

ORDINANCE 2018-08

**TO AMEND SECTION 152.296 OF THE ELLETTSVILLE TOWN CODE
REGARDING SPECIAL EXCEPTIONS**

BE IT ORDAINED AND ADOPTED by the Town Council of Ellettsville, Indiana:

Section 1. The following revisions are hereby made to Section 152.296(B)(2)(i) of the Ellettsville Town Code regarding special exceptions for recycling facilities, solid waste sorting facilities and transfer stations.

When an existing section of the ordinance is being amended, the text of the existing provision will appear in this style type, additions will appear **in this style type**, and deletions will appear ~~in this style type~~.

§ 152.296 SPECIAL EXCEPTION.

...

(B) The Board of Zoning Appeals shall not have the authority to grant a use variance, as an alternative to granting or denying a special exception in these cases.

...

(2) For each individual request, the petitioner shall present evidence at the hearing to the Board of Zoning Appeals in support of the criteria for the specific request as outlined below, and the Board of Zoning Appeals shall make a finding of compliance with the criteria before granting a special exception:

...


(i) *Recycling ~~facility and~~ solid waste sorting facility **or transfer station.***

1. Access to the site shall only be from a designated truck route.
2. All permits required under state and federal law have been secured.
3. The proposed site shall not be located in a floodplain or a conservation zoning district.
4. The proposed site shall not be located ~~outside of and not~~ closer than ~~1,000 feet~~ **one half mile** to the boundary of a residential, or commercial zoning district, **or within one half mile of any church or school.**
5. A proposed facility shall be used for temporary storage of recyclables and refuse for a maximum of two days.

Section 2. This ordinance shall take effect upon final publication as provided by law.

This Ordinance was adopted by the Ellettsville Town Council on the 14th day of
May, 2018 at the Ellettsville Town Hall, Ellettsville, Indiana.

ELLETTSVILLE TOWN COUNCIL



Brian Scott Oldham, President

Attest:



Sandra Hash, Ellettsville Clerk-Treasurer