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METROPOLITAN PLAN COMMISSION
DOCKET NO. 58-AO-2

ORDINANCE

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that The Marion County Council Ordinance No. 8-1957, and the Marion County Master Plan Permanent Zoning Ordinance, (said Marion County Master Plan Permanent Zoning Ordinance being one of the zoning ordinances adopted as Ordinance No. 8-1957, by The Marion County Council on March 23, 1957, and subsequently amended, pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended),

Be amended by repealing Sections 1.002, 1.003, 2.002, 2.003, 3.002, and 3.003 of Chapter IX of the Marion County Master Plan Permanent Zoning Ordinance, and

BE IT FURTHER ORDAINED that a new Section 4, to be applicable to all uses set forth in Chapter IX of said Marion County Master Plan Permanent Zoning Ordinance, be added to Chapter IX thereof to read as follows:

"The following standards shall be applicable to all uses permitted under this Chapter, and for purposes of this Chapter a "lot" shall be deemed to include, but not be limited to, any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or area or parcel of land or site:

(1) No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.

(2) No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringelmann Scale, as now published and used by the United States Bureau of Mines, which Scale is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.

(3) No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property or business.

(4) No use shall discharge across the lot lines noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property or business.

(5) No use shall emit across the lot lines odorous matter in such quantities as to be readily detectable at any point along the lot lines or as to be detrimental to or endanger the public health, safety or welfare or cause injury to property or business.

(6) No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property or business. Sound shall be muffled so as not to become detrimental due to intermittance, beat frequency, shrillness or vibration.

(7) No use shall produce intense heat or glare creating a hazard or perceptible from any point along the lot lines.

(8) The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association, a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof. Such storage, utilization or manufacture shall not produce a hazard or endanger the public health, safety and welfare.

(9) No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of The Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, The Indiana State Board of Health, and The Stream Pollution Control Board of the State of Indiana or in such a manner as to endanger the public health, safety or welfare or cause injury to property or business.

(10) All uses shall conform to the Atomic Energy Commission's standards for protection against radiation, a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.

(11) All uses shall conform to the Federal Communications Commission's standards governing electromagnetic radiation, a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof.

(12) No building or structure for uses permitted under this Chapter shall be constructed and no premise shall be used for such purposes on any lot which does not have direct frontage on one permanently surfaced public street or highway.

(13) All industrial uses permitted under this Chapter shall provide off-street parking areas with hard usable surface, including as a minimum requirement one space (containing 330 square feet in addition to the necessary ingress and egress lanes) for each two employees, computed on the basis of the greatest number of persons employed at any one period during the day or night.

Such parking areas must not extend within 20 feet of any lot boundary except where it abuts a railroad line.

Such parking areas shall not be leased or rented for hire, but shall be for the sole use of the occupants and visitors of the premises.

(14) The total of the gross floor area of all structures on the lot, excluding the gross floor area of off-street parking building space, shall not exceed one-half the area of the lot on which the structures are located.

(15) A front yard shall be required along every front lot line. A front yard shall be not less than 200 feet in depth from the edge of the public right-of-way on which the lot fronts to the nearest part of any building on the lot (excluding an eave or cornice overhang not exceeding 4 feet).

Except for necessary walks, drives and parking areas not exceeding 10 percent of the front yard area, a front yard shall be planted in grass or other suitable ground cover.

Flood lights to illuminate a building may be placed in a front yard.

(16) A side yard shall be provided along each side lot line. A side yard shall be at least 50 feet in depth (except where it abuts a mainline railroad) plus one foot for each foot of height by which the building exceeds 20 feet.

On a corner lot, the side yard adjacent to a street shall be subject to the standards applicable to front yards, except that said side yard may be used for off-street parking not extending within 20 feet of the street right of way.

(17) A rear yard shall be provided along each rear yard line. A rear yard shall be at least 75 feet in depth (except where it abuts a mainline railroad) plus one foot for each foot of height by which the building exceeds 20 feet.

(18) Wherever a lot line adjoins a Residential or Business District, a yard at least 150 feet wide as measured perpendicular to the common district boundary shall be provided between said lot line and building (excluding an eave or cornice overhang not exceeding 4 feet). Wherever a lot adjoins a Residential District there shall also be placed within 20 feet of and parallel with the common district boundary a masonry wall or compact hedge at least 6 feet in height. Said wall or hedge shall extend the full length of said boundary, except that it may be omitted within 25 feet of a street line and shall not interfere with vehicle sight distances necessary for traffic safety. The ground between said wall or hedge and common district boundary shall be planted in grass or other suitable ground cover.

(19) All signs shall meet the requirements of the Marion County Master Plan Permanent Zoning Ordinance, except that no signs other than directional signs not exceeding 6 square feet in area shall be permitted between the lot line and set back line.

(20) The storage of junk, including scrap metals, rags, paper, used lumber, salvaged wrecking and structural steel materials or equipment, and dismantled or demolished automobiles or other vehicles, machinery or parts thereof, shall be within an enclosed building or within an area enclosed on all sides with a solid wall, uniformly painted board fence or compact hedge not less than 6 feet in height, and junk shall not be stored to a height in excess of the enclosure.

PROVIDED, however, that nothing herein contained shall be construed to amend or repeal the provisions of Chapter XIII of the Marion County Master Plan Pe manent Zoning Ordinance,

PROVIDED, however, that no use in existence on the effective date of this Section shall be so altered or modified as to conflict or further conflict with these standards."

NOW 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.

A. C. Crandall

Edwin J. Koch

Rondal M. Mannon

Irwin W. Cotton

Letta I. Shonle

Frank J. Billeter

THE MARION COUNTY COUNCIL

DATED: 5-26-58

ATTEST: E. Allen Hunter
Auditor of Marion County, Indiana