

NOTICE OF PUBLIC HEARING  
WAYNE COUNTY BOARD OF COMMISSIONERS  
WAYNE COUNTY, INDIANA

The Wayne County Board of Commissioners will hold a public hearing on Wednesday, January 14, 2026 at 9:40 AM, in the Commissioners and Council Chambers in the Wayne County Administration Building, 401 East Main Street, Richmond, Indiana, for the purpose of receiving input from all interested parties on the following resolution which concerns land use for the unincorporated area of Wayne County, Indiana within the jurisdiction of the Wayne County Advisory Plan Commission.

**Resolution APC 2025-05** is a Wayne County Advisory Plan Commission resolution to consider several amendments to the Wayne County, Indiana Zoning Ordinance to include, in certain zone districts, permitting regulated home-based vendors (HBV), items to be sold from an unenclosed roadside stand, and regulations concerning kennels, agricultural animals and poultry within the jurisdiction of the Wayne County Advisory Plan Commission.

After receiving input from all interested parties, the Wayne County Board of Commissioners may accept, amend, or reject the resolution.

A complete text of the proposed ordinance changes is available for viewing at the Wayne County Planning & Zoning Office in the Wayne County Administration Building, 401 East Main Street, Richmond, Indiana during regular business hours or online at <https://www.co.wayne.in.us>.

By: Jeff Plasterer, President  
Wayne County Board of Commissioners

**Proposed Zoning Amendments to the  
Wayne County Zoning Ordinance  
March 10, 1993 edition with subsequent amendments**

*January 14, 2026 Public Hearing*

*Strikethroughs indicate proposed deletions, and underlined, italicized, and bold words are proposed additions/revisions to the ordinance. Commentary is in italics and is not intended to be part of the amended ordinance.*

1. Article II DEFINITIONS

Amend Section 54.25 Definitions:

1. 11. **"AGRITOURISM"** (1) An activity at an agricultural, horticultural, or agribusiness operation where the general public is allowed or invited to participate in, view or enjoy the activities for recreational, entertainment or educational purposes, including farming, ranching, historic and cultural agricultural activities, ~~self-pick farms~~ or farmers' markets; (2) an activity involving an animal operation at an agricultural fair; or (3) natural resource based activities and attractions, including hunting, fishing, hiking and trail riding. (As defined by the Indiana Legislature.) **Agritourism is a commercial recreation facility use.**

17. **"ANIMAL HUSBANDRY"** The keeping, grazing, feeding, ~~care~~ **and breeding** of **domestic** animals other than ~~household~~ **common domestic** pets **(i.e., cats and dogs).**

69. **"COMMERCIAL DOG BREEDER"** is a person who maintains more than ~~twenty (20)~~ **nineteen (19), but no more than forty (40),** unaltered female dogs that are at least twelve (12) months of age. *This change matches the definition under IC 15-21-1-4.*

70. **"COMMERCIAL DOG BROKER"** is a person who is a class B licensee under 9 CFR 1.1 ~~and or~~ sells **at least** five hundred (500) dogs ~~or more~~ in a calendar year. *This change matches the definition under IC 15-21-1-5.*

104. **"DWELLING UNIT, ACCESSORY OR ADU"**

A. Restricted to districts which permit residential use and districts which have legal non-conforming residential use, with the exception of **multiple-lot** subdivisions.

163. **"KENNEL"**,

A. ~~Kennel, Small~~ **Breeding** is any lot or premises on which there are located up to and including ten (10) runs, cages, pens and/or domestic pets over six (6) months of age and where the ~~primary use~~ **purpose** of the facility is to breed ~~and/or board the animals, whether on a temporary or long term basis~~ **domestic pets.**

The number of domestic pets over six (6) months of age shall not exceed ten (10).

- B. Kennel, Large **Breeding** is any lot or premises on which there are located more than ten (10) but ~~less~~ **no more** than twenty (20) runs, cages, pens and/or domestic pets over six (6) months of age and where the ~~primary use~~ **purpose** of the facility is to breed and/or board the animals, whether on a temporary or long-term basis **domestic pets**. The number of domestic pets over six (6) months of age shall not exceed twenty (20).
- C. Kennel, ~~Unlimited~~ **Commercial Breeding/Commercial Dog Breeder** is any lot or premises on which there are located more than ~~twenty (20)~~ **nineteen (19), but no more than forty (40), unaltered female dogs that are at least twelve (12) months of age** runs, cages, pens and/or domestic pets over six (6) months of age and where the ~~primary use~~ **purpose** of the facility is to breed and/or board the domestic pets, whether on a temporary or long-term basis.
- D. **Kennel, Small Boarding is any lot or premises on which there are located up to and including ten (10) domestic pets for the purpose of boarding the animals, whether on a temporary or long-term basis. The number of domestic pets shall not exceed ten (10).**
- E. **Kennel, Large Boarding is any lot or premises on which there are located up to and including twenty (20) domestic pets for the purpose of boarding the animals, whether on a temporary or long-term basis. The number of domestic pets shall not exceed twenty (20).**
- F. **Kennel, Commercial Boarding is any lot or premises on which more than twenty (20) but no more than forty (40) domestic pets are boarded, whether on a temporary or long-term basis.**

216. **"PARK, PLAYGROUND OR GAME COURT"** An open air recreational facility which is not accessory to any other use on the same or any other lot, but excluding amusement parks and play grounds. **Note:** *Playground is currently excluded in its own definition.*

251. **"ROADSIDE STAND"** A wholly ~~wholly~~ **display stand, platform, vehicle, trailer** or partially enclosed **display** shed **or tent (not entered by the public)** for the sale of neighborhood agricultural products **such as whole uncut fruits and vegetables and mushrooms grown as a produce of agriculture (wild mushrooms must be certified), flowers, unprocessed nuts and legumes, and eggs,** and/or other agricultural related products **and including permitted home-based vendor (HBV) items for human consumption** that are produced on the premises **and sold directly to the end consumer,** which stand shall be located so as to permit customers to drive completely off of the highway while dealing **but not more than 100' from the edge of the side of the road.** Permitted home-based vendor **(HBV)** items ~~from~~ **are regulated under** IC 16-42-5.3, and as amended **and under the guidance of the Indiana Department of Health, Division of Food Protection, Indiana Home-Based Vendor Handbook. Examples of HBVs** are **select cakes, cookies, doughnuts, pies,**

*breads, chips, crackers, popcorn, jams, jellies, candies, chocolate, spreads, egg noodles, roasted coffee (whole or ground), granola, nut butters, trail mixes, herbs, spices, dried teas* whole and uncut fruits and vegetables, flowers, unprocessed nuts and legumes, eggs, honey, molasses, sorghum and maple syrup. ~~and mushrooms grown as a produce of agriculture (wild mushrooms should be certified).~~

275. **“SIGN FACE, AREA OF”** The total exterior surface **of a sign face** computed in square feet, **exclusive of any border, trim, base, supports, etc.** ~~of a sign having but one exposed exterior surface; one half (1/2) the total of the exposed exterior surface computed in square feet of a sign having more than one surface.~~

Add a definition:

**“GUEST HOUSE/POOL HOUSE”** A guest house or pool house would be accessory to and detached from an existing primary dwelling, for temporary use by visitors to the property, without a separate utility meter and limited to only one guest house/pool house per deeded property. They would be subject to the zoning requirements for accessory buildings in their zone district and meet the septic and building codes for the use involved. They would be permitted in all zone districts where a dwelling is permitted.

## 2. Article III DISTRICTS AND BOUNDARIES

### 1. Change Section 54.32 District Boundary Interpretation which currently reads:

- B. Where a district boundary line divides a lot which was in single ownership at the time of enactment of this Ordinance, the use authorized thereon and the other district requirements applying to the least restricted portion of such lot under this Ordinance shall be considered as extending to the entire lot, provided the more restricted portion of such lot is entirely within twenty-five (25) feet of said dividing district boundary line. The use so extended shall be deemed to be conforming.

To:

- B. Where a district boundary line divides a lot which was in single ownership at the time of enactment of this Ordinance, the use authorized thereon and the other district requirements applying to the ~~least restricted portion~~ **zone district that encompasses more than fifty (50) percent** of such lot under this Ordinance shall be considered as extending to the entire lot, ~~provided the more restricted portion of such lot is entirely within twenty five (25) feet of said dividing district boundary line~~ **but if a parcel has equal parts of all zone districts involved, then the least restrictive zone extends to the entire parcel.** The use so extended shall be deemed to be conforming.

### 3. Article IV EFFECTS OF DISTRICTING AND GENERAL REGULATIONS

Amend Section 54.45 District, More Restricted or Less Restricted:

Each of the districts in the following list shall be deemed to be more restricted than any of the districts succeeding it, and each shall be deemed to be less restricted than any of the districts preceding it: GB-1, GB-2, GB-3, A-1, **A-1-CP**, A-2, **A-3, A-4**, R-S, R-1, R-2, C-1, C-2, C-3, M-1, and M-2 **and M-3**.

Amend Section 54.50 Street Frontage Requirements:

**a. For residential use:**

Except as permitted by other provisions of this ordinance, no lot shall contain any building used in whole or in part for residential purposes unless such lot abuts for at least forty (40) feet on **one side of a public street or road**; and there shall be not more than one, single-family dwelling for such frontage, **with the exception of a permitted Accessory Dwelling Unit, ADU.**

**b. For non-residential, principal use/building(s) and accessory use/building(s):**

**Except as permitted by other provisions of this ordinance, no lot shall contain any non-residential, principal use/building(s) and accessory use/building(s), unless such lot abuts for at least twenty (20) on one side of a public street or road.**

**Note: This reflects part of the definition of "Lot" in the Zoning Ordinance and the IFC (2021 International Fire Code) requires a minimum 20' road width for a fire truck on a dead end road.**

### 4. Article VI AGRICULTURAL DISTRICTS

#### A-1 AGRICULTURAL DISTRICT

**A. Amend Section 54.75 Principal Permitted Uses to add:**

**Private pond, farm pond or lake on a minimum of 3 acres. Note: A pond or lake that is one (1) acre or more in size is subject to Indiana Department of Environmental Management requirements under the Construction Stormwater General Permit and a dam may be subject to the approval and requirements of the Indiana Department of Natural Resources.**

5. Domestic Pets, Small **Breeding** Kennel, **Small Boarding Kennel**, Large **Breeding** Kennel and **Large Boarding Kennel**

**B. Agricultural Animals and Poultry: On tracts of three (3) acres to less than five (5) acres, and a minimum of two hundred and seventy-five (275) **fifty (250)** feet of lot width: ,one of the following three options is permitted: a maximum of **one animal unit per two acres of pasture area may be permitted, unless prohibited by multiple-lot subdivision covenants or restrictions\***. **Animals units shall be based on the following chart:****

<b><u>Agricultural Animal Type</u></b>	<b><u>Animals Per Animal Unit</u></b>
<b><i>Cattle, Buffalo, and similar</i></b>	<b><i>1</i></b>
<b><i>Horse, Mule, Donkey, and similar</i></b>	<b><i>1</i></b>
<b><i>Horse (34 inches or less at withers)</i></b>	<b><i>3</i></b>
<b><i>Swine, Ostrich, Emu, and similar</i></b>	<b><i>5</i></b>
<b><i>Goat, Sheep, Llama, Alpaca, and similar</i></b>	<b><i>5</i></b>

**Example: A 4.5 acre property with 250' of lot width and 4 acres of pasture would be eligible to have:**

- a. one (1) cow and one (1) horse, or**
- b. one (1) cow and five (5) hogs, or**
- c. five (5) hogs and five (5) goats, etc.**

- C. Poultry, Turkey, Pheasant, and similar, unless prohibited by multiple-lot subdivision covenants or restrictions, shall be permitted based on the following chart\*:**

<b><u>Acreage</u></b>	<b><u>Maximum number of poultry</u></b>
<b><i>Option 1. A parcel with a minimum of .20 of an acre to less than three (3) acres.</i></b>	<b><i>5</i></b>
<b><i>Option 2. A parcel with three (3) acres to less than five (5) acres and a minimum of 250' of lot width. **</i></b>	<b><i>20</i></b>

**Example for Option 2: A 4.5 acre property with 250' of lot width with 4 acres of pasture would be eligible to have:**

- d. twenty (20) poultry, or**
- e. one (1) cow, one (1) horse and up to twenty (20) poultry, or**
- f. one (1) donkey, five (5) goats and up to twenty (20) poultry, etc.**

~~On tracts of~~

- ~~1. Two (2) agricultural animals, or~~
- ~~2. Twenty (20) poultry, or~~
- ~~3. Ten (10) poultry and one (1) agricultural animal.~~

\*All agricultural animals and poultry shall be appropriately contained within the boundaries of the property. Agricultural animals, ~~including poultry~~, are not permitted on less than three (3) acres.

**\*\* Poultry under Option 2 are permitted in addition to the permitted agricultural animals per animal unit as regulated under Section 54.75, B.**

Section 54.76 Special Exceptions

- E. Commercial Dog Breeder/~~Unlimited~~ **Commercial Breeding** Kennel, **Commercial Boarding Kennel** and Domestic Pet Grooming Facility.

Section 54.77 Accessory Uses:

add **“Accessory Dwelling Unit (ADU), as regulated by Section 54.25 Definitions, Dwelling Unit, Accessory or ADU.”**

Section 54.79 Lot Area, Width, and Yard Requirement

Add note #5 **‘Small Kennel’ represents Small Breeding Kennel and Small Boarding Kennel and ‘Large Kennel’ represents Large Breeding Kennel and Small Breeding Kennel.**

Add separate section in the graph for Agricultural Uses that have the same Development Standards as for **Other Permitted Uses** with the exception that the minimum lot width is reduced from 275’ to **250’**.

#### A-2 AGRICULTURAL BIG-LOT DISTRICT,

- a. Amend Section 54.90 Principal Permitted Uses to add:

**Private pond, farm pond or lake, as regulated in the A-1 Agricultural District. Note: A pond or lake that is one (1) acre or more in size is subject to Indiana Department of Environmental Management requirements under the Construction Stormwater General Permit and a dam may be subject to the approval and requirements of the Indiana Department of Natural Resources.**

- b. Amend Section 54.94 Lot Area, Width, and Yard Requirements:

The following minimum requirements shall apply except as provided in Section 54.375 through ~~54.406~~ **54.405**, 54.407.

#### 5. Article VII RESIDENTIAL DISTRICTS

##### R-S ONE FAMILY SUBURBAN RESIDENCE DISTRICT

- a. Amend Section 54.110 Principal Permitted Uses:

A. Agricultural, but not including animal and poultry husbandry, dairying, large and small **breeding and boarding** kennels.

B. A single one-family dwelling, **on a septic system**, per **minimum one (1.5) acre** parcel.

- b. Amend Section 54.112 Accessory Uses:

Add **“Accessory Dwelling Unit (ADU), as regulated by Section 54.25 Definitions, Dwelling Unit, Accessory or ADU.”**

- c. Amend Section 54.114 Lot Area, Frontage, **Width**, and Yard Requirements:

“The following minimum requirements shall apply except as provided in Section 54.375 through ~~54.406~~ **54.405, 54.407.**” *Guidance:* Amend the chart for homes on septic systems: change the minimum lot area from 1 acre to **1.5 acres**, add a **minimum frontage of 175’** and change the minimum lot width from 100’ to **175’**.

##### R-1 ONE-FAMILY RESIDENCE DISTRICT

Amend Section 54.124, Lot Area, Frontage **Width**, and Yard Requirements:

"The following minimum requirements shall apply except as provided in Section 54.375 through ~~54.406~~ **54.405, 54.407.**" *Guidance:* Amend the chart for homes on septic systems: change the minimum lot area from 1 acre to **1.5 acres**, add a **minimum frontage of 175'** and change the minimum lot width from 100' to **175'**.

#### R-2 ~~MULTI~~ **MULTIPLE**-FAMILY RESIDENCE DISTRICT

Amend Section 54.139, Lot Area, Frontage, **Width** and Yard Requirements:

"The following minimum requirements shall apply except as provided in Section 54.375 through ~~54.406~~ **54.405, 54.407.**" *Guidance:* Amend the chart for homes on septic systems: change the minimum lot area from 1 acre to **1.5 acres**, add a **minimum frontage of 175'** and add **minimum lot width: 175'**.

#### RESIDENTIAL DISTRICTS, GENERAL REGULATIONS

Amend Section 54.141 Rear Dwellings in R-District:

In any R-District, no building in the rear of a principal building on the same lot shall be used for residential purposes, **with the exception of a permitted Accessory Dwelling Unit, ADU, as regulated by Section 54.25 Definitions, Dwelling Unit, Accessory or ADU.**

### 6. Article VIII BUSINESS DISTRICTS

#### C-1 NEIGHBORHOOD BUSINESS DISTRICT

Amend Section 54.150 Principal Permitted Uses

B. 23. Kennel, Small **Breeding or Boarding**

Amend Section 54.155 Lot Area, Frontage, and Yard Regulations **Requirements:**

"The following minimum requirements shall apply except as provided in Section ~~54.395~~ 54.~~375~~ through ~~54.406~~ **54.405, 54.407.**"

#### C-2 COMMUNITY BUSINESS DISTRICT

a. Amend Section 54.165 Principal Permitted Uses

B. Retail and service uses as follows:

6. Automobile **and truck** wash.

a. Amend Section 54.170, Lot Area, Frontage, and Yard Requirements:

"The following minimum requirements shall apply except as provided in Section 54.375 through ~~54.406~~ **54.405, 54.407.**"

#### C-3 GENERAL BUSINESS DISTRICT

Amend Section 54.184 Prohibited Uses

A. **Residential uses, dwellings, mobile home parks,** schools, hospitals, clinics, and other institutions for human care; provided, however, that any of the aforesaid uses legally existing in the C-3 District at the time of the adoption of this Ordinance or any amendment thereof, shall not be classified as a non-conforming use.

Amend Section 54.186: Lot Area, Frontage, and Yard Requirements:

"The following minimum requirements shall apply except as provided in Section ~~54.375~~  
**54.385** through ~~54.406~~ **54.405, 54.407.**"

7. Article IX INDUSTRIAL DISTRICTS

M-1 LIGHT INDUSTRIAL DISTRICT:

Amend Section 54.206: Lot Area, Frontage, and Yard Requirements:

"The following minimum requirements shall apply except as provided in Section ~~54.375~~  
**54.385** through ~~54.406~~ **54.405, 54.407.**"

M-2 GENERAL INDUSTRIAL DISTRICT:

a. Amend Section 54.215 Principal Permitted Uses

30. Junk yard, **salvage yard.**

b. Amend Section 54.218 Required Condition,

B. "All junk yards **and salvage yards** shall be enclosed by a well maintained solid fence or wall which will effectively conceal such yard from adjoining property, streets and highways, but in any case, not less than six (6) feet high." ***Note: A salvage yard is a permitted use in the M-2 District and the proposed amendment brings the ordinance into agreement with the definition "Junk or Salvage Yard".***

c. Amend Section 54.221 Lot Area, Frontage, and Yard Requirements:

"The following minimum requirements shall apply except as provided in Section ~~54.144~~  
**54.385** through ~~54.151~~ **54.405, 54.407.**"

M-3 RURAL INDUSTRIAL DISTRICT:

a. Amend Section 54.226 Prohibited Uses

**C. Residential uses, dwellings, mobile home parks, schools, hospitals, clinics, and other institutions for human care; provided, however, that any of the aforesaid uses legally existing in the M-3 District at the time of the adoption of this Ordinance or any amendment thereof, shall not be classified as a non-conforming use.**

8. Article XII SIGN REGULATIONS

Amend Section 54.271 Advertising Signs:

C. Setback Requirements:

1. In A-1 Agriculture Zone District adjacent to the Interstate and Federal Aid Primary System, **and within** 660 feet from **the nearest edge of the** right-of-way **of a control route, for the purpose of visibility and being read from the main-travelled way. Such advertising sign shall be located out of the right-of-way and not more than 660' from the right-of-way.**

E. Size **Area** of Sign **Facing:**

1. In A-1 Agriculture Zone District if the sign structure is **adjacent to and beyond** **within** 660 feet of the **nearest edge of the** right-of-way of **an** Interstate and or Federal Aid Primary System **and visible from the main-travelled way of the**

control route and erected with the purpose of being read from such main-travelled way, where permitted, the maximum area for any one advertising sign face shall be ~~2,000~~ 1,000 square feet exclusive of any border, trim, base, supports, etc. The

maximum height shall not exceed ~~thirty (30)~~ twenty-five (25) feet and the maximum length shall not exceed ~~eighty (80)~~ sixty (60) feet. *Note: This brings the maximum area for sign facing into alignment with INDOT advertising sign standards.*

2. The maximum area for any one advertising sign in other areas face in Commercial and Industrial Zone Districts adjacent to and within 660 feet of the nearest edge of the right-of-way of an Interstate and Federal Aid Primary Systems and visible from the main-travelled way of the control route and erected with the purpose of being read from such main-travelled way, where permitted, shall be 1,000 square feet exclusive of any border, trim, base, support, etc. The maximum height shall not exceed twenty-five (25) feet and the maximum length shall not exceed sixty (60) feet.
3. The maximum size of any one advertising signs face where permitted adjacent to highways other than the Interstate and Federal Aid Primary Systems shall not exceed 600 square feet exclusive of any border, trim, base, support, etc. The sign maximum height shall not exceed twenty-five (25) feet in height and the maximum length shall not exceed fifty (50) feet in length.

## 9. Article XIII UNIT DEVELOPMENT PROJECTS

### PROCEDURE

- a. Amend Section 54.315 Commercial Unit Development Project – Requirements and Standards:

“If the proposed ~~Development~~ Commercial Unit Development Project is for an integrated Commercial Center, the Commission shall be guided by the following requirements and standards:

- A. The minimum site area for a neighborhood Commercial Unit Development Project shall be five (5) acres and the minimum site area for a Commercial Center larger than the neighborhood type shall not be less than ten (10) acres.

- b. Amend Section 54.316 Residential Unit Development Project – Requirements and Standards:

If the proposed development is to be a Residential ~~Development~~ Unit Development Project, the Commission shall be guided by the following requirements and standards:

- A. The minimum site area for a Residential ~~Development~~ Unit Development Project shall be determined by the Commission.

- c. Amend Section 54.317 Residential Community Unit Community Development Project – Requirements and Standards:

If the proposed development is to be a ~~residential~~ Community Unit **Development** project, the Commission shall be guided by the following requirements:

- A. The minimum site area of a ~~residential~~ Community Unit **Development** Project shall be one hundred (100) acres; the site shall abut for a distance of not less than one thousand (1,000) feet and have access from a Federal or State Highway, or a principal thoroughfare so designated on the Major Highway Plan, and shall be located in such part of an A or R-District where public water supply and sanitary sewage facilities are available in connection with the proposed development.
  - C. The overall residential density in any Community Unit **Development** Project shall not exceed ten (10) dwelling units per gross acre, excluding rights-of-way of public roads.
  - H. In case the site of the proposed ~~residential~~ Community **Unit** Development Project, (a) contains all or a part of a proposed school site, shown on the Master Plan, or (b) when, in the judgment of the Commission, provisions for a school site within the site of the development project is or will be needed to serve the anticipated population – such school site or part thereof shall be conveyed to the School Corporation within whose jurisdiction the site is located.
- d. Amend Section 54.318 Industrial Unit Development Project – Requirements and Standards

If the proposed **unit** development ~~unit~~ project is for an industrial center, the Commission shall be guided by the following requirements and standards:

#### 10. Article XVI SPECIAL EXCEPTIONS

Amend Section 54.347 Conformance Requirements

A Commercial Dog Breeder/~~Unlimited~~ **Commercial Breeding** Kennel and a **Commercial Boarding Kennel** shall meet any applicable requirements of the federal, state or local government. In addition to those requirements for a Special Exception found in Section 54.347 (A) through (F), the following shall apply to a Commercial Dog Breeder/~~Unlimited~~ **Commercial Breeding** Kennel and a **Commercial Boarding Kennel** .

- EE. **Commercial Dog Breeder**/~~Unlimited~~ **Commercial Breeding** Kennel
- 1. Minimum Lot Area – 15 acres
  - 2. Minimum Setback from an existing off premises business, residence or accessory structures of the off premises structure - 400 ft.
- FF. ~~Unlimited~~ **Commercial Boarding** Kennel

- 1. Minimum Lot Area – 15 acres**
- 2. Minimum Setback from an existing off premises business, residence or accessory structures of the off premises structure - 400 ft.**

Amend Section 54.349 Special Exception to include Item #1 add **Hay Brokerage** to agricultural related uses and services in the A-1, A-2 and A-3 Districts. **Note:** *Approved by BZA on October 12, 2023.*

Item #18 to read Commercial Dog Breeder, ~~Unlimited~~ **Commercial Breeding** Kennel, **Commercial Boarding Kennel** in the A-1, A-2, C-1, C-2, C-3

Item #58 Commercial Recreation Facility add **Agritourism and Farmer's Markets** in the A-1 District.

#### 11. Article XVII VARIANCE AND MODIFICATIONS

Amend Section 54.398 Yard Modifications for Kennels:

- A. Lot size, front, side and rear setbacks for kennels in all districts shall comply with the requirements of Section 54.79 or Section 54.347 ~~(HH)(III)~~ **(EE) and (FF)** unless modified by the Board of Zoning Appeals using the conformance requirements in section 54.347.

Amend Section 54.405 Projection of Architectural Features:

- B. Subject to the limitations in Section ~~54.150~~ **54.405** (A), the above-named features may project into any required side yard adjoining an interior side lot line, a distance not exceeding one-third (1/3) of the required least width of such side yard, but not exceeding three (3) feet in any case.
- C. Subject to the limitations of Section ~~54.150~~ **54.405** (A), the features named therein may project into any required rear yards the same distances they are permitted to project into a front yard: provided, however, that landings of porches may be covered and may be covered and may project a distance not exceeding ten (10) feet but not closer than ten (10) feet from the rear lot line.

#### 12. Article XVIII ZONING ADMINISTRATION

Amend Section 54. 422 Improvement Location Permit:

- C. An Improvement Location Permit shall be required for any structures used as a residence or **any** accessory use **structure, with the exception of a phone shed or bus shelter which are dedicated solely to the stated use, without storage or occupancy of any kind.**
- D. ~~Only one permit will be issued for a residential structure on any parcel in single ownership.~~

