

ORDINANCE NO. 2026- 01 A
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF CARROLL COUNTY, INDIANA

WHEREAS, the County of Carroll by adoption of its Zoning Ordinance on February 2, 1971 intended to adopt an ordinance which would establish comprehensive zoning regulations for Carroll County, Indiana, providing for the administration and penalties for violation thereof and for the repeal of all conflicting ordinances.

WHEREAS, since the adoption of the ordinance it has been necessary to periodically revise and amend the Ordinance to meet the ever-changing needs of the County, and

WHEREAS, such revisions and amendments are to be made with consideration of the comprehensive plan for the geographic area, reasonable regard to existing conditions, the character of building erected in each district, and most desirable use for which the land in each district may be adapted and the conservation of property values throughout the territory under the jurisdiction of the Carroll County, Indiana, Area Plan Commission, and

WHEREAS, the Area Plan Commission of Carroll County, Indiana, and the Carroll County Commissioners have determined that the Zoning Ordinance needs to be amended to allow with respect to Article IV, a new Section 7-1, to allow the construction of Accessory Dwellings on certain allowed and approved residential lots, and

WHEREAS, the Area Plan Commission and the Carroll County Commissioners have given due regard to, and found this Amendment consistent with the recommendations of the Comprehensive Plan. Specifically, the Area Plan Commission and Commissioners find that the new language being brought forward to establishing rules and regulations that allow the construction of Accessory Dwellings on currently established and approved residential properties, after public notification and hearing and being hereby recommended for passage by a majority of the Area Plan Commission members, is in concert with the following goals and objectives of the Comprehensive Plan:

- a. Goal: Protect and improve the health, safety and welfare of the Carroll County community.
- b. Goal: Preserve and enhance the quality-of-life for residents of Carroll County by maximizing public infrastructure investment; increasing mobility alternatives; provide housing options for family members, students, aging residents, in-home health care providers, and people with disabilities, among others.

WHEREAS, the Area Plan Commission and County Commissioners have paid reasonable regard to the most desirable uses for which the land in each district is adapted and find that reasonable zoning control of Accessory Dwellings would promote compatibility among existing and future land uses and would promote the continued development of land within each district in a compatible and coordinated manner.

WHEREAS, the Area Plan Commission and County Commissioners have paid reasonable regard to the conservation of property values in Carroll County and find that the proper locations of Accessory Dwellings under reasonable zoning controls would enhance property values and the compatibility among land users.

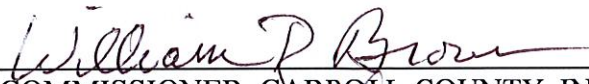
WHEREAS, the Area Plan Commission and County Commissioners have paid reasonable regard to responsible development and growth and find that such concerns would be promoted and enhanced with the adoption of reasonable zoning controls on Accessory Dwellings.

NOW THEREFORE BE IT ORDAINED BY THE COMMISSIONERS OF THE COUNTY OF CARROLL that the Carroll County Zoning Ordinance is hereby amended in Article IV, Section 7, by adding a new subsection 7-1 titled Accessory Dwellings as applied to specific Districts in the Carroll County Zoning Ordinance.

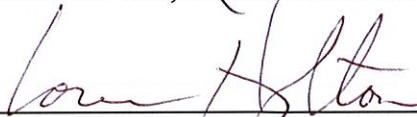
SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This ordinance shall become effective immediately upon passage and publication as provided by law.

ADOPTED BY THE COMMISSIONERS OF CARROLL COUNTY, INDIANA THIS
2nd DAY OF MARCH, 2026.



COMMISSIONER, CARROLL COUNTY, INDIANA



COMMISSIONER, CARROLL COUNTY, INDIANA



COMMISSIONER, CARROLL COUNTY, INDIANA

Attest:


ARTICLE 4 Supplemental District Regulations

Section 7-1 Accessory Dwellings

a. ACCESSORY DWELLING STANDARDS

I. Purpose. The purpose of allowing accessory dwellings is to maximize public infrastructure investment; increasing mobility alternatives; provide housing options for family members, students, aging residents, in-home health care providers, people with disabilities, and others; to promote affordable workforce housing; and to allow homeowners to benefit from added opportunities and an increased sense of security. For purposes of this section, a short-term or longer-term rental does not qualify as an accessory dwelling.

II. Districts Accessory Dwellings Allowed.

- (1) A-Agriculture
- (2) S-1
- (3) U-1
- (4) L-1
- (5) All others by Special Exception

III. Use and Operational Standards

(1) Primary Dwelling Unit Requirements. An accessory dwelling shall only be permitted on a parcel with lawfully constructed single-family dwelling unit that is owner occupied, provided the following criteria are met:

- (a) The accessory dwelling shall be under the same ownership as the primary structure.
- (b) An accessory dwelling cannot be constructed prior to the primary dwelling.
- (c) An accessory dwelling shall not be permitted to have its own accessory structure.
- (d) An accessory dwelling may be attached (connected to the primary structure with separate entrance) or detached from the primary single-family dwelling unit.
- (e) An accessory dwelling must be a permanent structure. No mobile homes or campers.

(2) Self-Sufficient Unit. The accessory dwelling shall meet the current building code as a single-family dwelling. It shall also be fully independent and a complete dwelling unit will all amenities needed for safe and habitable living, including permanent provisions for sleeping, eating, cooking, and sanitation.

(3) Number. Only one (1) accessory dwelling shall be permitted per parcel.

(4) Address. Properties with an approved accessory dwelling shall maintain the same physical address as the primary structure. The Administrator must approve any deviations from this addressing policy.

IV. Development Standards

(1) Maximum Height of Structure- 30 feet, but cannot exceed height of primary structure.

- (2) Minimum Living Area- 220 sq. ft.
- (3) Maximum Living Area- Maximum of 50% of the primary dwelling unit or 800 sq ft., whichever is less.
- (4) Architecture and Building Materials- Architectural style, form, materials, and colors of the accessory dwelling shall match or be compatible with the style and form of the primary dwelling unit.
- (5) Types of Structures Permitted
 - (a) Allowed only in lawfully-built dwelling units that meet County requirements.
 - (b) A manufactured home is allowed as an accessory dwelling.
 - (c) A recreational vehicle, travel trailer, or similar structure; a motor vehicle or any structure not designed for permanent human occupancy is not permitted as an accessory dwelling.
- (6) Must be located behind the front facade of the primary dwelling unit (side yard or the rear yard).

V. Utility Standards

- (1) Utilities. The accessory dwelling shall have water and sewage disposal that is approved by the Carroll County Health Department or available sanitary service provider as appropriate. The Carroll County Health Department shall approve connections or modifications to the existing septic system that may be needed to accommodate the accessory dwelling.

VI. Site Standards

- (1) Access. The accessory dwelling shall utilize an existing, permitted driveway that serves the primary dwelling; it shall not be granted a separate driveway from any public right-of-way.
- (2) Parking and Loading. Additional on-site parking is not required for an accessory dwelling unit.

VII. Approvals and/or Building Permits. If the accessory dwelling is located in one of the districts listed in Article 3, Sections 1-4, it does not require approval from the Plan Commission or BZA. An accessory dwelling unit in any other district will require a Use Variance from the BZA. All accessory dwellings require a building permit before any construction activities are starting.

VIII. Existing Accessory Dwellings in use before March 2, 2026, can be made compliant by applying for a building permit through the Carroll County Area Plan Commission office.

ATTEST:

Beth L Myers
Auditor

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<u>William R Brown</u>	<u></u>
<u>Low Hltor</u>	<u></u>
<u>Spencer</u>	<u></u>