indiana adopted the Cass County Zoning Ordinance which became effective on October 3, 1986, and has had subsequent amendments as listed on the title page of the Cass County Zoning Ordinance; and

WHEREAS, The General Assembly of the State of Indiana granted powers to counties to amend the text of an adopted zoning ordinance according to IC 36-7-4-602 (b), and Section 906 of the Cass County Zoning Ordinance allows for the amendment of said Ordinance; and

WHEREAS, the Cass County Plan Commission held a public hearing on Tuesday October 6, 2015, on the proposed textual amendments to the Cass County Zoning Ordinance regarding Accessory Structure Height in Article 3, District Regulations and all related sections;

WHEREAS, The Cass County Plan Commission did send a favorable recommendation for the text amendments to the Cass County Board of Commissioners; and

WHEREAS, the Cass County Board of Commissioners believes there is merit in amending the Ordinance, as attached, in order to promote the public health, safety, comfort, morals, convenience and general welfare of the community; now therefore, be it

ORDAINED by the Cass County Board of Commissioners of Cass County, Indiana, as follows:

SECTION 1: That the Cass County Zoning Ordinance be amended according to the amendments, as follows:

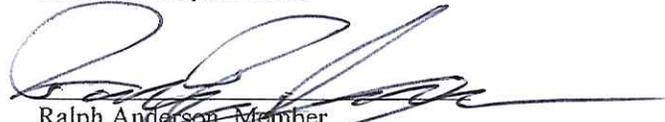
Proposed Language Change:

308 GENERAL PROVISIONS AND EXCEPTIONS TO HEIGHT REGULATIONS: No principal structure in any district may be constructed, reconstructed, altered, or enlarged which exceeds 35 feet in height above average ground level ~~and no accessory structure shall exceed the height for the primary structure or extend 24 feet in height above average ground level, whichever is less, except as provided below: One-story primary structures may not have accessory structures that exceed 16 feet in height. Two-story or taller primary structures may not have accessory structures that exceed 24 feet in height.~~

SECTION 2: That this amendment be in full force and effect upon its passage by the Cass County Board of Commissioners.

Adopted this 19 day of October 2015.


James Sailors, President


Ralph Anderson, Member


Ralph Anderson, Member
Jeff LeDonne

ATTEST:


Vaneen Ide, Cass County Auditor

Ordinance #2015-12

RESOLUTION 15-09
A CASS COUNTY PLAN COMMISSION RESOLUTION
RECOMMENDING CERTIFICATION OF TEXTUAL AMENDMENTS TO THE
CASS COUNTY ZONING ORDINANCE
FOR ACCESSORY STRUCTURE HEIGHT

WHEREAS, The General Assembly of the State of Indiana granted powers to the counties to adopt zoning ordinances for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, Cass County adopted the Cass County Zoning Ordinance which became effective on October 3, 1986, and has had subsequent amendments as listed on the title page of the Cass County Zoning Ordinance; and

WHEREAS, the General Assembly on the State of Indiana granted powers to counties to amend the text of an adopted zoning ordinance according to IC-36-7-4-602 (b), and Section 906 of the Cass County Zoning Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The Cass County Plan Commission held a public hearing on Tuesday October 6, 2015 on the attached textual amendments for Accessory Structure Height in Article 3, District Regulations in the Cass County Zoning Ordinance ; and

now, therefore, be it

RESOLVED, in accordance with IC 36-7-4-605, the Cass County Plan Commission certifies with a favorable, unfavorable, no recommendation the attached textual amendments to the Cass County Board of Commissioners, Cass County, Indiana.

Adopted this 6th day of October 2015.

CASS COUNTY PLAN COMMISSION

Jenny Clark
Officer, CCPC

ATTEST:

James L. Davis
Officer, CCPC