

Please be aware that the Madison County Planning Commission has recently decided to enforce the ambiguous code in regards to storage buildings on all properties in the county. Specifically, shipping containers.

The next meeting about it is 9am March 12<sup>th</sup>.

**Plan Commission Members**

Olivia Pratt, President  
Mark Gary, Vice President  
John Simmermon  
Tom Shepherd  
Lindsay Brown  
Jerry Alexander  
Denise Spooner  
Rob Steele

**AGENDA  
MADISON COUNTY  
PLANNING COMMISSION  
March 12, 2024 @ 9:00 a.m.  
Madison County Government Center  
16 E 9<sup>th</sup> Street, Room 110**

**Staff Members**

Larry Strange, Executive Director  
Elizabeth Bruns, Plan & Zone Admin  
Nikki Wood, Office Coordinator  
Tom Whitesell, Building Inspector  
Jeff Graham, Attorney

**Current Business:**

1. Prayer
2. Pledge of Allegiance
3. Roll Call
4. Approval of February 13, 2024 Board Minutes

**Old Business:**

None

**New Business:**

1. Petition: 2024-TA-002  
Petitioner: Planning Department  
Request: Text Amendment - Solar Ordinance water buffer
2. Petition: 2024-TA-003  
Petitioner: Planning Department  
Request: Text Amendment - Moratorium on the Windfarm Ordinance
3. Petition: 2024-TA-004  
Petitioner: Planning Department  
Request: Text Amendment - Shipping container use

**Miscellaneous:**

**Adjournment:**

Madison County Government Center Annex Building  
206 E 9<sup>th</sup> Street, Anderson, IN 46016  
Ph: (765) 641-9541 Fax: (765) 648-1361  
[www.madisoncounty.in.gov](http://www.madisoncounty.in.gov)

## At the Planning Meeting 9am 2/13/2024

The inspector is insisting they are semi-trailers.

Lindsay Brown specifically wants the ordinance changed and those of us with shipping container on our properties has to remove them no matter what. 100% wants them all gone and is not open to any compromise. **He is also on the BZA board if you chose to appeal your notice and fines for your shipping containers.** He has zero respect for anyone's opinion on this matter but his own. He stated during discussion at the meeting:

- "You're opening Pandora's Box, I'm sorry for the words, to make the county look trashy."
- "I'm not nobody's banker..."
- "It's not my job to save somebody money."
- "If you build something it's because you can afford it."
- "If I am going to live on a farm and be a farmer I know my cost to do business and me having a barn is part of that cost. So me to save \$4,000 dollars to put a metal box out there and make it look bad for my neighbors, NO!"

The commissions Attorney does not want the county citizens' opinions. He stated that anyone grandfathered in would have to have proof it was set on the property prior to 2002. Specifically said "I don't want that" when referring to having a public meeting in regards to changing the ordinance. (About 1:26:10 on the posted video of the meeting via Rebecca Crumes' Facebook page)

They are discussing allowing shipping containers with many stipulations including having them painted to match the other buildings and a 5 acre minimum. 2 of the commissioners were open to discussion, Mr. Brown is vehemently opposed and the rest remained silent.

County Doc: [https://3f7b7403-237b-4e7e-b745-d54981035e27.usrfiles.com/ugd/918579\\_fe5284a2746e42ce8c6fa5234d1b7149.pdf](https://3f7b7403-237b-4e7e-b745-d54981035e27.usrfiles.com/ugd/918579_fe5284a2746e42ce8c6fa5234d1b7149.pdf)

Shipping and storage containers are NOT mentioned within the code. If one were to make the argument that it is a POD – while it is not viewed as such by the industries that actually manufacture, rent and use either, the same argument could be made that it falls under "other storage buildings."

AS-02: This Accessory Use/Structure Standards section applies to the following districts:



A. The following accessory uses are permitted, subject to all applicable requirements of this Ordinance:

### Accessory Use/Structure Standards (AS) (continued)

Part "A" - Zoning Ordinance, Article Six: Development Standards

Rev. 2003 S-1

95

- a. recreational raising of non-farm animals, and
- b. outdoor storage of agricultural products and materials used in agricultural production.
- B. If a dwelling is present on the property, the following accessory uses are also permitted, subject to all applicable requirements of this Ordinance:
  - b. child day-care home,
  - c. home occupation (type I) (subject to the Home Occupation Standards of this Article), and
  - d. swimming pool.
- C. The following accessory structures are permitted, subject to all applicable requirements of this Ordinance:
  - a. additional agricultural structures,
  - b. antennas and satellite dishes (subject to the Satellite Dish Standards of this Article),
  - c. bath houses, hot tubs and saunas,
  - d. attached and detached decks and patios,
  - e. detached garages and carports,
  - f. gazebos,
  - g. recreational greenhouses,
  - h. mini barns, sheds and other storage buildings,
  - i. privacy fences (subject to the Fence and Wall Standards of this Article),
  - j. sport courts, and
  - k. swimming pools.
- D. In CR and AG an accessory building may be permitted as a Special Use on a lot prior to construction of the primary structure for a period of up to two years for the purpose only to allow a homeowner/builder a place to store materials for that home. A covenant is required by the BZA that the home will be started within two years and that there will be no business activity from the accessory structure.
- E. Semi-trailers, Personal-On-Demand Storage (PODS), truck box beds, busses and other similar items shall not be considered accessory structures in these zoning districts.

**Shipping Containers are widely viewed as other storage buildings and are generally placed on some sort of base, not meant to be moved and not easily mobile.**

**Shipping containers are none of these items. PODS are mobile short term items that are smaller in size and not meant to be long term storage buildings.**