

8

Definitions & Measurement

Contents

8.1 Interpretation of Terms and Words.....	232
8.2 Rules of Measurement.....	233
8.3 Abbreviations.....	237
8.3 Definitions	237

8.1 Interpretation Of Terms Or Words

- A. **Meanings and Intent:** Words used in a special sense in this Unified Development Ordinance are defined in this Article. An ordinance should not be construed by singling out a particular phrase. The entire phrase shall be read to understand its context generally, and its context with other provisions of the ordinance.
- B. **Rule of strict construction:** Regulations are not to be expanded in their operation beyond their express terms. Employ the plain and natural meaning to language that is unambiguous. Do not apply intentions but interpret the meaning of the words of the ordinance.
- C. **Terms Not Defined:** All other words, terms, and/or phrases not specifically defined by this Ordinance shall have the meaning inferred from their context or their ordinarily accepted definition. The Planning Administrator shall provide a definition through the Interpretation procedure based upon the definitions used in accepted sources, including but not limited to A Planners Dictionary, A Glossary of Zoning, Development, and Planning Terms, and A Survey of Zoning Definitions, published by the American Planning Association. Webster's Third New International Dictionary may be used to apply an ordinary meaning that is relevant to the context in which the term is used.
- D. **Different terms:** When an ordinance uses different terms in the same section, the terms are presumed to have a different meaning from one another.
- E. **Intent Statements:** The intent expressed at the beginning of each Section explains the purpose for a zoning ordinance or district regulation, but cannot expand to control the words of the act unless they are doubtful or ambiguous.
- F. **Graphics, Illustrations, Photographs and Flowcharts:** The graphics, illustrations, photographs and flowcharts used throughout this Ordinance are for illustrative purposes only. Where such Graphic, Illustration, Photograph or Flowchart provides a different interpretation than the text, the text shall control.
- G. **Person:** The word "person" includes a firm, association, organization, partnership, trust, company, corporation or other legal entity, as well as an individual;
- H. **Tense, Singular, Gender:** Words used in the present tense include the future; and words used in the singular number include the plural; and the plural includes the singular. Words of the masculine gender will include the feminine and the neuter gender will refer to any gender as required, unless the context plainly indicates the contrary.
- I. **Mandatory / Permissive:** The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- J. **Used:** The words "used" or "occupied" include the words "intended, designed, constructed, converted, altered or arranged to be used or occupied".
- K. **Lot:** The word "lot" includes the words "plot, tract, or parcel."
- L. **Conjunctions:** Unless it is plainly evident from the context that a different meaning is intended, a regulation which involves 2 or more items, conditions, provisions, or events connected by the conjunction "and, or," or "either . . . or," the use of the conjunction is defined as follows:
 1. "And" means that all the connected items, conditions, provisions, and events apply together and not separately.
 2. "Or" means that the connected items, conditions, provisions, or events apply separately or in any combination.
 3. "Either . . . or" means that the connected items, conditions, provisions, or events shall apply separately but not in combination.
- M. **Lists with Includes:** The word "includes" does not limit a term to the specified examples, but is intended to extend the term's meaning to all other instances or circumstances of like kind or character.
- N. **The Director of Zoning(Administrator throughout the document), or his/her professional designee, shall effect proper administration and enforcement of this Zoning Ordinance.**

8.2 Rules of Measurement

The purpose of this Chapter is to explain how various measurements to which this UDO refers shall be calculated. For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and provide sufficient detail, including relevant dimensions, to allow easy verification upon inspection by the Administrator .

A. Minimum/Maximum Requirements: These standards shall be the minimum and/or maximum requirements for administration, enforcement, procedures, restrictions, standards, uses, variances, and all other areas addressed by this UDO.

1. Rounding of numbers:
 - a. General: All calculations that result in a part of a fraction of a whole number shall be rounded up to the next highest whole number, unless otherwise provided in this Ordinance.
 - b. Parking: All calculation that result in a part or fraction of a whole number shall be rounded down to the next lowest whole number, unless otherwise provided in this Ordinance.

B. Measuring Distances

1. Measurements are Shortest Distance. When measuring a required distance, such as the minimum distance between a structure and a parcel line, the measurement is made at the closest or shortest distance between the two objects.
2. Distances are Measured Horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
3. Block length is measured centerline to centerline.

C. Measurements Involving a Structure. Measurements of distance to a structure are measured to the closest exterior wall of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.

D. Measurement of Vehicle Queuing or Travel Areas. The minimum travel distance for vehicles, such as garage entrance setbacks, is measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

E. Measuring Radius. When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the parcel line of the subject project.

F. Measuring Height

1. Height shall be the vertical distance from the highest point of any structure to the ground level directly below, except as otherwise provided in this section.

G. Measuring Building Height.

1. Building height is the vertical distance at any point in a given plane measured from the Average Natural Grade (ANG) or Theoretical Grade (TG).
2. Average Natural Grade is the average elevation of the ground level of the parcel surface as measured at the intersection of the minimum rear and front setback lines (or parcel lines if no setbacks are required) with the minimum side setback lines (or parcel lines if no setbacks are required) of the parcel.

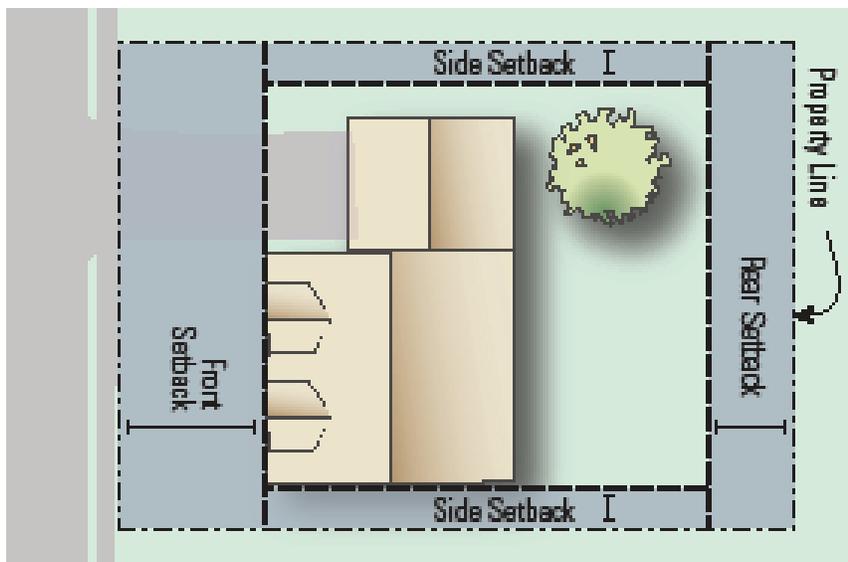
H. Measuring Façade Height. Façade height is measured from the average level of the highest and lowest point of the sidewalk along the adjacent property line to the highest point of the structure directly above.

I. Measuring Fence Height. The height of any fence or wall shall be determined by measuring the vertical

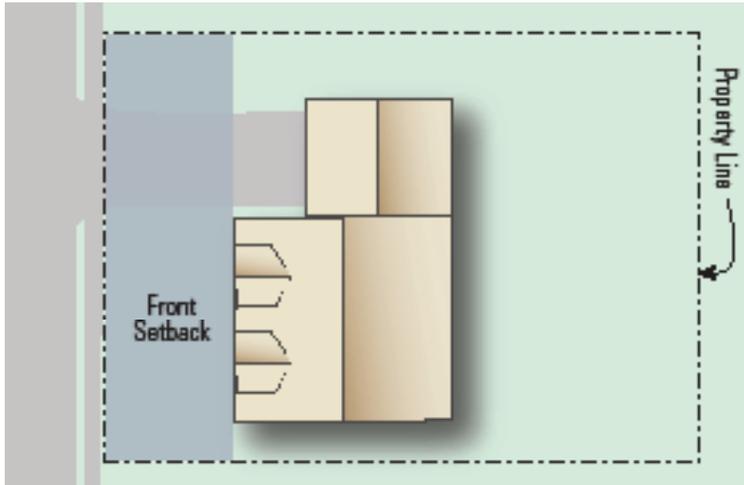
distance from the lowest existing grade as verified through a site survey at a point within a 3-foot radius of any point on such fence or structure to the highest point of such structure. The height shall be measured in a continuum at each point along the fence. In the case of walls that are parallel to and within 5 feet of a public sidewalk or other public way, grade shall be the elevation of the closest point on the sidewalk or public way.

J. Measurement - Definitions

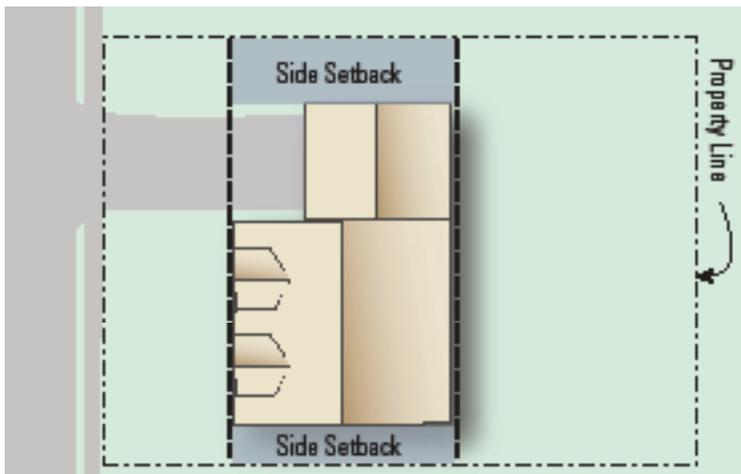
1. **Minimum Lot Size.** The smallest area established by this Ordinance on which a use, structure or building may be located in a particular district and which does not include any street right-of-way.
2. **Minimum Lot Width.** This refers to the minimum width a lot must have in order to be considered developable by this Ordinance. The minimum lot width is the minimum allowable horizontal distance between the side property lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the front setback line. Lot width on cul-de-sac lots and other lots with curving frontages is measured as a line parallel to the frontage and at the front setback line.
3. **Minimum Lot Frontage.** The frontage of a lot shall be construed to be the portion nearest the street. For the purpose of determining setback requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontages. The minimum length of a lot frontage shall be measured between side lot lines at the street right-of-way or private street easement. Lots that have more than one frontage may combine the width of both frontages to meet the minimum lot frontage standard.
4. **Maximum Building Height.** The maximum allowable vertical distance of a building or structure. Building height shall be defined as the vertical distance as measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.
5. **Yard Setback:** The minimum required distance by which any building or structure must be separated from a street right-of-way or lot line.



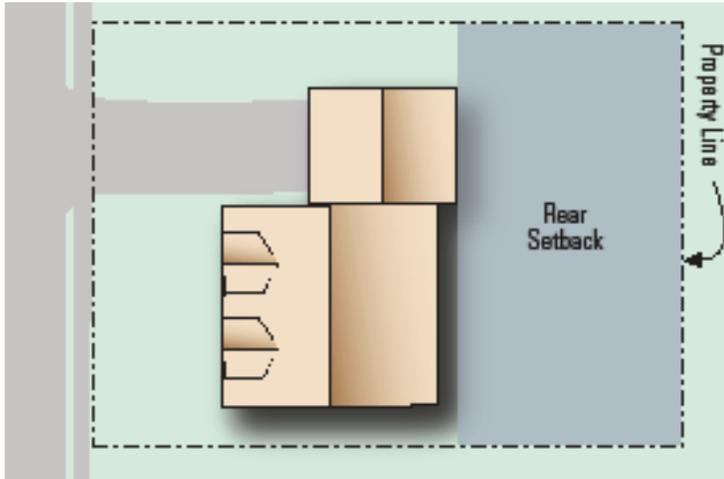
6. **Front Setback.** The horizontal space between the Front Lot Line and the Front Setback Line, extending to the side lines of the lot, generally parallel with and measured from the front lot line, defining the area in which no building or structure may be located above ground, except as may be provided in this Ordinance. The front setback applies to all frontages of a lot facing a street or right-of-way. The setback is usually based on the classification of the road on which the building is located, as determined by INDOT or the Administrator.



7. **Side Setback.** The horizontal space between the Side Lot Lines and the Side Setback Lines, extending to the Front and Rear Lot Lines, generally parallel with and measured from each side lot line, defining the area in which no building or structure may be located above ground, except as may be provided in this Ordinance. However, for corner and through lots, any side of a structure that faces a street shall meet front setback requirements.



8. **Rear Setback.** The horizontal space between the Rear Lot Line and the Rear Setback Line, extending to the side lines of the lot, generally parallel with and measured from the rear lot line, defining the area in which no building or structure may be located above ground, except as may be provided in this Ordinance. For through lots, the rear of the structure facing a street shall meet front setback requirements. Rear Setbacks for Corner Lots will apply to the portion of the lot that is furthest in the opposite direction of the general orientation of the structure.



9. Rear Parcel Line Abutting an Alley. Where a rear parcel line abuts an alley, the rear setback shall be measured from the alley right-of-way line.
10. Minimum Distance Between Structures on Same Lot. This distance, measured between the points of shortest distance on the exterior facades of two (2) structures, shall determine the minimum separation of multiple structures within one (1) developed lot.
11. Minimum Ground Floor Living Area (Per Unit). The sum of the livable horizontal areas on the ground level of a building measured from the interior faces of the exterior walls, exclusive of basements, unfinished attics and attached garages. The minimum for a specific residential structure shall be dependent on the number of stories within the residential structure.
12. Total Minimum Living Area (Per Unit). The sum of the livable horizontal areas on all levels of a building measured from the interior faces of the exterior walls, exclusive of basements, unfinished attics and attached garages. Each residential dwelling unit shall have separate and individual kitchen and bathroom facilities.
13. Minimum Living Area Facade Width. The minimum width required for the front facade of a residential structure, exclusive of garages, porches, decks, or terraces. This requirement may apply to a continuous facade for multi-family or single-family attached units.
14. Maximum Lot Coverage (structures and buildings). The maximum amount of enclosed Ground floor area of all buildings on a lot expressed as a percentage of the horizontally projected area representing the bulk and mass on the lot.
15. Maximum Lot Coverage (all impervious surfaces). The maximum amount of ground floor area occupied by buildings, structures, parking lots, or other impervious surfaces on a lot expressed as a percentage of the horizontally projected area of the lot.

8.3 Abbreviations

ADA- Americans with Disabilities Act
 AFO - Animal Feeding Operation
 BFE - Base Flood Elevation
 BZA - Board of Zoning Appeals
 CAFO - Concentrated Animal Feeding Operation
 CFO - Confined Feeding Operation
 FCC - Federal Communications Commission
 FEMA - Federal Emergency Mangement Agency (Federal Agency)
 FIRM - Flood Insurance Rate Map
 FIS - Flood Insurance Study
 HOA- Homeowners Association
 HUD - Department of Housing and Urban Development (Federal Agency)
 IDEM - Indiana Department of Environmental Management
 IN - State of Indiana
 ILP - Improvement Location Permit
 INDOT - Indiana Department of Transportation
 LEED - Leadership in Energy & Environmental Design
 PC - Advisory Plan Commission
 PD - Planned Development
 PUD - Planned Unit Development
 TRC - Technical Review Committee
 ROW - Right of Way
 UDO - Unified Development Ordinance

All Use Type Definitions are found within Section 4.2 of this Ordinance and not within Section 8 text.

8.4 Definitions

A

ABANDONMENT: The relinquishment of property or a cessation of the use of the property for a continuous period of one year by the owner.

ABUT OR ABUTTING: To physically touch or border upon; or to share a common property line.

ACCESSORY BUILDING, STRUCTURE.: see "Structure, Accessory

ACCESSORY DWELLING: An accessory dwelling unit or detached accessory dwelling unit (sometimes called a mother-in-law apartment) is a separate living space within a house or on the same property as an existing house.

ACCESSORY USE: A use which is secondary to a primary use in area, extent, and/or purpose; contributes to the comfort, convenience, or necessity of occupants of the primary use; does not alter or change the character of the property; and is located on the same lot as the primary use.

ACCESSORY USE SOLAR ENERGY SYSTEM (AUSES): A solar panel, or array thereof, used for a solar collection system principally used to capture solar energy and to convert it to electrical energy or thermal power to supply electrical or thermal power primarily or solely for on-site use, and consisting of one or more free-standing, ground- or roof-mounted panel(s) or modules and solar related equipment, intended to primarily reduce on-site consumption of utility power and/or fuels. An AUSES shall be permitted in all zoning districts as accessory structures in each zoning district in which they are erected. The maximum size of AUSES is limited to the maximum size allowed for an accessory structure in each zoning district, and AUSES shall not be excluded from maximum-height, setback, or lot-coverage restrictions.

ACRE: A measure of land area containing forty three thousand five hundred and sixty (43,560) square feet.

ADMINISTRATOR: The professional appointed and/or delegated the responsibility for the administration of this Ordinance's regulations by the Pulaski County Advisory Plan Commission. Staff of the Zoning Department of Pulaski County

ADVISORY PLAN COMMISSION: A planning commission serving a single local government jurisdiction established as defined under Indiana Code, 36-7-1-2 (1983) as amended. The Pulaski County Plan Commission is an Advisory Plan Commission.

AGENCY, PUBLIC: An agency or government department acting under the aegis of and representing an elected or appointed Commissioners, commission, or other policy making or advisory body of federal, state or local government to whom it is responsible.

AESTHETICS: The pleasantness of the total environment related to the perceptual aspects of the surroundings including their appearance to the eye and the comfort and enjoyment offered to the other senses.

AGRICULTURE: The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any accessory uses shall be secondary to that of the normal agricultural activities. "Agriculture" shall not include feed lots, stock yards, or the commercial feeding of garbage or offal to swine or other animals.

AGRICULTURE ZONING DISTRICT: Refers to an A-1, or A-2 District.

AIRPORT: Any runway, land area, or other facility designed, used either publicly or privately by any person for the landing and taking off of aircraft including all necessary taxiways, aircraft storage and tie-down areas, hangers and other necessary buildings and open spaces.

AISLE - The traveled way by which cars enter and depart parking spaces.

ALLEY: A public right-of-way, other than a street, road, crosswalk, or easement, that provides secondary access to abutting properties.

ALTERATION: Any change, addition, or modification in construction or use of an existing structure or property.

ANIMAL SHELTER - A facility used to care for and house lost, stray, homeless, abandoned, or unwanted animals; including those found running at-large or otherwise subject to impoundment consistent with applicable laws. Animal shelter includes facilities for adoption, medical treatment, and cremation.

ANNEXATION: The process by which a municipality may add territory to itself, as specified in Indiana Code 36-4-3-1 to 36-4-3-21, as amended.

ANTENNA: Equipment usually attached to a tower, building or other structure, used for transmitting or receiving signals, images, sounds, or information of any nature by visual, or electromagnetic waves, radio frequency signals, including but not limited to a series of directional panels, microwave or satellite dishes, or omni-directional "whip" antennas.

ANTENNA SUPPORT STRUCTURE: Any building, pole, telescoping mast, tower, tripod, or any other structure which supports an antenna.

APPLICANT: The owner, owners, or legal representative of real estate who makes application to the Plan Commission and/or Board of Zoning Appeals for action by the Pulaski County Plan

Commission or Board of Zoning Appeals.

APPLICATION: The completed form or forms, together with any other required materials, exhibits, and fees required of an applicant consistent with the procedures established by this Ordinance.

ARTERIAL STREET - SEE "STREET, ARTERIAL"

AWNING: A temporary roof-like cover Any structure made of cloth, metal, or glass with a frame attached to a building and projecting over a window, sidewalk, or door, when the same is so erected as to permit its being raised or retracted to a position flat against the building when not in use. that projects from the wall of a building and overhangs the public way.

B

BALCONY: A platform that projects from the wall of a building and is surrounded by a railing or parapet.

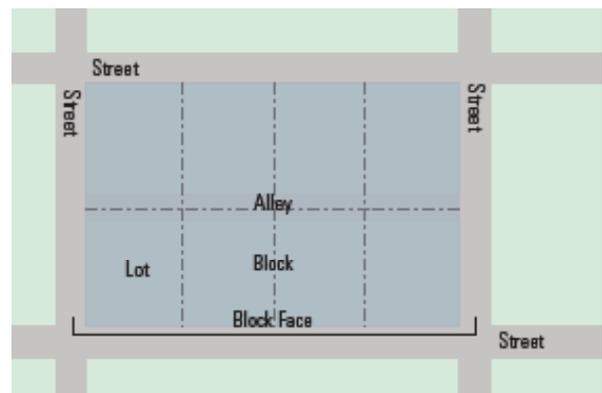
BASEMENT: A story all or partly underground but having at least one-half (½) of its interior height below the average finished grade adjoining ground. A basement shall not be counted as a story for the purpose of height regulations unless it has been subdivided into rooms and used for tenant purpose.

BERM; Berms are earthen mounds that block or screen the view, similar to a hedge, fence, or wall.

BEST MANAGEMENT PRACTICES: The utilization of the natural environment, artificial structures, scheduling, and/or prohibition to ensure the long-term operation and maintenance of features that control stormwater filtration, erosion and/or the discharge of polluting elements.

BILLBOARD - SEE "SIGN, OUTDOOR ADVERTISING"

BLOCK: Property abutting on one side of a street and lying between the two (2) nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway, or the end of a dead end street. Block length is measured centerline to centerline

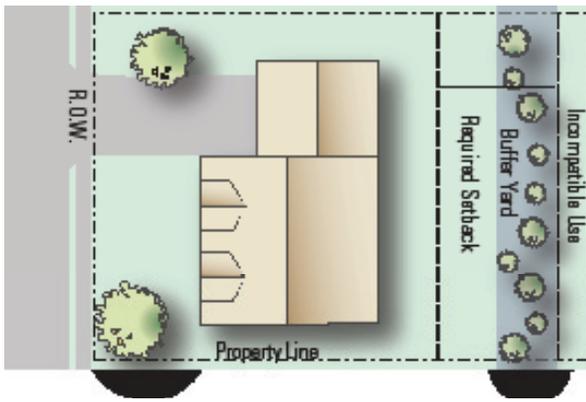


BLOCK FACE: One (1) edge of a block that lies between street or railroad rights-of-way, or waterways, and faces the street.

BOARD / BOARD OF ZONING APPEALS / BZA: A board consistent with the Indiana Code 36-7-4-900 series. The Pulaski County Board of Zoning Appeals or any division thereof, as the case may be.

BOND: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Plan Commission. Also known as a Surety Bond.

BUFFER, LANDSCAPING: Any trees, shrubs, walls, fences, berms, space, or related landscaping features required under this Ordinance on private lots, and privately maintained, for buffering lots from adjacent properties or public rights-of-way for the purpose of increasing privacy and aesthetics.



BUILDABLE AREA: The three dimensional portion of a lot remaining after the setback, easement, buffers, maximum height, landscaping, or open space requirements of this Ordinance have been met.

BUILDING: A structure having a roof supported by columns or walls, for the shelter, support, or enclosure of persons, property, or animals; and when separated by division walls from the ground up and without openings, each portion of such building shall be deemed as a separate building.

BUILDING, ACCESSORY: A subordinate building or structure on the same property or on an approved property as the principal building or structure. See also "Structure, Accessory."

BUILDING AREA: The horizontal area of the buildings on a lot, measured from the outside exterior walls, excluding open areas or terraces, unenclosed porches or decks, and architectural features that project no more than two (2) feet.

BUILDING, ATTACHED: A building that is structurally connected to another building by a foundation, wall, or roof line. Also known as accessory structure.

BUILDING CODE: The County Ordinance establishing and controlling the standards for constructing mechanical equipment, and all forms of permanent structures and related matters

within the County. Also referred to herein as the State Building Code. Also referred to as the the Pulaski County Building Code as per Ordinance 2006-2 as passed and with any subsequent amendments.

BUILDING COMMISSIONER: The person authorized and directed to administer and enforce the provisions of the Pulaski County Building Code.

BUILDING, DETACHED: A building having no structural connection with another building.

BUILDING HEIGHT: see "Height"

BUILDING INSPECTOR: That individual designated by the Building Commissioner to assist in enforcing the provisions of the building code.

BUILDING PERMIT: A certificate issued by the County to erect, construct, enlarge, alter, repair, move, improve, or convert any building or structure within its jurisdiction, or cause the same to be done.

BUSINESS: The engaging in the purchase, sale, barter, or exchange of goods, wares, merchandise, or services, or the maintenance or operation of offices, recreational, or amusement enterprises.

BZA – SEE "BOARD / BOARD OF ZONING APPEALS / BZA"

C

CANOPY: Any structure, other than an awning, made of cloth or metal with frames attached to a building, projecting over a sidewalk.

CERTIFICATE OF OCCUPANCY: A certificate stating that the occupancy and use of a building or structure meets all the requirements of inspection and complies with the provisions of this Ordinance, other applicable County Codes and Ordinances and the State Building Code.

CHANGE OF USE: Any use which substantially differs from the previous use of a building or parcel of land.

CHANNEL :The bed and banks of a natural stream which convey the constant or intermittent flow of the stream.

CHANNELIZATION :The straightening and deepening of channels and/or the surfacing thereof to permit water to move rapidly and/or directly.

CO-LOCATION: The location of wireless telecommunications equipment from more than one provider on a common tower, building or structure.

COLLECTOR STREET - SEE "STREET, COLLECTOR"

COMMERCIAL RECEIVING AND/OR TRANSMITTING ANTENNA: Any antenna erected to transfer information for commercial use

COMMERCIAL SOLAR ENERGY SYSTEM (CSES): An area of land or other area used by a property owner, multiple property owners, and/or corporate entity and its contained industrial-scale group or series of photo-voltaic (or solar) panels placed to convert solar radiation into usable direct current electricity or thermal power, and supply electrical or thermal power, primarily or solely for off-site utility grid use, and consisting of one or more free-standing ground-mounted, solar arrays or modules, battery storage facilities, solar related equipment, and ancillary improvements, including substations.

COMMERCIAL ZONING DISTRICT - Refers to a C-1 or C-2 District.

COMMISSION / PLAN COMMISSION: The County of Pulaski Advisory Plan Commission.

COMMISSION ATTORNEY: The licensed attorney who furnishes legal assistance to the Plan Commission, BZA, staff, and committees for the administration of this Ordinance or as provided by statute. Unless otherwise provided by the Commissioners, the County Attorney is the Commission Attorney. (See County Attorney).

COMMITMENTS: The Board may require the owner of the property to make written commitments concerning the use or development of the property as specified under IC 36- 7-4-921.

COMMON AREA: Land within a development which is not individually owned or dedicated to the public, but which is designed and intended for the use, enjoyment, and maintenance of the property owners within that development or other specific area. The common area may include complementary structures and/or other improvements.

COMPATIBLE: Having harmony and consistency in design, function, and/or appearance.

COMPOSTING: A controlled process of degrading organic material by microorganisms.

COMPREHENSIVE PLAN - SEE "PLAN, COMPREHENSIVE"

CONCEPTUAL PLAN - SEE "PLAN, CONCEPTUAL"

CONDITIONAL USE: Special provisions or requirements applicable to specific uses in certain zoning districts. If specified conditions are met as determined in this Ordinance or by the Administrator, no further approval is required.

CONDITION(S) (OF APPROVAL): Stipulations or provisions set forth as a prerequisite for approval of an application.

CONSERVATION SUBDIVISION: A development design technique that concentrates buildings/structures in specific areas on a site to allow the remaining land to be used for recreation, common

open space, and/or preservation of historic or environmentally sensitive features.

CONSTRUCTION, NEW: Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

CONSTRUCTION PLAN(S): The maps or drawings accompanying a subdivision plat that detail the specific location and design of utilities, streets and other improvements to be installed for the subdivision in accordance with this Ordinance.

CONTIGUOUS: see "Abut or Abutting"

COUNCIL: The County Council of Pulaski County, Indiana.

COUNTY: Pulaski County, Indiana.

COUNTY ATTORNEY: Licensed Attorney responsible for handling business of the County

COUNTY TREASURER: That County Official empowered to examine and settle all accounts and demands that are chargeable against the County and not otherwise provided for by statute.

COUNTY COMMISSIONERS OR COMMISSIONERS : The County Commissioners of Pulaski County, Indiana.

COUNTY ENGINEER: The licensed engineer designated by the County to furnish engineering assistance in the administration of this Ordinance.

COUNTY HEALTH OFFICER - SEE "HEALTH DEPARTMENT AND COUNTY HEALTH OFFICER"

COUNTY RECORDER: That County Official empowered to record and file land description plats.

COUNTY SURVEYOR: The County Official so designated by the laws of the State of Indiana.

COVENANTS: Private and legal restrictions of various kinds on the usage of lots within a subdivision which are proposed by the subdivider and, in the case of public health, safety and welfare, by the Commission, that are recorded with the plat and deed and enforceable in a civil court by interested or affected parties. Covenants can also be placed on commercial and industrial developments.

CROSSWALK: A strip reserved across a street dedicated to public use to provide pedestrian access to adjacent areas.

CUL-DE-SAC : A short street having one (1) end open to traffic and being permanently terminated by a vehicular turn-around.

CULVERT: A structure designed to convey a watercourse not incorporated in a closed drainage system under a road or pedestrian walk.

CURB: A concrete boundary marking the edge of a street or other paved area and providing for a change in grade between the street surface and the adjacent unpaved portions of the street right-of-way.

D

DECK: A platform, either freestanding or attached to building that is supported by pillars or posts.

DECIBEL: A unit of measurement of the intensity of loudness of sound . Sound level meters are used to measure such intensities and are calibrated in decibels.

DECIDUOUS TREE: see "Tree, Deciduous"

DEDICATION: The setting apart of land or interests in land for use by the public by ordinance, resolution, or entry in the official minutes as by the recording of a plat.

DENSITY: A unit of measurement that indicates the number of units per acre of land.

1. Gross Density: A number of units per acre of the total land to be developed, including public rights-of-way and dedicated open space.
2. Net Density: A number of units per acre of land when the acreage involved includes only the land devoted to intended uses and common open space, and excluding public right-of-way and dedicated open space.

DESIGN STANDARDS: Standards that set forth specific improvement requirements..

DETACHED STRUCTURE : A building that has no structural connection with the principal structure.

DETENTION BASIN: A man-made or natural water collector facility designed to collect surface and subsurface water in order to impede its flow and to release the same, gradually, at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

DEVELOPER: The owner (or agent thereof) of land proposed to be subdivided who is responsible for the layout of the land and the public improvements involved.

DEVELOPMENT: Any man-made change to improved or unimproved real estate including but not limited to:

1. Construction, reconstruction, or placement of a building or any addition to a building;
2. Installing utilities, erection of walls, construction of roads, or similar projects;
3. Construction of flood control structures such as levees, dikes, dams, or channel improvements;
4. Construction or reconstruction of bridges or culverts;

5. Mining, dredging, filling, grading, excavation, or drilling operations;

6. Storage of materials; or

7. Any other activity that might change the direction, height, or velocity of flood or surface waters.

8. Development does not include activities such as the maintenance of existing buildings and facilities such as painting or re-roofing; resurfacing roads; or gardening, plowing and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

DEVELOPMENT PLAN - Also referred to as Site Development Plan or Site Plan. A detailed, dimensioned plan including a legal or site description of the real estate involved, which shows the location and size of all existing and proposed easements; widths and lengths of all entrances and exits to and from said real estate; location of all adjacent or adjoining streets; all of which presents a unified and organized arrangement of buildings and service facilities and other improvements such as planting areas, which shall have a functional relationship to the real estate comprising the planned development and to the uses of properties immediately adjacent to the proposed development.. In addition a development plan illustrates the proposed development or alterations of a site, which would normally include architectural, engineering, landscape architectural, lighting and signage plans, prepared in accordance with the rules and regulations of Pulaski County, and submitted to the Plan Commission or other designated body or authority for review and approval.

DEVELOPMENT STANDARDS VARIANCE - SEE "VARIANCE, DESIGN STANDARDS / DEVELOPMENT REGULATIONS"

DISTRICT: A section of Pulaski County's zoning jurisdiction for which uniform zoning regulations govern use, height, area, size, intensity of use of buildings and land, and open spaces about buildings, as established by this Ordinance.

DOUBLE FRONTAGE LOT: see "Lot, Through"

DRAINAGE: The outflow of surface water or groundwater from land by drains, grading, or other means.

DRAINAGE BOARD: The Pulaski County Drainage Board for land within the County limits.

DRAINAGE FACILITY: Any component of the drainage system.

DRAINAGE SYSTEM: The system through which water flows from the land, including all watercourses, water bodies, and wetlands.

DRIVES, PRIVATE: Vehicular streets, and driveways paved or unpaved which are wholly within private property except where they intersect with other streets within public rights of way.

DRIVEWAY: A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure intended for motor vehicle access.

DRIVEWAY, COMMON: An access shared by adjacent property owners.

DWELLING UNIT : Any structure or portion thereof designed for or used for residential purposes as a self-sufficient or individual unit by one (1) family or other social association of persons and having permanently installed sleeping, cooking and sanitary facilities. The term shall include manufactured homes but shall not include recreational vehicles.

E

E.I.F.S.: Acronym for Exterior Insulation Finishing System, a construction siding material.

EASEMENT: An authorization or grant by a property owner for the use by another of any designated part of his property for a clearly specified purpose.

ELEVATION: A flat scale drawing of the front, rear, or side of a building.

ENVIRONMENTAL CONSTRAINTS: Features, natural resources, or land characteristics that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.

EROSION: The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice or gravity.

ESCROW: A deposit of cash with the Commission in lieu of an amount required and still in force on a performance/maintenance bond. Such funds shall be held by the County Treasurer.

EVERGREEN TREE: see "Tree, Evergreen"

EXTERNAL ILLUMINATION: see "Illumination, External"

F

FACADE: The portion of any exterior elevation on a building, extending from grade level to the top of the parapet, wall, or eaves for the entire width of the building elevation.

FAMILY: An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than FIVE (5) persons, not related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit. A family does not include any society, club, fraternity, sorority, group living in a boarding house, hotel, motel, bed and breakfast facility, lodging house, rooming house, assisted living facility, nursing home, or club.

FARM: A tract of land devoted to agricultural operations along with buildings and equipment essential to agricultural production and primary processing. A farm shall not include the commercial raising of animals, confined feeding, or the commercial feeding of garbage or offal to swine or other animals. See also "Agriculture."

FEMA: see "Floodplain Management"

FENCE: A structure designed and constructed for enclosures and/or screening.

FENCE, BARBED-WIRE/RAZOR-WIRE: One or more strands of wire or other material having intermittent sharp points of wire or metal that may puncture, cut, tear, or snag persons, clothing, or animals.

FEE SCHEDULE - (see OFFICIAL FEE SCHEDULE)

FILL: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. Shall also include the conditions resulting therefrom. Also the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade, or the material used to make a fill.

FINAL APPROVAL: The official action of the Plan Commission taken on a preliminarily approved major subdivision or site plan, after all conditions, engineering plans, and other requirements have been completed or fulfilled and the required improvements have been installed, or guarantees properly posted for their completion, or approval conditioned upon the posting of such guarantee (generally referred to as secondary approval)."

FIRM: Flood Insurance Risk Map

FIXTURE, LIGHT: The assembly that holds the lamp (bulb) in a lighting system. It includes the elements that provide light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

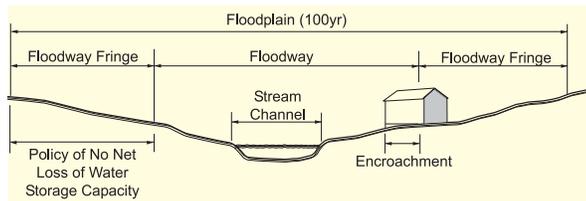
FLAG LOT: A flag lot is a more uncommon real estate design, though it is seen in many neighborhoods nationwide. A flag lot is basically a recessed interior lot, with an extended driveway, that sits above the homes to the left and right.

FLOOD HAZARD AREAS: Those flood plains which have not been adequately protected from flooding by the Regulatory Flood by means of dikes, levees, or reservoirs, and are shown on the Floodway Flood Boundary Maps of the Federal Insurance Administration or maps provided to the Commission from the State Natural Resources Commission.

FLOOD PLAIN: The area adjoining the river, stream or watercourse which has been or may hereafter be covered by flood water from the Regulatory Flood. The floodplain includes both the floodway and the fringe districts.

FLOOD PROTECTION GRADE: The elevation of the lowest point around the perimeter of a building at which flood waters may enter the interior of the building.

FLOODWAY - SEE "REGULATORY FLOODWAY"



FLOODWAY FRINGE: Those portions of the Flood Hazard Areas lying outside the floodway, shown on the floodway Flood Boundary Maps of the Federal Insurance Administration.

FLOOR AREA: The horizontal area of all floors of buildings or structures measured from the exterior face of exterior walls or from the center line of a wall separating two (2) buildings. The gross floor area shall not include interior parking spaces, loading space for motor vehicles or any space where the floor to ceiling height is less than six (6) feet..

FLOOR AREA RATIO: The total floor area of all stories of all buildings or structures on a lot, divided by the total land area of such lot.

FOOT CANDLE: A measure of illumination on a surface that is everywhere (1) one foot from a uniform point source of light of (1) one candle and equal to (1) one lumen per square foot.

FOOTPRINT - SEE "BUILDING FOOTPRINT"

FOUNDATION : The supporting member of a wall or structure.

FOUNDATION, PERMANENT: A structural system, constructed of masonry or poured concrete, for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the bearing capacity of the supporting soil.

FRONT LINE : With respect to a building, the foundation line that is nearest the front lot line.

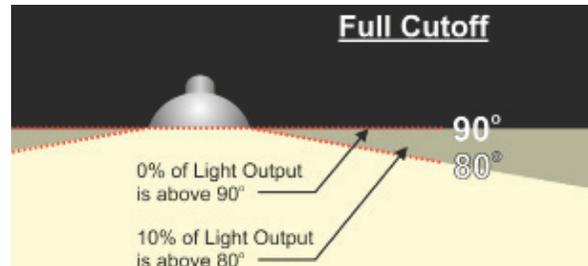
FRONT LOT LINE: See "LOT LINE, FRONT"

FRONT YARD: See "YARD FRONT"

FRONTAGE ROAD: A road which parallels a major arterial or collector street, providing access from abutting property and separated from the thoroughfare by a common dividing strip.

FULLY SHIELDED: A fixture constructed, installed, and/or mounted so that a line of sight to the bulb is obstructed by an opaque material when viewed At ground level or above from all adjoining residential and public right-of-way property lines and from twenty (20) feet inside all other adjoining property lines.

FULL CUTOFF: A light fixture which prevents distribution of light above a horizontal plane through the lowest point of the bulb or lens, diffuser, reflective passing enclosure, or other parts intended to distribute light.



G

GLARE: The reflection of harsh, bright light producing an effect that causes annoyance, discomfort, or loss of visual performance and visibility.

GRADE: The surface slope of the ground, street, or other public way, specified in percentage (%) terms.

GRADE, ADJACENT: The average of grade immediately adjacent to the structure in question.

GRADE, EXISTING: The vertical elevation of the ground prior to any excavation, filling, or other construction activity.

GRADE, FINISHED: The finished ground level adjoining the building at all external walls after man-made alterations have been completed.

GRADING: Any stripping, cutting, filling, stockpiling or any combination thereof; also the land in its cut or filled condition.

GRAIN BIN: A vertical storage structure equipped with mechanical lifting devices of any height or diameter used for the storage of grain.

GRAIN BIN LEGS: A grain conveyor system utilized for the transfer of grain.

GRANDFATHERED: A description of the a status of certain properties, uses, activities, and conditions that were legally existing prior to the effective date of this Ordinance.

GREENWAY : A linear park, alternative transportation route, or open space conservation area.

GROUND COVER: Low-growing living plant materials that in time forms a dense mat covering the area, preventing both soil from being blown or washed away and the growth of unwanted plants.

GROUND FLOOR AREA – SEE "BUILDING AREA"

GROUP HOME: A residential facility licensed by the State of Indiana which provides room and board, and personal care and supervision for not more than eight (8) persons with developmental or mental disabilities, as defined and regulated under I.C. 12-28-4.

GUTTER: A shallow channel usually set along a curb or the pavement edge of a road for purposes of catching and carrying off runoff water.

H

HARDSHIP: A difficulty stemming from the application of this Ordinance, which may or may not be subject to relief by means of variance. The exceptional hardship that would result from a failure to grant the requested variance. The Board of Zoning Appeals requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HAZARDOUS WASTE: Any refuse, solid waste or combination of solid wastes that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may:

1. Cause or significantly contribute to an increase in mortality or increase in serious irreversible, or incapacitating reversible illness; or
2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

HAZARDOUS MATERIAL: Any substances or materials that by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental to the health of any person handling or otherwise coming into contact with such material or substance.

HEALTH DEPARTMENT AND PULASKI COUNTY HEALTH OFFICER: The agency and that person designated by Pulaski County to administer the health regulations within the County's jurisdiction.

HEIGHT OF BUILDING (Commercial/Agricultural and Residential): The vertical distance measured from the highest ground level at the foundation to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.

HISTORIC DISTRICT :An area related by historical events or themes, by visual continuity or character, or by some other special feature that helps give it a unique historical identity, which may

be designated as such by local, state, or federal government.

HISTORIC STRUCTURE: Any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

HISTORIC SITE :A structure or place of historical significance, which may be designated as such by local, state, or federal government.

I

ILLUMINATION, EXTERNAL: Illumination of a sign that is affected by an artificial source of light not contained within the sign itself.

IMPERVIOUS SURFACE: A hard-surfaced, man-made area that highly resistant to infiltration by water, such as concrete, cement, asphalt, brick, paving block, rooftops, etc.

IMPROVEMENT: Any man-made building, structure, bridge, work of art, area, parking facility, public facility, fence, gate, wall, landscaping, or other immovable item which becomes part of, is placed upon, or is affixed to, real estate; facilities which aid in land development.

IMPROVEMENT LOCATION PERMIT (ILP): A permit signed by the Administrator stating that a proposed improvement of the land or change in the use or occupancy of a property complies with the provisions of this Ordinance and such other ordinances as may be applicable.

INCINERATOR: A device, structure, or facility designed to reduce waste volume by combustion, consisting of refuse handling and storage facilities, furnaces, combustion chambers, subsidence chambers, residue handling and removal facilities, and chimneys.

INDIANA CODE: The Current Indiana Code maybe referenced online. Usually abbreviated as I.C. herein.

INDUSTRIAL DISTRICT : Refers to the L-I or H-I Districts.

INFILL DEVELOPMENT: The development of new housing or other principally permitted buildings on scattered development sites in a developed or built-up area.

INFRASTRUCTURE: Facilities and services needed to sustain industry, residential, commercial, and all other land use activities, including utilities and streets.

INTERESTED PARTIES: Parties who are the owners of property, to whom notice must be given for a particular proceeding

INTERIOR LOT - SEE "LOT, INTERIOR"

ISLAND: With respect to street design, a raised area, usually curbed, placed to guide traffic and separate lanes, or uses for landscaping, signing, or lighting

J

JUNK: As defined by IC 8-23-1-26, as amended; Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles or automobile parts, iron, steel, and other old scrap ferrous or nonferrous material.

JUNK YARD / SALVAGE YARD (or Automotive Recycling Facility): A structure or place, as defined by IC 8-23-1-27, as amended; usually outdoors, where waste or discarded used property other than putrefying matter is accumulated or stored and is or may be salvaged for re-use or resale, including, but not limited to, one (1) or more unlicensed or inoperable motor vehicle or farm machinery or equipment of any kind.

JURISDICTION: The territory under the regulatory control of the Pulaski County Plan Commission as described on the map entitled Jurisdictional Area of Pulaski County, Indiana.

L

LANDSCAPING: The improvement of a lot with grass, shrubs, trees, and other vegetation and/or ornamental objects. Landscaping may include pedestrian walks, flowerbeds, berms, fountains and other similar natural and manmade objects designed and arranged to produce an aesthetically pleasing effect.

LANDSCAPING BUFFER: (See BUFFER, LANDSCAPING)

LEASE: To rent, to permit the possession of, or to grant the right of possession or use of a lot, parcel, tract, land or group of lots, parcels, tracts, or lands for compensation.

LEGAL DRAIN: Any drainage system consisting of an open drain, a tiled drain, or any combination of the two, and is under the jurisdiction of the County drainage board as provided by I.C. 36-9-27.

LOADING AND UNLOADING BERTHS: The off-street area required for the receipt or distribution by vehicles of material or merchandise, which in this Ordinance is held to be, at minimum, a twelve (12) foot by thirty (30) foot loading space with a fourteen (14) foot height clearance, paved with a hard surface.

LOCAL STREET - SEE "STREET, LOCAL"

LOT: A parcel of land occupied or to be occupied by one (1) principal building and one principal use and its accessory buildings including the open spaces to meet minimum requirements under this Ordinance. A lot may be land so recorded on official records or it may include parts or a combination of such lots when adjacent to one another, provided such ground is used for only one (1) principal use, or may be a parcel of land described by metes and bounds. Such lot shall have frontage on

an improved public street, or on a private street which meets County standards.

LOT AREA: The horizontal area within the exterior lines of a lot, including any easements, but excluding any rights-of-way or other similar dedications to the public.

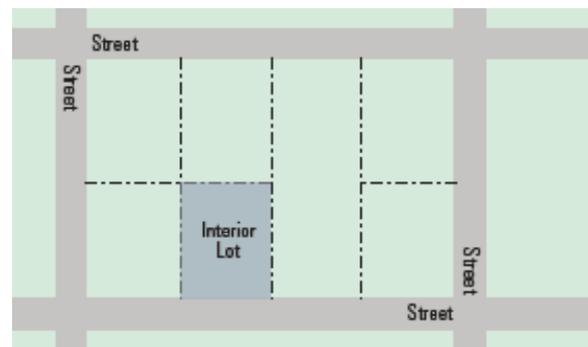
LOT, CORNER: A lot situated at the intersection of two streets which fronts a street on two (2) or more sides, with an interior angle of such intersection not exceeding 135 degrees.

LOT COVERAGE (all impervious surfaces) MAXIMUM: The area of a lot occupied by the principal building and any accessory buildings, parking areas, driveways, walkways, and other paved or impervious surface expressed as a percentage of the total horizontally projected area of the lot.

LOT DEPTH: The mean horizontal distance measured between the front and rear lot lines (see illustration at Lot Width).

LOT IMPROVEMENT: Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.

LOT, INTERIOR: A lot other than a corner lot or through lot.



LOT FRONTAGE: The frontage of a lot shall be construed to be the portion adjacent to street right-of-way. For the purpose of determining setback and other lot requirements on corner lots and through lots, all sides of a lot adjacent to street right-of-way shall be considered frontage.

LOT, IRREGULAR: A lot that is characterized by elongations, angles, shapes, and/or configuration that is inconsistent with the topography, street systems, other lots, and other features of the area in which it is located.

LOT LINE: The property lines defining the legal boundary of a lot.

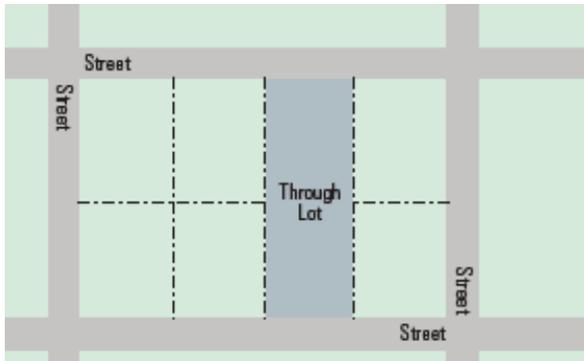
LOT LINE, FRONT: The line separating a lot from the adjacent street right-of-way on which the lot fronts. For a corner lot, the line marking the boundary between the lot and each of the abutting street rights-of-way.

LOT LINE, REAR : A lot line which is opposite and most distant from the front lot line, and in case of an irregular or triangular-

shaped lot, a line ten (10) feet in length within the lot, parallel to and at a maximum distance from the front lot line.

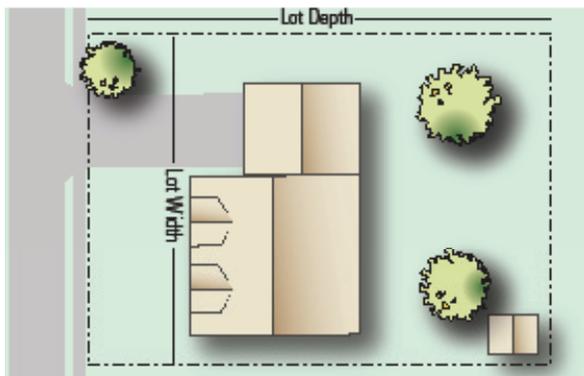
LOT LINE, SIDE: Any lot boundary line not a front lot line or a rear lot line.

LOT, THROUGH: A lot fronting on two (2) parallel or approximately parallel streets and includes lots fronting on both a street and a watercourse or lake.



LOT WIDTH: The distance between the side lot lines as measured on the building line measured at right angles to its depth along a straight line parallel to the front lot line at the front setback line. Lot width on cul-de-sac lots and other lots with curving frontages is measured as a line parallel to the frontage and at the front setback line.

LUMINAIRE: A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.



M

MAIN: In any system of continuous piping, the principal artery of the system to which branches may be connected.

MAINTENANCE GUARANTEE: Any security which may be required and accepted by a governmental agency to ensure that necessary improvements will function as required for a specific period of time.

MANEUVERING SPACE: An open space in a parking area which:

- A. is immediately adjacent to a parking space;
- B. is used for and/or is necessary for turning, backing or driving forward a motor vehicle into such parking space, but;
- C. is not used for the parking or storage of motor vehicles.

MAP: A representation of a part or the whole of the earth's surface, in signs and symbols, on a plane surface, at an established scale, with a method of orientation indicated.

MARKER (SURVEY): A stake, pipe, rod, nail, or any other object which is not intended to be a permanent point for record purposes.

MARQUEE: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

MASONRY: Construction material that consists of brick, stone, tile, rock, granite, marble, or other built-up panels of these materials, or molded concrete that is held together with mortar, as long as the molded concrete does not make up a continuous wall section.

MAST: The vertical pole portion to which the antenna, transmitter, or other type of installation is attached.

MASTER PLAN - SEE "PLAN, COMPREHENSIVE"

MAXIMUM BUILDING HEIGHT: see "Height, Building Maximum"

MAXIMUM LOT COVERAGE (all impervious surfaces): see "Lot Coverage (all impervious surfaces), Maximum"

MEDIAN: That portion of a divided highway separating lanes of traffic proceeding in opposite directions.

METES AND BOUNDS: A description of land prepared by a state-registered land surveyor providing measured distances and courses from known or established points on the earth.

METEOROLOGICAL TOWER: A tower that hosts weather instrumentation to evaluate meteorological conditions.

MINOR SUBDIVISION: see "Subdivision, Minor"

MIXED-USE DEVELOPMENT: An area, parcel of land, or structure developed in a compact urban form for two (2) or more different, principal land uses, at least two (2) of which must be from separate use categories such as but not limited to residential, office, retail, service, public, light manufacturing, or entertainment, and planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

MIXED USE STRUCTURE: A building or structure which includes two (2) or more principal, compatible uses, at least two (2) of which must be from separate use categories such as but not limited to residential (not allowed on the ground floor), office, retail, service, public, light manufacturing, or entertainment, and planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

MODIFICATION: A specific change or lessening of the regulations established by this ordinance That may be granted by the plan commission for a specific development in response to (1) unique Site characteristics or development patterns that Justify relief from the otherwise generally applicable Regulations, or (2) an alternative development Proposal deemed by the plan commission To meet the intent and spirit of this ordinance and Representing a creative and desirable application of different standards.

MONUMENT: A physical structure, which marks the location of a corner or other survey point

N

NET METERING: A billing arrangement that allows solar customers to get credit for excess electricity that they generate and deliver back to the grid so that they only pay for their net electricity usage at the end of the month.

NONCONFORMING LOT: A lot that does not conform to the regulations of the zoning district in which it is located.

NONCONFORMING STRUCTURE: A building or other structure that does not conform to the regulations of the zoning

NONCONFORMING USE: A use of land that does not conform to the regulations of the zoning district in which it is located.

NONRESIDENTIAL SUBDIVISION: A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of this Ordinance.

NUISANCE: The use of land or behavior that brings harm or substantial annoyance to adjacent property owners or the public in general.

O

OFFICIAL FEE SCHEDULE: Schedule of fees established by Pulaski County Commissioners and maintained in the Pulaski County Auditor's office, which specifies all current permit fees, rates, penalties, etc.

OFFICIAL MAP: The map(s) established by the County Commissioners pursuant to law showing the existing and proposed streets, highways, parks, drainage systems and set back lines theretofore laid out, adopted and established by law, and any amendments or additions thereto adopted by the County Commissioners or additions thereto resulting from the approval of subdivision plats by the Commission and the subsequent filing of such approved plats.

OFF-SITE: Located outside the lot lines of the lot in question but within the property (of which the lot is a part) that is the subject of a development application, or in a contiguous portion of a street or right-of-way.

OFF-SITE IMPROVEMENTS : Any premises not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval, upon which is located improvements required by or related to the property to be subdivided.

OFF-STREET PARKING SPACE - SEE "PARKING SPACE, OFF-STREET"

ON-SITE: Located on the lot in question.

ON-STREET PARKING SPACE - SEE "PARKING SPACE, ON-STREET"

ON-TRACT: Located on the property that is the subject of a development application or on a contiguous portion of a street right-of-way.

OPEN SPACE: An area of land not covered by buildings, parking structures, or accessory uses except for recreational structures. Open space may include nature areas; streams and flood plains; meadows or open fields containing baseball, football, and soccer fields; golf courses, swimming pools, bicycle paths, etc. Open Space does not include street rights-of-way, platted lot area, private yard, patio areas, retention ponds, or land scheduled for future development.

OPEN SPACE, COMMON: Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. It may include complementary structures and improvements.

OPEN SPACE, PUBLIC: An open space area conveyed or otherwise dedicated to a municipality, municipal agency, board of education, state or county agency, or other public body for recreational or conservation uses.

ORDINANCE: Any legislative action, however denominated, of the County Commissioners which has the force of law, including any amendment or repeal of any Ordinance.

OUTDOOR ADVERTISING - SEE "SIGN, OUTDOOR ADVERTISING"

OUTDOOR CAFE: Any portion of food establishment or eating or drinking place located on a public sidewalk or public open space that provides waiter or waitress service and is unenclosed

OUTDOOR STORAGE - SEE "STORAGE, OUTDOOR"

OWNER: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in property land, or their legal representative.

P

PARCEL: A piece of land having a legal description formally set forth in a conveyance together with a description of its location, shape, and size, in order to make possible its easy identification.

PARKING, OFF-STREET: A parking space provided in a parking lot, parking structure, or private driveway.

PARKING, ON-STREET: A parking space that is located on a dedicated street right-of-way.

PARKING AREA, PUBLIC: An open area, other than a street or alley, designed for use or used for the temporary parking of more than four motor vehicles when available for public use, whether free or for compensation or as an accommodation for clients or customers, and paved with a hard surface.

PARKING LANE: A lane generally located on the sides of streets, designed to provide on-street parking for vehicular traffic.

PARKING SPACE, AUTOMOBILE: Space within a public or private parking area for the storage of one (1) passenger automobile or commercial vehicle under a one and one-half (1 ½) ton capacity.

PAVEMENT: An asphalt, concrete, cement, or brick surface.

PERIMETER STREET: Any existing street to which the parcel of land to be subdivided abuts on only one side.

PERFORMANCE BOND: An amount of money or other negotiable security paid by the subdivider or the subdivider's surety to the County which guarantees that the subdivider will perform all actions required by the County regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of an approved plat, the subdivider or the subdivider's surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approved plat.

PERMANENT FOUNDATION: A structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

PERMANENT PERIMETER ENCLOSURE: A permanent perimeter structural system completely enclosing the space between the floor joists of the home and the ground, except for the necessary openings, constructed in accordance with the Pulaski County Building Code.

PERSON: A corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit, as well as a natural person.

PERSONAL WIRELESS FACILITIES: The transmitters, antenna structures, and other type of installations used for the provision of personal wireless services.

PERSONAL WIRELESS SERVICES: Licensed commercial wireless communication services including cellular telephones, personal communication services (PCS), enhanced specialized mobilized radio (EMR), paging and similar services.

PERVIOUS SURFACE: A surface that permits full or partial absorption of stormwater, such as grass and other vegetation, soil, water bodies, approved open-center paving block, etc. Decks made of wood and other materials shall be considered pervious if not built over an impervious slab or foundation and if slats are spaced a minimum of 1/8-inch apart.

PHOTOVOLTAIC (SYSTEM): A solar energy system that produces electricity by the use of semiconductor devices called photovoltaic cells that generate electricity whenever light strikes the cells.

PLAN: (see PLAN, COMPREHENSIVE)

PLAN, CAPITAL IMPROVEMENT: A proposed schedule of future projects listed in order of construction priority together with cost estimates and the anticipated means of financing each project. Major projects requiring the expenditure of public funds, over and above the annual local government's operating expenses, for the purchase, construction, or replacement of the capital improvements for the community are included.

PLAN COMMISSION / COMMISSION: The Advisory Plan Commission of Pulaski County as established in accordance with Indiana law, often referred to herein simply as the Commission.

PLAN, COMPREHENSIVE: A long-range plan intended to guide the growth and development of the community; including physical, social, and economic analysis, recommendations, proposals, plans, and policies in graphic statement forms for the development of the jurisdiction and adopted by the Commission pursuant to the I.C. 36-7-4-500 series and including any part and/or policies separately adopted and any amendment to such plan or parts thereof.

PLAN, CONCEPTUAL: A preliminary presentation and attendant documentation of a proposed subdivision or site plat showing the specific location and design of improvements to be installed for the subdivision or site in accordance with the requirements of this Plan as a condition of the approval of the plat.

PLAN, CONSTRUCTION - SEE "PLAN, CONCEPTUAL"

PLAN, GENERAL DEVELOPMENT: A plan outlining general, rather than detailed, development intentions. It describes the basic parameters of a major development proposal, rather than giving full engineering details. As such, it allows general intentions to be proposed and discussed without the extensive costs involved in submitting a detailed proposal.

PLAN, THOROUGHFARE: A plan which includes a street plan, sets forth the location, alignment, dimensions, identification, and classification of existing and proposed streets, and other thoroughfares.

PLANNED UNIT DEVELOPMENT (PUD): A means of land regulation which permits large scale, unified land development in a configuration and possibly a mix of uses not otherwise permitted "as of right" under the County Unified Development Ordinance but requiring under that Ordinance a special review and approval process.

PLAT :A map or chart that shows a division of land and is intended to be filed for record. A map indicating the subdivision or re-subdivision of land filed or intended to be filed for record with the County Recorder.

PLAT, PRIMARY: The primary plat, pursuant to I.C. 36-7-4-700 series, is the plat and plans upon which the approval of a proposed subdivision are based. The primary plat and plans shall be subject to public notice and public hearing according to law and according to Plan Commission rules. (Under former State statutes, the primary plat was referred to as a "preliminary" plat.)

PLAT, SECONDARY: The secondary plat, pursuant to I.C. 36-7-4-700 series, is the final plat document in recordable form. A secondary plat shall substantially conform with the preceding primary plat, or section thereof. The secondary plat and plans are not subject to public notices and public hearings. Secondary plat approval is an administrative function to be carried out in the manner prescribed by the written rules of the Plan Commission, either in public meeting or by the Administrator. (Under former state statutes, the secondary plat was referred to as the "Final" Plat.)

PORCH: A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

PRACTICAL DIFFICULTY: A difficulty with regard to one's ability to improve land stemming from regulations of this Ordinance.

PRIMARY PLAT - SEE "PLAT, PRIMARY"

PRINCIPAL BUILDING/STRUCTURE: The building or structure in which the principal use of the lot or premises is located or conducted, with respect to residential uses, the principal building or structure shall be the main dwelling.

PRINCIPAL USE: The main use of land or buildings as distinguished from an accessory use. A principal use may be either a permitted use or a special exception.

PRIVATE STREET - SEE "STREET, PRIVATE"

PUBLIC IMPROVEMENT: Any drainage ditch, street, highway, parkway, sidewalk, pedestrian-way, tree, lawn, off street parking area, lot improvement, or other facility for which the County Commissioners, or applicable Town Council may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which responsibility is established. All such improvements shall be properly bonded.

PUBLIC OPEN SPACE - SEE "OPEN SPACE, PUBLIC"

PUBLIC PARKING AREA - SEE "PARKING AREA, PUBLIC"

PUBLIC STREET - SEE "STREET, PUBLIC"

PUBLIC UTILITY ;Any person, firm, or corporation duly authorized to furnish under public regulation to the public, electricity, gas, steam, telephone, fiber optics, transportation, water, storm water, or sewerage systems.

PUD - SEE "PLANNED UNIT DEVELOPMENT"

PULASKI COUNTY BUILDING CODE - SEE "BUILDING CODE"

Q

QUALIFIED SOLAR INSTALLER: A trained electrical professional who has the skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved.

R

RECREATIONAL ZONING DISTRICT: Refers to the R-D District

RESIDENTIAL DISTRICT: Refers to the R-R District, along with R-1 through -4.

REGISTERED LAND SURVEYOR: A land surveyor properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

REGISTERED PROFESSIONAL ENGINEER: An engineer properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

REGULATORY FLOOD: That flood having a peak discharge which can be equaled or exceeded on the average of once in a one hundred year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Department of Natural Resources; this flood is equivalent to a flood having a probability of occurrence of one percent in any given year.

REGULATORY FLOOD ELEVATION: The maximum elevation reached by the Regulatory Flood at the locations in question relevant to approval of a given subdivision under construction.

REGULATORY FLOODWAY: The channel of a river or stream and those portions of the Flood Plains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flow of the Regulatory Flood of any river or stream shown on the Floodway Flood Boundary Maps of the Federal Insurance Administration.

RESIDENTIAL DISTRICT: Refers to an R-1, R-2, R-3, or R-4 District.

RE-SUBDIVISION: A change in a recorded subdivision plat if such change affects any street layout or area reserved thereon for public use or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

RETAINING WALL: A structure erected between lands of different elevation to protect structures and/or to prevent the washing down or erosion of earth from the upper slope level.

RETENTION BASIN: A pond, pool, or basin used for the permanent storage of water runoff.

RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by transportation facilities including railroads and crosswalks, public utilities, or other special public uses. Rights-of-way intended for any use involving maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right-of-way is established.

S

SALE, GARAGE/YARD: A sale of household goods, furniture, equipment, utensils, appliances, tools, personal clothing or effects, novelty items, glassware, farm products, or similar personal property, including, but not limited to any sale commonly termed "PORCH SALE," "YARD SALE," "LAWN SALE," "GROUP FAMILY SALE," "RUMMAGE SALE," "WHITE ELEPHANT SALE," or "ATTIC SALE."

SALE OR LEASE: Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, intestate succession, or transfer, of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, intestate succession, or other written instrument.

SALE, ROADSIDE: Sale of goods by one or more vendors over the age of eighteen (18), having transported such goods or services by car, truck, bicycle, trailer, or cart to a temporary roadside location and conducted only by owners of the property and not lessee's or others.

SALE, SIDEWALK: Sale of goods or services by one or more vendors on a sidewalk or public open space immediately outside of the commercial establishment in which such goods or services are typically sold.

SAME OWNERSHIP: Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

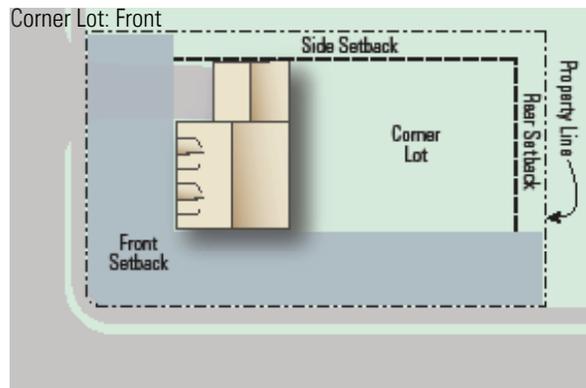
SATELLITE DISH: An apparatus capable of receiving audio/visual broadcasts from a transmitter relay located in a planetary orbit.

DIGITAL DISH SYSTEM: A small dish of approximately one (1) to two (2) feet (.3-6m) in diameter installed on or adjacent to a building for the purpose of receiving audio/video signals transmitted by a private telecommunications company.

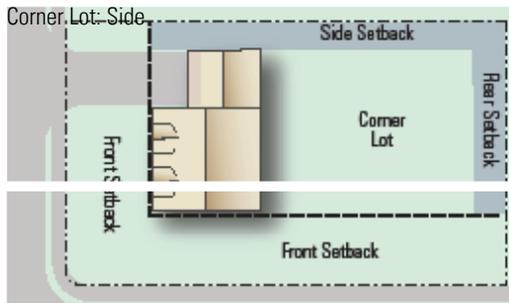
SEARCH AREA: A telecommunications company's service area.

SECONDARY PLAT - (see PLAT, SECONDARY)

SECONDARY APPROVAL: The stage of application for formal approval of a final plat of a subdivision which, if approved and signed by the designated officials, may be submitted to the County Recorder for filing.



SETBACK: A line parallel to and equidistant from the relevant lot line (front, back, side) between which no buildings or structures may be erected as prescribed in the Zoning Ordinance.



SEXUALLY ORIENTED BUSINESS - ADULT BOOKSTORE: An establishment having as a majority of its stock in trade or its dollar volume in trade, books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records, or other forms of electronic conveyance or visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or sexual anatomical areas.

SEXUALLY ORIENTED BUSINESS - ADULT ENTERTAINMENT BUSINESS: An, adult motion picture theater, adult cabaret, or adult live entertainment arcade, or like uses.

SHADE TREE: A tree in a public place, street, special easement, or right of way adjoining a street as provided in this Ordinance.

SHOULDER: The graded part of the right-of-way that lies between the edge of the main traveled way and the curb/grass.

SIDE LOT LINE: A lot boundary line other than a front or rear line.

SIDEWALK: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

SIDE YARD: (see YARD, SIDE)

SIGHT TRIANGLE: A triangular-shaped portion of land established at street intersections with a vision clearance area in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. See Section 5.5.

SIGN: A name, identification, description, display, or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization, or business.

SIGN, ELECTRONIC VARIABLE MESSAGE SIGNS (EVMS): A sign, or component of a sign, such as an electrically or electronically controlled message center, where the characters, letters, or illustrations can be changed or rearranged either in the field, or from a remote location, without physically altering the face or the surface of the Sign.

SIGN, TEMPORARY: An device not fixed to a permanent foundation for a non-permanent amount of time.

SKETCH PLAN: An informal, informational drawing, as described in this Ordinance, preparatory to the drawing of the preliminary plat to enable the developer or subdivider to save time and expense in reaching a general agreement with the Commission as to the form of the plat and conformance to the objectives of this Ordinance.

SOIL SURVEY: The National Cooperative Soil Survey prepared by the U.S. Department of Agriculture, Soil Conservation Service in cooperation with Purdue University.

SOLAR ACCESS: Unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

SOLAR ARRAY: Multiple solar panels combined together to create one system, which may be small enough to serve as an Accessory Use Solar Energy System or large enough to be paired with multiple arrays to create a Commercial Solar Energy System.

SOLAR ENERGY SYSTEM: A system capable of collecting and converting solar radiation into heat or mechanical or electrical energy and transferring these forms of energy by a separate apparatus to storage or to point of use, including, but not limited to, water heating, space heating or cooling, electric energy generation, or mechanical energy generation. This definition shall include Solar Thermal, Photovoltaic, and Passive Solar Systems and both large-scale commercial and small-scale accessory use solar energy systems.

SOLAR PANEL: A device for the direct conversion of sunlight into useable solar energy (including electricity or heat).

SPECIAL EXCEPTION: The authorization of a use that is designated as such by this ordinance as being permitted in the district concerned if it meets special conditions, and upon application, and is specifically authorized by the Board of Zoning Appeals by this Ordinance.

SPECIAL LANDSCAPING: Areas of tree planting, shrubs, or other landscape features serving a public purpose and maintained by the County. (See also Buffer Landscaping and Screening.)

STATE LAW: Such legislative acts of the State of Indiana as they affect this Ordinance.

STATE PLANE COORDINATES SYSTEM: A system of plane coordinates, based on the Transverse Mercator Projection for the Western Zone of Indiana, established by the United States Coast and Geodetic Survey for the State of Indiana.

STEALTH ANTENNA: A camouflaged antenna not readily visible.

STORAGE, OUTDOOR: The outdoor accumulation of goods, vehicles, equipment, products, or materials for permanent or temporary holding.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

STREET: A partially or fully improved public thoroughfare, including a road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare that affords vehicular access to abutting property.

STREET, ARTERIAL: A street which serves the major traffic movements within a community, such as between the central business district and the outlying commercial and residential areas, as well as a majority of the vehicular traffic entering and leaving the county to travel to and from adjacent communities.

STREET, COLLECTOR: : A street designed and used to carry moderate volumes of traffic from local streets to arterial streets.

STREET, CUL-DE-SAC: A street with a single common ingress and egress and with a turn-around at the end.

STREET FRONTAGE: The distance along which a property line of a lot abuts the right-of-way of an adjacent street.

STREET, INTERSECTING: Any street that joins another street at an angle, whether or not it crosses the other street.

STREET INTERSECTION: The point of crossing or meeting of 2 or more streets.

STREET, LOCAL: A street designed to provide vehicular access between individual properties and the collector and arterial street system.

STREET, NON-RESIDENTIAL: Any street where the primary land use of the lots which the street provides access to, as well as the lots on either side of the street is not residential.

STREET ORIENTATION: The direction of the architectural front façade of a building in relation to the street.

STREET, PRIVATE: Any street which is privately owned and maintained that is used to provide vehicular access to more than 1 property or dwelling unit.

STREET, PUBLIC: A street constructed and maintained by a unit of government within an officially deeded and accepted public right-of-way.

STREET, RESIDENTIAL: Any street where the primary land use of the lots which the street provides access to, as well as the lots on either side of the street is residential.

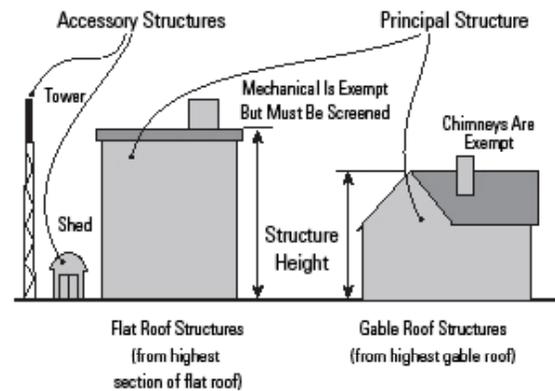
STREET RIGHT OF WAY WIDTH: The distance between property lines measured at right angles to the centerline of the street.

STRIP DEVELOPMENT: Development that generally occurs along main highways and thoroughfares leading into and out of a community. Strip development often includes fast food restaurants, filling stations, used car lots, and shopping centers.

STRUCTURE: Any building constructed or erected, which requires location on the ground or attachment to something having a location on the ground.

STRUCTURE, ACCESSORY: A building, structure, or use which:

1. Is subordinate to and serves a principal building, structure,



or use in area, extent, or purpose; and

2. Contributes to the comfort, convenience, or necessity of occupants of the principal buildings, structures, or principal uses served; and
3. Does not alter or change the character of the premises; and
4. Is located on the same zoning lot as the principal building, structure, or use; and
5. Conforms to the setback, height, bulk, lot coverage, and other requirements of this Ordinance unless otherwise provided for by this Ordinance; and
6. May not be constructed prior to the time of construction of the principal building or structure; and
7. Is not designed for human occupancy as a dwelling or commercial use.

STRUCTURE, DETACHED: A structure with no common wall with another structure.

STRUCTURE, PRIMARY: A structure which is conducted the principal use of the lot on which it is located (see illustration above).

STRUCTURAL ALTERATIONS: Any change in the supporting members of a building or structure such as bearing walls, partitions, columns, beams or girders, or any substantial change in the footprint or increasing size of living space.

SUBDIVIDER: Any person who (a) having a proprietary interest in land, causes it, directly or indirectly, to be divided in to a subdivision; or who to), directly or indirectly sells, leases, or

develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel, site, unit, or plat in a subdivision; or who to) engages directly, or through an agent, in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision of any interest, lot, parcel site, unit, or plat in a subdivision; and who (d) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

SUBDIVISION: The division of a parcel of land into two or more lots, parcels, sites, units, plats, or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions, including re-subdivision. Subdivision includes the division or development of land zoned for residential and nonresidential uses, whether by deed, metes and bounds, description, devise, intestacy, lease, map, plat, or other record instrument.

SUBDIVISION, ADMINISTRATIVE: Types of subdivisions of land handled by the Administrator and not requiring a public hearing

SUBDIVISION, MAJOR: No subdivision which results in the creation of more than four (4) lots from a parent tract, whether at the same time or over the course of time, shall be considered under minor subdivision review, regardless of whether the four lots are created through one subdivision or several subdivisions over time.

SUBDIVISION, MINOR: A minor subdivision shall be considered any subdivision which results in the creation of four (4) or fewer lots from a parent tract, whether at the same time or over the course of time.

SWIMMING POOL: A self-contained seasonally permanent body of water at least eighteen (18) inches deep and eight (8) feet in diameter or width and used for recreational purposes. It may be above or below ground level, and shall be considered an accessory structure and use.

T

TECHNICAL REVIEW COMMITTEE: A review committee composed of persons with technical knowledge of various county, state and federal regulations and standards regarding development responsible for working with developers or subdividers in reviewing technical aspects of plans and other development projects and making technical findings for the Commission for their consideration in reviewing said plans. The committee shall consist of the Administrator and appropriate checkpoint agencies.

TELEVISION ANTENNA: A metal tower located on or adjacent to a residence or other structure, for the purpose of receiving broadcast messages from signal and/or relay towers.

TEMPORARY BUSINESS; Any business operating at or within a movable location or structure, or any business operating at

a location which lacks permanent infrastructure including full utilities, parking, permanent signage, etc.

TEMPORARY IMPROVEMENT: Improvements built and maintained by a developer or subdivider during construction of the subdivision and intended to be replaced by a permanent improvement prior to release of the performance bond, or turn around improvements at the ends of stub streets intended to be replaced when the adjoining area is developed and the through street connection made.

TEMPORARY SIGN - SEE "SIGN, TEMPORARY"

TERRITORIAL JURISDICTION - SEE "JURISDICTION"

TOWER: Any pole, spire, structure, or combination thereof, to which antennas could be attached, or which is designed for any antenna to be attached, and all supporting lines, cables, wires and braces.

TRADE OR BUSINESS SCHOOL: A secretarial or business school or college that is not publicly owned, is not owned, conducted, or sponsored by a religious, charitable, or non-profit organization, and is not a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering, hairdressing, or the industrial or technical arts and like skills.

TREE, BROADLEAF: Trees having non-needle like leaves.

TREE, DECIDUOUS: Trees and shrubs that shed their leaves annually.

TREE, EVERGREEN: Trees and shrubs that do not shed their leaves annually.

TREE, ORNAMENTAL: A deciduous tree possessing qualities such as flowers or fruit, attractive foliage, bark or shape, with a mature height generally under 35 feet.

U

UNIFORM BUILDING CODE (UBC): Published by the International Conference of Building Officials and referenced by the State of Indiana to provide jurisdictions with building related standards and regulations.

UNIFIED DEVELOPMENT ORDINANCE: A land use ordinance that combines the provisions of ordinarily separate zoning and subdivision ordinances.

USE: The purposes of which land, building, or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

UTILITY - (see PUBLIC UTILITY)

V

VARIANCE, USE: The specific approval granted by the Board of Zoning Appeals of a use other than that prescribed by this Ordinance.

VARIANCE, DEVELOPMENT REGULATIONS/DESIGN STANDARDS: A specific approval granted by a Board of Zoning Appeals to deviate from the development standards (such as height, bulk, or area) that the Ordinance otherwise prescribes.

VETERINARY ANIMAL HOSPITAL OR ANIMAL CLINIC: A place used for the care, diagnosis and treatment of sick, ailing, infirm or injured animals, and may include overnight accommodations on the premises for treatment, observation and/or recuperation. It may also include boarding incidental to the principal use.

VILLAGE: An settlement originally platted as a town but never incorporated. For certain purposes, such as distinguishing between the R-1 Village Residential District and other zoning districts, the term may be employed to describe any tract or subdivision housing area neither served by public utilities nor with lots meeting minimum-size requirements.

VISION CLEARANCE ON CORNER LOTS: (see SIGHT TRIANGLE)

W

WECS: Means a Wind Energy Convergence System.

WECS COMMERCIAL: A WECS that is designed and built to provide electricity to the electric utility's power grid: In general, a commercial WECS will have 100 KW (kilowatt) and above total generating capacity. Prohibited by this ordinance.

WECS MICRO: A type of non-commercial WECS which typically has a total generating capacity of 10 kilowatts or less and utilizing supporting towers of sixty (60) feet or less.

WECS Non-Commercial: In general, a non-commercial WECS has less than 40 kilowatts in total generating capacity. A Non-Commercial WECS is generally designed and built for localized power consumption. Small towers are no taller than 200'; larger are taller than 200'

WIND FARM: a wind farm is a collection of wind turbines in the same location and used for the generation of electricity.

WECS OWNER: the entity/ies with an equity interest in the WECS(s), including their respective successors and assigns. Does not mean the property owner from whom land is leased (unless the property owner has an equity interest in the WECS); or any person holding a security interest in the WECS(s) solely to secure an extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the WECS(s) within one year of such event.

WECS Applicant: The entity or person who submits to the County an application for the siting of any WECS or Substation or thereafter operates or owns a WECS.

WECS Operator: Means the entity responsible for the day-to-day operation and maintenance of the WECS, including any third party subcontractors.

Y

YARD: A space on the same lot with a principal building that is open and unobstructed except as otherwise authorized by this ordinance. A space on the same lot with a principal building, such space being open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

YARD, FRONT: A yard as defined herein, encompassing the horizontal space between the nearest foundation of a building to the right of-way line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the right of way line. The front yard of a corner lot shall be that yard abutting the street upon which the lot has its least frontage.

YARD, REAR: The horizontal space between the nearest foundation of a building to the rear lot line and that rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the nearest foundation to the rear lot line. The rear yard of a corner lot shall be that yard at the opposite end of the lot from the front yard.

YARD, SIDE: The horizontal space between the nearest foundation of a building to the side lot line and that side lot line, unoccupied other than by architectural appurtenances, balconies, open lattice-enclosed fire escapes, or fireproof outside stairways projecting not more than twenty-four (24) inches into that space; or by steps or terraces not higher than the level of the first floor of the building.

Z

ZONE: An area or areas of the county in which certain land uses are permitted and other uses are prohibited by a zoning ordinance.

ZONING DISTRICT - (see DISTRICT)

ZONING MAP: The official zoning map of the jurisdictional area of the County of Pulaski County, Indiana, denoting zoning districts.

ZOO: A permanent location, building, or structure where more than one exotic animal is kept, indoors and/or outdoors, as an attraction, and where admission is collected.



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