

ORDINANCE NO. 2013-43-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:

Section 1: Change **UZO Section 5-1-11(g) Elevation of Existing Residences** by amending the following Subsection 1) as shown below:

- 1) Elevation Standards: Until ~~July 1, 2013~~ ~~December 31, 2013~~ July 1, 2014 in all **FP zones** any existing **residence** (excluding **mobile homes**) that has been **substantially damaged** or suffered **repetitive loss** may be elevated such that the **lowest floor elevation** is at or above the **flood protection grade**.

This ordinance shall be in full force and effect from and after its passage.

(Adopted And Passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this 2nd day of December, 2013.

VOTE:

Y

Y

Y

David S Byers
David Byers, President

John Knochel
John Knochel, Vice President

Thomas Murtaugh
Thomas Murtaugh, Member

ATTEST:

Jennifer Weston
Jennifer Weston, Auditor

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

November 21, 2013
Ref. No.: 13-348

Tippecanoe County Commissioners
20 N. 3rd Street
Lafayette IN 47901

CERTIFICATION

**RE: UZO AMENDMENT #79—ELEVATING HOMES IN FP
DEADLINE EXTENSION:**

An amendment to the Unified Zoning Ordinance that changes the deadline date for elevating existing residences in the FP zone under certain circumstances from, December 31, 2013 to July 1, 2014.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on November 20, 2013, the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be approved.

Sincerely,



Sallie Dell Fahey
Executive Director

SDF/bkz

Enclosure: Staff Report and Ordinance

UNIFIED ZONING ORDINANCE AMENDMENT 79

**2nd Extension of the End Date for Elevating
Existing Single Family Homes in the Flood Plain**

**STAFF REPORT
November 14, 2013**

Unified Zoning Ordinance Amendment 79

2nd Extension of the End Date for Elevating Existing Single Family Homes in the Flood Plain

Staff Report
November 14, 2013

Elevating qualifying (substantially damaged or repetitive loss) existing single-family homes located within the Flood Plain zone was first permitted by Amendment 63 with a sunset date of January 2013. That amendment was superseded by Amendment 65 at the request of IDNR and the 2-year clock was reset to July 2013. Then the Ordinance Committee, at its meeting on May 1, 2013, voted to extend that deadline until December 31, 2013 to give staff time to revisit and review this section of the ordinance, as well as to give the Ordinance Committee itself time to discuss the amendment's future. That recommendation resulted in Amendment 77 extending the elevation deadline to December 31, 2013.

At the September Ordinance Committee meeting property owner Robert Becker and Commissioner Dave Byers, asked the committee to look at expanding the elevation language to permit elevation of residences that have not had a determination of substantial damage or repetitive loss. Jay and Sallie met and decided that with all the other issues before the Ordinance Committee they would not be able to complete their work before the current sunset date of December 31, 2013. They then recommended a second extension to July 1, 2014, sufficient time to work through the larger issue and the new request. Staff filed this amendment in October for this November hearing, an action supported by the Ordinance Committee at its November 6, 2013 meeting.

The attached amendment resets the existing clock to July 1, 2014. Legislative action will occur in early December prior to the current expiration on the 31st.

RECOMMENDATION:

Approval

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 3
OF ORDINANCE NO. _____
BEING THE UNIFIED ZONING ORDINANCE
OF TIPPECANOE COUNTY.**

Be it ordained by the (County Commissioners of Tippecanoe County, Indiana; the Common Council of the City of Lafayette, Indiana; the Common Council of the City of West Lafayette, Indiana; the Town Council of the Town of Battle Ground, Indiana; the Town Council of the Town of Dayton, Indiana; and the Town Council of Clarks Hill, Indiana), that Ordinance No. _____, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

Section 1: Change **UZO Section 5-1-11(g) Elevation of Existing Residences** by amending the following Subsection 1) as shown below:

- 1) Elevation Standards: Until ~~July 1, 2013~~ ~~December 31, 2013~~ July 1, 2014, in all ***FP zones*** any existing ***residence*** (excluding ***mobile homes***) that has been ***substantially damaged*** or suffered ***repetitive loss*** may be elevated such that the ***lowest floor elevation*** is at or above the ***flood protection grade***.

This ordinance shall be in full force and effect from and after its passage.