

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 24-45

AN ORDINANCE TO AMEND THE TEXT OF GREENWOOD COMMON COUNCIL  
ORDINANCE NO. 99-12 ESTABLISHING THE PINES PLANNED UNIT  
DEVELOPMENT DISTRICT TO PERMIT UTILITY SHEDS, HOT TUBS, SPAS, AND  
ABOVE GROUND SWIMMING POOLS ON DETACHED SINGLE FAMILY LOTS

WHEREAS, the owners of certain lots in The Pines Planned Unit Development District ("PUD") desire to amend the ordinance establishing the PUD, Common Council Ordinance No. 99-12 entitled, "An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled, 'An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing for the Administration, Enforcement, and Amendment Thereof, in Accordance with the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana as Amended, and for the Repeal of all Ordinances in Conflict Herewith', (Proposed Rezoning of approximately 104.8 acres located in the southwest quadrant of County Roads 750N and 75W, referred to as the Morgan Farm)" ("Ord. 99-12"), to allow the customary residential accessory uses of utility storage sheds, hot tubs or spas, and above-ground swimming pools on individually platted detached single family lots;

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter "Commission") conducted a public hearing on the petition for these proposed text amendments to Ord. No. 99-12 that will permit accessory structures of utility sheds, hot tubs or spas, and above-ground swimming pools on detached single family individually platted lots in the PUD;

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation** (8-0) regarding the text amendments and certified the same to the Greenwood Common Council;

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter;

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission and paid reasonable regard to items 1 through 5 referred to above.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The Greenwood Common Council hereby amends Greenwood Common Council Ordinance No. 99-12, "An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled, 'An Ordinance Establishing Comprehensive Zoning Regulations for the City of Greenwood, Indiana, and Providing for the Administration, Enforcement, and Amendment Thereof, in Accordance with the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana as Amended, and for the Repeal of all Ordinances in Conflict Herewith', (Proposed Rezoning of approximately 104.8 acres located in the southwest quadrant of County Roads 750N and 75W, referred to as the Morgan Farm)" Section 1., subsection 1.3.1.7, to read as follows:

"1.3.1.7 Detached single family dwellings on individually platted lots, including customary accessory uses and structures, not inconsistent therewith and as otherwise permitted and regulated by the City of Greenwood Zoning Code, are permitted. Fencing, walls, and other similar structures may be used as connecting elements between single family dwellings on adjacent lots. Detached garages and carports, are prohibited. Utility storage sheds, hot tubs or spas, and above-ground swimming pools are permitted. Hot tubs, spas, and above ground

swimming pools shall be encompassed by a fence. In-ground swimming pools are permitted in rear yards only and shall not encroach upon easements.”

Section 2. The sections, paragraphs, sentences, clauses, phrases and words of this ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 3. This Ordinance shall have no effect as to changing any other provision of Ordinance No. 99-12, except to the extent necessary to give this Ordinance full force and effect.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

**Remainder of this page intentionally left blank**

Passed by the Common Council of the City of Greenwood, Indiana, this 2nd day of December, 2024.

Michael Campbell  
Michael Campbell, President  
Greenwood Common Council

ATTEST:

I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 2nd day of December, 2024, by the following vote:

AYE: NAY:

Erin Betron	<u>Absent</u>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Campbell		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra J. Hill		<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. David Hopper		<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Lekse		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Teri Manship		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Moan		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams		<input checked="" type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 2nd day of December, 2024, is presented by me this 3rd day of December, 2024, at 11:15 o'clock A.m., to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers  
Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 2nd day of December, 2024, is approved by me this 3rd day of December, 2024, at 11:10 o'clock A.m.

Mark W. Myers  
MARK W. MYERS, Mayor of  
the City of Greenwood, Indiana