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MANDY THOMASON, RECORDER
STARKE COUNTY, KNOX, IN
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STARKE COUNTY PLANNING COMMISSION
53 EAST MOUND STREET
KNOX, IN. 46534
574-772-9133



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AN ORDINANCE ESTABLISHING DEFINITIONS AND CRITERIA FOR ACCESSORY STRUCTURES

Ordinance No. 11 of 2023

Recitals

WHEREAS, the Board of Commissioners for Starke County, Indiana (the "Board"), is responsible for the performance of various functions for Starke County, Indiana (the "County"); and

WHEREAS, the Board of the County is vested with the authority to enact ordinances for the health, safety, and welfare of its residents; and

WHEREAS, it is necessary to establish clear definitions and criteria for accessory structures within the jurisdiction of the County; and

WHEREAS, the Board has determined that the establishment of such definitions and criteria is essential for ensuring the proper regulation and administration of accessory structures;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for Starke County, Indiana, that this Ordinance Establishing Definitions and Criteria for Accessory Structures, for the County of Starke, State of Indiana, is hereby adopted as follows:

ARTICLE I.

Definitions

- 1. ACCESSORY STRUCTURE.** For the purposes of this ordinance, and the County's zoning ordinance, "accessory structure" shall mean a detached or attached building or structure that is subordinate to and serves a principal building or use. Accessory structures shall include, but are not limited to, pole barns, garages, sheds, semi-vans/intermodal shipping units, attached decks, and detached decks. Carports are considered accessory structures.
- 2. POLE BARN.** A "pole barn" shall mean a type of accessory structure characterized by its construction method that utilizes vertical poles embedded in the ground to support the roof and walls.

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3. **GARAGE.** A "garage" shall mean an enclosed structure primarily designed and used for storage
4. **SHED.** A "shed" shall mean a small, single-story, detached structure used for storage or as a workshop.
5. **SEMI-VAN/INTERMODAL SHIPPING UNIT.** A "semi-van/intermodal shipping unit" shall mean a large container used for shipping goods, which can also be repurposed as an accessory structure.
6. **ATTACHED DECK.** An "attached deck" shall mean a flat surface, typically made of wood or composite materials, directly connected to and supported by a principal building, and used as an outdoor space.
7. **DETACHED DECK.** A "detached deck" shall mean a freestanding flat surface, typically made of wood or composite materials, not directly connected to a principal building, and used as an outdoor space.

ARTICLE II.

Criteria for Accessory Structures

1. Location and Size Requirements.

- a. Accessory structures shall only be permitted on parcels of land measuring Ten (10) acres or more, provided that no dwelling is present on the said parcels. Accessory structures may be permitted on parcels of less than Ten (10) acres if there is also a properly permitted dwelling.
- b. Carports must be constructed with a minimum of two open sides.
- Drive in anchoring or mobile home anchors are acceptable.
- c. Accessory structures exceeding Seven Hundred and Fifty (750) square feet in size shall adhere to all proper footing requirements, which includes a minimum Three (3) foot deep frost footing.
 - More than two walls enclosed 750sqft or less.
 - Concrete 4-inch or concrete slab with 8-inch thickened concrete around the perimeter.

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- With no concrete slab (Sono Tubes or mobile home style anchors are permitted per manufactures guidelines and soil testing for anchors.)
 - More than 2 walls enclosed 750 sqft or larger.
 - 36-inch frost line footers around the perimeter
- d. The maximum allowable height for accessory structures is Eighteen (18) feet, unless both side yards measure Fifteen (15) feet each, in which case the height limit may be increased to Twenty-Five (25) feet.

2. Permitting.

- a. Accessory structures measuring One Hundred (100) square feet or less shall be exempt from the requirement of obtaining a permit.
- b. Permits are mandatory for the construction of all decks, irrespective of their size.
- c. Detached accessory structures situated on lots measuring less than Two (2) acres are subject to a size limitation, wherein the maximum allowable size shall not exceed Two (2) times the square footage of the footprint of the principal dwelling unit. Lot coverage shall reflect chart 1 of the County zoning ordinance, as per the limitations on different zonings.

3. Setback Requirements.

- a. Setback requirements for accessory structures shall adhere to the current district restrictions as specified in the County zoning ordinance in chart 1.

4. Other Requirements.

- a. All accessory structures shall conform to applicable building codes, zoning regulations, and other relevant laws and ordinances of the County and the State of Indiana or any other applicable governmental authority.
- b. Any modifications or alterations made to accessory structures shall comply with applicable building codes and regulations, and appropriate permits shall be obtained prior to the commencement of such work.

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**ARTICLE III.
Effective Date**

1. This Ordinance shall become effective thirty (30) days after notice of the adoption shall have been published in a paper as described in Indiana Code § 5-3-1-4.

PASSED BY THE STARKE COUNTY PLANNING COMMISSION ON AUGUST 9, 2023

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF STARKE COUNTY,
INDIANA, THIS 5 DAY OF September, 2023.

THE STARKE COUNTY, INDIANA BOARD OF COMMISSIONERS

APPROVED:

OPPOSED:



Charles Chesak, President

Charles Chesak, President



Mark Gourley, Commissioner

Mark Gourley, Commissioner



Don Binkley, Commissioner

Don Binkley, Commissioner

ATTEST:



Rachel Oesterreich, County Auditor

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