

ORDINANCE NO. 2022-__

**AN ORDINANCE OF THE BEVERLY SHORES TOWN COUNCIL
AMENDING PORTIONS OF THE TEXT OF THE TOWN CODE AND ZONING
ORDINANCE**

WHEREAS, the Beverly Shores Town Council on February 2, 1984 adopted an Ordinance Establishing Zoning and Subdivision Regulations for the Town of Beverly Shores (“Town”), which is Chapter 155: Zoning and Subdivisions of the Beverly Shores Town Code (hereinafter “Zoning Ordinance”); and

WHEREAS, the Beverly Shores Advisory Plan Commission has initiated an amendment to the text portion of the Zoning Ordinance; and

WHEREAS, a public hearing has been held before the Beverly Shores Advisory Plan Commission, which has certified its proposal to amend the text of the Zoning Ordinance to the Beverly Shores Town Council; and

WHEREAS, notice has been given in accordance with Indiana Code of all proceedings concerning this text amendment to the Zoning Ordinance; and

WHEREAS, the Beverly Shores Town Council concurs with its Advisory Plan Commission and accepts its proposal and recommendation to amend the text of the Zoning Ordinance.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED, by the Beverly Shores Town Council as follows:

SECTION 1: That subsection 155.003 be amended by the addition of a new defined term, “SETBACK, REAR”, as follows:

SETBACK, REAR. The minimum required distance between a building or structure and a LOT LINE, REAR.

SECTION 2: That subsection 155.003 be amended by the addition of a new defined term, “SETBACK, SIDE”, as follows:

SETBACK, SIDE. The minimum required distance between a building or structure and a LOT LINE, SIDE.

SECTION 3: That a new subsection 155.082(J)(4) be added and read as follows:

A driveway may be located in one of either the front setback or rear setback, as applicable, and may extend not more than 4 feet into one side setback (other requirements for driveways can be found in § 155.138, and additional limitations apply if the construction of or location of the driveway would affect a steep slope as provided in § 155.140 through § 155.145); and

SECTION 4: That a new subsection 155.138(B)(6) be added and read as follows:

No driveway in the residential district, or that is subject to the regulations applicable to the residential district, shall be constructed on or located within a required setback except as permitted in this paragraph. A driveway may be located in one of either the front setback or rear setback, as applicable, and may extend not more than 4 feet into one side setback (additional limitations apply if the construction of or location of the driveway would affect a steep slope as provided in § 155.140 through § 155.145).

SECTION 5: This Ordinance 2022-__ shall be in full force and effect from and after its passage and adoption as provided by law.

ALL OF WHICH IS ADOPTED by the Town Council of the Town of Beverly Shores, Indiana, this _____ day of _____, 2022.

BEVERLY SHORES TOWN COUNCIL

By: _____
Geof Benson, President

Susan Loeb

John Blackburn

Catherine Matrona Malik

Thomas Weber

ATTEST:

Ellen Hundt, Clerk-Treasurer