

ORDINANCE NO. 2009-10-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:

Section 1: Change **UZO Section 1-10-2 Words and Terms Defined**, to read as follows:

FRONT LOT LINE.

- (1) For an *interior lot*, the line marking the boundary between the *lot* and the edge of the *right-of-way* of the abutting *street*;
- (2) For a *corner lot*, the line marking the boundary between the *lot* and the edge of the *right-of-way* of the shorter of the two abutting *street* segments except as deed restrictions specify otherwise. However, no deed restriction may create a *nonconforming lot* or a *nonconforming structure*, nor may any deed restriction make any existing *nonconforming lot* or *nonconforming structure* more nonconforming with respect to any setback;
- (3) For a *through lot*, the line designated in 4-4-2-b marking the boundary between the *lot* and the edge of the *right-of-way* of the abutting *street*, or the line marking the boundary between the *lot* and a lake or watercourse except as deed restrictions specify otherwise; and
- (4) For a *lot* without *street frontage*, the line designated as the **FRONT LOT LINE** except as deed restrictions specify otherwise. However, no deed restriction may create a *nonconforming lot* or a *nonconforming structure*, nor may any deed restriction make any existing *nonconforming lot* or *nonconforming structure* more nonconforming with respect to any setback.

FRONT SETBACK. An open space extending a *lot's* full width, measured as the shortest distance between the *front lot line* and the nearest exterior wall (excluding *structural projections*) of the *lot's primary use building*. For a *corner lot*, the **FRONT SETBACK** always abuts the shorter of the two *street frontages*, unless deed restrictions specify otherwise. However, no deed restriction may create a *nonconforming lot* or a *nonconforming structure*, nor may any deed restriction make any existing *nonconforming lot* or *nonconforming structure* more nonconforming with respect to any setback.

Section 2: Change 4-9-3-a TYPE OF *BUFFERYARD* REQUIRED ALONG A LOT LINE SEPARATING A ZONE UNDERGOING DEVELOPMENT OR REDEVELOPMENT AND AN ABUTTING ZONE by revising the current table heading as shown below:

ZONE UNDERGOING NEW DEVELOPMENT OR REDEVELOPMENT	ZONE ABUTTING NEW DEVELOPMENT OR REDEVELOPMENT					
	R1 R1A R1B R1U R1Z R2 R2U R3 R3W R4W MR NBU RE & the residential portion of PD Zones (Am 27)	OR	NB GB HB	I1 I2	I3	A AA AW FP
I1	B	---	A	-- -	A	B1
I2 I3	C	B	A	A	-- -	C1

Section 3: Change 4-9-7-c-1 *BUFFERYARD* REQUIREMENTS FOR CERTAIN OPEN USES by changing the table heading as shown below:

SETBACK FROM LOT LINE ADJOINING:		
RURAL, RES. OR RES. PORTION OF PD ZONES	COMML. OR IND. ZONE	TYPE OF BUFFERYARD
100' - 149.9'	30' - 99.9'	C
150' - 199.9'	100' - 149.9'	B
200' or more	150' or more	A

Section 4: Change 2-27-5-c-1 by changing "United Water of West Lafayette" to "appropriate water department".

Section 5: Change Section 4-4-6 (f) to read as follows:

No *parking space* shall be located between a *building* and the *right-of-way line* of any adjoining *street* in NBU, CB or CBW zones, except at sites surrounded on three sides or more by *streets*. If surrounded on three sides by *streets*, parking may be located between a *building* and one adjoining *street right-of-way line*. If surrounded on four or more sides by *streets*, parking may be located between a *building* and two adjoining *street rights-of-way*.

Section 6: Change Section 3-2, Permitted Use Table by eliminating footnote 8 from SIC 50 and 51.

This ordinance shall be in full force and effect from and after its passage.

(Adopted And Passed) (Denied) by the Board Of Commissioners of
Tippecanoe County, Indiana, this 1st day of June, 2009.

VOTE:

yes

John Knochel
John Knochel, President

yes

David Byers
David Byers, Vice President

yes

Thomas Murtaugh
Thomas Murtaugh, Member

ATTEST:

Jennifer Weston
Jennifer Weston, Auditor