



# Zoning Review

Town of Whitestown | Planning Department

The following information will need to be submitted to initiate the accessory structure review process:

- Completed accessory structure application
- Survey, site plan, or plot plan with location of proposed structure and relevant information
- Elevations with building material list depending on the type of structure

Property owners planning to construct an accessory structure will need to obtain a Zoning Review Approval from the Town.

1. Accessory Structure Zoning Review Application. Submit the following information along with the zoning review accessory structure application:
  - a. Structure Details. Applicants must indicate specific details including location, height, size, and type of materials. Information on the primary structure exterior materials may be required upon request.
  - b. Survey / Site Plan. Applicants must submit a property survey or plot plan that shows where the proposed structure will be located on the property. The submitted site plans must be scaled drawings. Proposed structures must be accurately shown on the survey/site plan where they are intended to be constructed.
2. Property owners shall work with their Homeowners Association if required. **The Whitestown Certificate of Approval does not relinquish any approvals needed from an HOA.**
3. Depending on the scale of the proposed structure, building permits may be required. Applicants will be notified if building permits are required.
4. Accessory structures shall not restrict drainage or be placed in the public right of way. Accessory structures are not permitted in easements.
5. It is the property owner's responsibility to locate the property corner markers (pins) prior to applying for an accessory structure permit. The Town is not liable for structures constructed on the wrong property.

Applicable zoning review information can be submitted via email to planning staff at [planning@whitestown.in.gov](mailto:planning@whitestown.in.gov) or brought to the Municipal Complex located at 6210 Veterans Drive.

If an applicant wishes to discuss Regulated Drainage Easements (RDE) on their property, reach out to Carol Cunningham with the Boone County Surveyor's staff at [ccunningham@co.boone.in.us](mailto:ccunningham@co.boone.in.us) or (765) 483-4444.

# Accessory Structure Zoning Review Application

---

## ***Applicant***

Name	
Street Address	
City, State, Zip	
Primary Contact Person for this Application	
Phone	E-Mail
Applicant is (circle one):      Sole owner      Joint Owner      Tenant Agent      Other (specify)	

## ***Property Owner (if different than applicant)***

Name	
Street Address	
City, State, Zip	
Phone	E-Mail

## ***Premises Affected***

Total Acreage	
Subdivision	Lot Number
10-digit Parcel Number	18-digit Parcel Number

## ***Accessory Structure Details***

Type (circle) <i>Garage / Shed</i> <i>Dumpster Enclosure</i> <i>Swimming Pool</i> <i>Other</i>	
Height	Square Footage
Primary Structure Square Footage	
Please provide additional details as needed:	

---

Applicant Signature

---

Date

# Consent of Property Owner

---

*Complete and submit if applicant is different from property owner.*

I (we)

---

NAME(S)

After being first duly sworn, depose and say:

- That I/we are the owner(s) of the real estate located at I (we)

---

ADDRESS

- That I/we have read and examined the Application and are familiar with its contents.
- That I/we have no objection to, and consent to such request as set forth in the application.
- That such request being made by the applicant (\_\_\_\_ is) (\_\_\_\_ is not) a condition to the sale or lease of the above referenced property.

---

(AFFIANT)

STATE OF INDIANA )

) SS:

COUNTY OF \_\_\_\_\_)

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

---

, Notary Public

My Commission expires: \_\_\_\_\_ County of Residence: \_\_\_\_\_

# Unified Development Ordinance

---

## Section 4.1 Accessory Structures

- A. Accessory buildings are permitted in all Zoning Districts. No more than one accessory building, including a detached private garage, is permitted on any attached or detached single-family dwelling lot.
- B. The maximum ground floor area of an accessory building is less than the ground floor area of the principal building or 1,000 square feet, whichever is less.
  - Accessory buildings located in the AG Zone and used for agriculture purposes are exempt from maximum floor area regulations.
  - Accessory structures larger than 1,000 square feet in residential zoning districts will need to seek a Variance through the Board of Zoning Appeals.
  - Accessory structures larger than 1,000 square feet in non-residential zoning districts will need to seek approval through the Development Plan Amendment process.
- C. Accessory buildings must be constructed on the same lot as their principal building.
- D. Accessory buildings for residential uses must be setback at least 10 feet behind the front facade of the principal building.
- E. An accessory building 200 square feet or smaller must be a minimum of 3 feet from the side and rear lot lines and located outside of all easements. An accessory building over 200 square feet must meet the minimum side, street side, and rear yard building setback lines of the Zoning District, except as otherwise established by this chapter.
- F. Accessory buildings must not be constructed until the construction of the principal building on the same lot has begun. Accessory buildings cannot be occupied or utilized unless the principal building is first legally occupied for a permitted use within the applicable Zoning District. The construction of an accessory building must be completed:
  1. Within one year of the issuance of a building permit, if such permit is obtained individually; or
  2. Within one year of the completion of construction of the principal building, if the accessory building's building permit is obtained as part of the building permit for the principal building.
  3. The standards of this Ordinance do not prevent the use of a temporary construction building to be utilized for the storage of tools, materials, and other equipment during the period of construction.
- G. Property owners should refer to any applicable Declaration of Covenants, Conditions, and Restrictions which may impose greater restrictions than are found in this Ordinance. This ordinance does not abrogate any private covenants that may apply to property.

Likewise, approval of any addition or improvement pursuant to private covenants does not act as a waiver of any requirements contained in this ordinance.
- H. Swimming pools must be constructed on the same parcel as the principal building to which they are accessory. Swimming pools cannot be constructed in the established front yard. Swimming pools are required to meet the same minimum building setback line as their principal building. Access to residential pools must be restricted in accordance with I.A.C., Title 675, Article 20.
- I. Screening of Receptacles and Loading Areas: These standards apply to all garbage containers, trash receptacles, pallet storage areas, trash compactors, recycling areas and other similar facilities for commercial, industrial, and multi-family uses:
  1. Garbage containers, trash receptacles, pallet storage areas, trash compactors, recycling areas, loading areas and other similar facilities must be completely and permanently screened from view of rights-of-way and where possible, adjoining properties.

2. Enclosures cannot be in an established front yard or in any required side or rear yard.
  3. The enclosure must be solid on all sides and not less than 6 feet in height above grade or 2 feet above the receptacle, whichever is greater.
  4. Enclosures must be constructed of materials that match or complement the principal building.
  5. Enclosures must have opaque gates. The gates cannot be oriented towards residential properties or rights-of-way, where possible.
  6. Trash enclosures should provide convenient pedestrian access for daily waste disposal. Such access should be provided without swinging or moveable doors.
  7. Gates and doors on enclosures must be kept closed when not in use.
  8. Landscaping must be provided around enclosures in accordance with 5.3 General Landscaping Standards.
- J. Large ground microwave antenna dishes are not permitted in an established front yard or an established side yard; however, a satellite receiver antenna 2 feet in diameter or less may be installed in any location in accordance with the provisions of IC 36-7-4-201.1.
- K. Carports must be consistent in design, appearance, and materials with the principal building.
- L. Public Art
- Public art includes, but is not limited to sculptures, monuments, fountains, mosaic, and stained glass. Signage is not considered public art.
  - Public art shall, when part of an overall development be included in the Development Plan and approved administratively. Such incorporation of the public art shall be cohesive with the overall development.
  - Public art shall not contain characteristics that will distract drivers, pose a safety risk, or impact traffic flow.
  - If public art is located on a building structure, it may extend a maximum of 30" from the face of the wall.