

ORDINANCE 2003-28


AN ORDINANCE AMENDING  
ORDINANCE 1997-1 REGARDING  
SETBACKS IN R-2 DISTRICTS

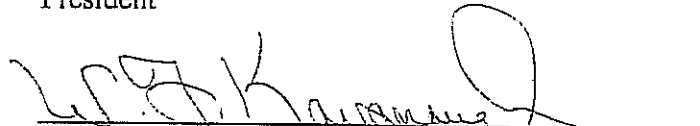
BE IT ORDAINED:

Title 13, Chapter 130.6 (E) (5) of the Newburgh Code of Ordinances is amended to reflect that the set back for interior side yards in single household detached buildings and accessory structures shall be 6 feet.

ADOPTED THIS 8 day of October, 2003.

TOWN COUNCIL OF THE  
TOWN OF NEWBURGH

  
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President

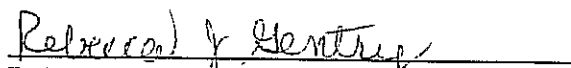
  
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Member

  
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Member

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Member

ATTEST:

  
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Rebecca Gentry, Clerk-Treasurer

# ORDINANCE 2001- *17*

## AN ORDINANCE AMENDING TITLE 13 OF THE NEWBURGH CODE OF ORDINANCES REGARDING VARIOUS CHANGES IN THE ZONING ORDINANCE

BE IT ORDAINED:

Section 1: Title 13, Chapter 130 of the Newburgh Code of Ordinances is herewith amended by the following sections.

Section 2: Chapter 130.2 (D) (3) (a) is amended by deleting the words **ONE TIME** and inserting the words **TEN DAYS**.

Section 3: Chapter 130.11 (E) (2) is amended by deleting the word **BUSINESS**, where it appears capitalized the first time in the paragraph other than the heading, and inserting there in the word **COMMERCIAL**.

Section 4: Chapter 130.6 (D) (5) is amended by deleting "**12 FEET**" from the interior side yard requirement and inserting "**3 FEET**."

Section 5: Chapter 130.3, Table 3-A (26) is amended by adding the letter "**S**" under the column headed "yard."

Section 6: Chapter 130.3 (B) (3) (1) (d) is amended by deleting **forty-eight (48)** and inserting **SIXTY (60)**.

Section 7: Chapter 130.2 (P) (2)(b) is amended by inserting **WITHIN SIX (6) MONTHS** after the word started in the first sentence; by replacing the words **PLAN COMMISSION** and **TWO (2) NINETY (90) DAY** in the second sentence with the words **ZONING ADMINISTRATOR** and **UP TO SIX (6) MONTHS IN**.

Section 8: Chapter 130.9 (D) (3) (d) is amended by adding the word **BUSINESS** after the word **EDUCATIONAL** in line 1 and deleting from the second line the words **IN THE FORM OF POSTERS**.

Section 9: Chapter 130.7 (C) 6 is amended by adding, after **BUILDING** in the column labeled **FRONT YARD** the words **THE AVERAGE OF THE SET BACKS OF THE ADJACENT STRUCTURES** and further adding the words **IF REQUIRED BY THE SITE REVIEW ADVISORY COMMITTEE** after the words **WHICHEVER IS GREATER**.

Section 10: Chapter 130.2 (E) (2) is amended by deleting the words **NO LESS THAN FIVE (5) BUT NO MORE THAN SEVEN (7) PERSONS TO BE APPOINTED BY THE PLAN COMMISSION WITH THE CONSENT OF THE TOWN COUNCIL** and inserting the words **THE TOWN ADMINISTRATIVE MANAGER, THE TOWN ATTORNEY, THE TOWN ENGINEER, THE TOWN ZONING ADMINISTRATOR AND THE TOWN MARSHALL.**


Section 11: Chapter 130.2 (E) 4 is amended by deleting (f).

Section 12: Chapter 130.7 (B) 4 is amended by adding (h) beer garden.

Section 13: Chapter 130.12 is amended by adding **BEER GARDEN: A FESTIVAL TYPE EVENT WHICH OCCURS AT A DESIGNATED LOCATION NOT NORMALLY USED FOR THE PURPOSE OF PROVING BEER OR WINE TO THE PUBLIC AND AT WHICH BEER AND WINE MAY BE SOLD TO THE PARTICIPANTS.**

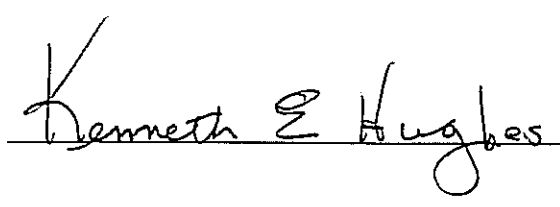
Adopted this        day of        , 2001.

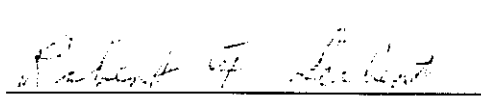
TOWN COUNCIL OF THE  
TOWN OF NEWBURGH, INDIANA

  
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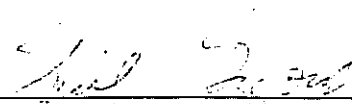
  
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ATTEST:

  
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Shirley Grzegorek, Clerk-Treasurer

AUG 17 2001  
Ord. No. 2001-14  
SHIRLEY GRZEGOREK  
Treasurer of Town of Newburgh, Ind.

ORDINANCE 2000-22

AN ORDINANCE AMENDING TITLE 13 OF THE NEWBURGH CODE OF ORDINANCES RELATING TO RECONSTRUCTION OF STRUCTURES ON NON-CONFORMING LOTS

BE IT ORDAINED:

SECTION 1: Title 13, Chapter 130.4B of the Newburgh Code of Ordinances is herewith added by Section 2 of this Ordinance.

SECTION 2:  
(B) Restoration of a dwelling used for a single family residence on a non-conforming lot.

A dwelling used as a single family residence which is damaged or torn down, for any reason, and located on any lot which does not conform to the Zoning Ordinance, may be restored or replaced in conformance with this section. This section does not apply to any lot where a business use of the structure immediately preceded the destruction of the building.

Reconstruction of such dwelling, if it was complete torn down, shall meet the set back requirements required for residential lots in the zoning category where such structure existed if such set backs can be met, or, if such setbacks cannot be met, such dwelling shall set back at least 10 feet on the front (or the average setback of any structures located on two adjoining lots), 6 feet on each side and 10 feet in the rear from the lot line of the lot where such structure will be replaced. Set back measurements shall occur from the edge of the roof line, not the exterior wall of the structure. Accessory structures shall meet the same set back requirement as the principal structure.

Restoration of a partially destroyed structure may occur without reference to the percentage or the value of the structure which may have been damaged.

In no case may a replacement building, constructed pursuant to this section, occupy more than 60 % of the area of the lot upon which it is to be rebuilt.

A variance may be granted by the Board of Zoning Appeals from the technical requirements of this section pursuant to the variance procedures set out in this Ordinance.

ADOPTED THIS 14 DAY OF March, 2001.