

FCO 2023-42

**Floyd County Board of Commissioners  
Ordinance Pertaining to Text Amendments to the Floyd County Zoning Ordinance 2006-06**

Whereas, the Floyd County Board of Commissioners met on November 21, 2023 on this matter pursuant to IC 36-7-4-607;

Whereas, the Board received from the Floyd County Plan Commission a favorable recommendation of the proposed text amendments listed in Exhibit A;

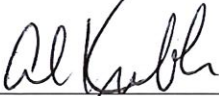
Whereas, the Plan Commission held a public hearing on the matter and heard from both proponents and opponents of the text amendments to the zoning ordinance (Exhibit B).

NOW, THEREFORE,

BE IT ORDAINED that Floyd County Zoning Ordinance is amended as proposed in Exhibit A.

SO ORDDAINED this 21<sup>st</sup> day of November 2023.


BOARD OF COMMISSIONERS  
COUNTY OF FLOYD




Al Knable, President



John Shellenberger, Commissioner



Jason Sharp, Commissioner

ATTEST: 

Diana Topping, County Auditor

Exhibit A

FLOYD COUNTY PLAN COMMISSION

CERTIFICATION OF ZONING ORDINANCE AMENDMENT PROPOSAL

Docket No. FC-10-23-26

STATUTORY AUTHORITY: Indiana Code § 36-7-4-600 series

Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

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

DECISION:

The Floyd County Plan Commission conducted a public hearing on the above referenced docket and Zoning Ordinance Amendment Proposal.

DECISION:

Upon careful review, The Floyd County Plan Commission hereby makes:

- [X] A Favorable Recommendation
[ ] An Unfavorable Recommendation
[ ] No Recommendation

to the County Commissioners concerning the Zoning Ordinance Amendment Proposal at the meeting held on the 13 day of November, 2023.

Commission Members in Favor:

Handwritten signatures of commission members in favor, including names like Sam B. Bellamy, John A. Bullock III, and Jim Freudenberger.


Commission Members Opposed:

Blank lines for commission members opposed.

**CERTIFICATION OF ACTION**

Comes now the Floyd County Plan Commission pursuant to I.C. 36-7-4-607, and hereby certifies that the Zoning Ordinance Amendment Proposal is a true and accurate copy of the Recommendation as made at its regularly scheduled meeting on the 13 day of November, 2023. The Ballot accurately reflects the vote of the Floyd County Plan Commission on the Recommendation.

Date: 11-13-2023

  
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Nicholas Creevy, Executive Plan Director  
Floyd County Plan Commission

## Proposed Zoning Ordinance Amendments – Amendment 20

1. Pg 156. Section 15.12 H (IC 36-7-4-615) Amend to: “(Repealed)”

Rationale: Comply with State Statute

2. Pg 151. Section 15.09 C – 1.c. Amend to: “The need for the conditional use result from some condition, unusual or peculiar to the subject property itself.”

Rationale: Correct to be consistent with State Statute (IC 36-7-4-918.4). Existing language: “c. The need for the conditional use does not result from any conditions, unusual or peculiar to the subject property itself.” Removing “does not”

3. Pg 13. Section 2.01 Definition – GROUND FLOOR AREA. Amend to: “GROUND FLOOR AREA means the square foot area of a building within its largest outside dimensions computed on a horizontal plane at the ground floor level, exclusive of open porches, breeze-ways, terraces, garages, exterior and interior stairways. For 2 story structures, attached garages can be included in ground floor area calculations where finished living space is located above the garage area.”

Rationale: The definition of ground floor area is intended to ensure adequate living space and establish a consistent standard for structure size. Where there is a second story with living space above the garage, an attached garage should be included in the calculation because it contributes to the total ground floor footprint, the total size of the structure, and additional living space.