

ORDINANCE

BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957 adopted by the Marion County Council on March 28, 1957, and subsequently amended, pursuant to section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and the Dwelling Districts Zoning Ordinance of Marion County, Indiana, Ordinance No. 66-A0-2, adopted as an amendment thereto, as amended, be amended in the following particulars:

That Section 2.00, A., of the said Dwelling Districts Zoning Ordinance, Ordinance No. 66-A0-2, be amended to read as follows:

A. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structure or facilities affected.

Provided further, however, any previously officially recorded, platted lot having less than the minimum lot area and/or minimum lot width required by the applicable DWELLING DISTRICT regulations of this ordinance for a one-family dwelling, shall be deemed an exception to such minimum lot area and/or lot width requirement(s), and a one-family dwelling may be constructed thereon provided all other requirements of this ordinance, including minimum yard and setback requirements, shall be met.

Provided further, however, any legally established nonconforming use public elementary, junior high or high school (including any structures, facilities and parking areas accessory thereto) may be constructed, erected, converted, enlarged, extended, reconstructed or relocated for such public elementary, junior high or high school use on the same lot or parcel, provided such school building, structure, facilities and parking area shall conform to the minimum yard and set-back requirements of the applicable DWELLING DISTRICT.

BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Beurt R. SerVaas

Dwight L. Cottingham

William K. Byrum

Rozelle Boyd

Wm. A. Brown

THE MARION COUNTY COUNCIL

OF

MARION COUNTY, INDIANA

DATED: March 5, 1968

ATTEST: John T. Sutton