



TOWN OF FORTVILLE

714 E. Broadway, Fortville, IN 46040
(317) 485-4044 | www.Fortville.IN.gov



TOWN COUNCIL AGENDA - MONDAY, MARCH 16, 2026 - 6:30 PM

Elected Officials & Term Dates

1st District

Tonya Davis - 1/1/24-12/31/27
Sean Morgan - 9/23/2025-12/31/27

2nd District

Ryan Rummell - 1/1/23-12/31/26
Libby Wyatt - 1/1/24-12/31/27

At-Large

Fred "Fritz" Fentz - 1/1/23-12/31/26

Clerk-Treasurer

Melissa Glazier - 1/1/24-12/31/27

Town Department Heads

Town Manager

Joe Renner

Police

Chief Patrick Bratton

Planning & Building

Adam Zaklikowski, AICP

HR-Office Manager & Comm. Relations

Andy Williams

Utilities & Accounts Payable

Angie Renner, Manager

Water Treatment Plant

David Thompson, Superintendent

Parks & Recreation

Heath Luther, Manager

Public Viewing Access

Livestream available through Zoom

- Call-In Number: 1-929-205-6099
- Meeting ID: 847 5322 7108
- <https://us02web.zoom.us/j/84753227108>

Public meeting video library available on YouTube: [@townoffortville1865](https://www.youtube.com/@townoffortville1865)

Meeting Repository available at <https://www.fortville.in.gov/meetings/>

Upcoming Public Meetings

- Thurs. March 19: RDC
- Thurs. March 26: BZA
- Tue. March 31: Plan Commission
- Mon. April 6: Town Council
- Wed. April 8: Police Commission

ADA Accommodations Notice

In compliance with the Americans with Disabilities Act (ADA), the Town of Fortville is committed to ensuring that individuals with disabilities can fully participate in public meetings. Reasonable accommodations or assistance will be provided upon request.

To request accommodations, please contact Andy Williams, Office Manager, at (317) 482-4048 or awilliams@fortville.in.gov at least 48 hours before the scheduled meeting.

1. Meeting Opening

- Call Meeting to Order
- Pledge of Allegiance
- Roll Call
- Declaration of Quorum
- The Council will consider **approval of, or edits to, the evening's meeting agenda.**
- The Council will consider **approval of the minutes of the previous meeting - March 2nd, 2026**

2. Old Business

- The Council will consider the **2nd Reading of Ordinance No. 2026-3A**, amending the 2026 Salary Ordinance to reflect the pay increase for Police Chief Patrick Bratton.
- The Council will consider the **1st Reading of Ordinance 2026-3B**, establishing a Registration and Inspection Program for Rental Housing Units and Commercial Buildings.
- Missy Glazier to discuss the possible conversion to **BS&A Cloud-based Software** for the Clerk-Treasurer's and Utilities/Accounts Payable offices.

3. New Business

- The Council will consider the **1st Reading of Ordinance 2026-3C**, amending the commercial/industrial portion of the Mercho-SC Bodner PUD.
- The Council will consider the **1st Reading of Ordinance 2026-3D**, a new PUD for the Lakefield mixed-use project near the southeast corner of 1000 North and 400 West.

4. Department Reports

- Town: Joe Renner
- Planning & Building: Adam Zaklikowski
- Parks & Recreation: Heath Luther
- Police: Chief Patrick Bratton
- Clerk-Treasurer: Missy Glazier
- Legal: Alex Intermill

5. Public Comments - 2 minutes per person

6. Council Member Comments

7. Meeting Closure

- The Council will consider **approval & signing of the accounts payable vouchers.**
- The Council will consider **adjournment of the meeting.**



ORDINANCE 2026-3A
AN ORDINANCE AMENDING ORDINANCE 2025-11C

WHEREAS, the Town Council for the Town of Fortville, Indiana (respectively, “Town Council” and “Town”) has established a board of metropolitan police commissioners.

WHEREAS, the board of metropolitan police commissioners has recommended to the town legislative body (Town Council) that the police chief’s pay be amended.

WHEREAS, the Town Council finds it necessary to amend the base pay and benefit compensation of the 2025-11C salary ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORTVILLE, HANCOCK COUNTY, INDIANA, that:

SECTION 1. Sections II and V of Ordinance 2025-11C are hereby amended and restated as follows:

Section II – Base Pay Compensation

The following base hourly amounts shall be paid each two weeks from the listed funds in Section VII of ordinance 2025-11C with the first pay date being January 2, 2026.

| <u>Position</u> | | <u>Bi-Weekly Pay</u> |
|--------------------|--------|----------------------|
| Town Manager | Exempt | \$3,634.93 |
| Town Marshal/Chief | Exempt | \$3,672.83 |
| Planning Director | Exempt | \$2,908.71 |

| <u>Position</u> | <u>Hourly Pay</u> |
|---|-------------------|
| Plant Utilities Superintendent | \$38.91 |
| Plant Utilities Operator | \$28.63 |
| Utility Clerks | \$24.86 |
| Office Manager | \$24.86 |
| Building Inspector/Code Enforcement Officer | \$28.70 |
| Street & Utilities Superintendent | \$38.91 |
| Street & Distribution Employee | \$28.63 |
| Parks and Recreation Manager | \$28.70 |
| Parks and Recreation Employee | \$25.16 |

Section V – Additional Benefits

The Town Manager will be provided with unrestricted use of an automobile as part of his pay and will be subject to IRS rules for taxable income.

Every full-time employee shall receive a bonus of \$2,000 that will be disbursed in one lump sum. This same amount shall be contributed to the Clerk Treasurer's HSA account by January 16, 2026.

Also, the Police Chief shall receive an additional one-time payment of \$6,800.30 to equal the amount of specialty pay that he did not receive in the last 5 years. This one-time payment shall be paid with the first pay following the adoption of this ordinance.

The following additional benefits may be paid. The following additional benefit amounts shall be divided by the number of pays as listed in Section VII of ordinance 2025-11C and paid each two weeks from the listed funds in 2026 with the first pay date being January 2, 2026.

| <u>Position</u> | <u>Bi-Weekly Pay</u> |
|--|----------------------|
| Lieutenant | \$192.30 |
| Sergeant | \$115.38 |
| Street & Distribution Foreman | \$230.77 |
| Human Resources | \$57.70 |
| MS4 Operator | \$153.85 |
| Utilities Office Manager | \$153.85 |
| Water Works Distribution Operator Certification | \$190.00 |
| Wastewater Class II Certification (non- responsible charge). | \$200.00 |
| Water Treatment WT3 Certification (non-responsible charge). | \$200.00 |
| Registered Cross Connection Control Device Inspector | \$38.46 |
| Commercial Driver's License (CDL) | \$57.70 |
| Pesticide Applicator License. Cat 8 | \$19.23 |
| Police Investigator | \$57.69 |
| PD Specialty Pay \$250 per year. (Max two Specialties). | \$9.62 |

SECTION 2. These amendments to this ordinance shall be retroactive to the first pay period in 2026.

Introduced and filed on the 2nd day of March 2026.

Duly ordained and passed this ___ day of _____, 2026 by the Town Council of the Town of Fortville, Hancock County, Indiana, having been passed by a vote of ___ in favor and ___ opposed.

[Signature Page Follows]

TOWN OF FORTVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Tonya Davis

Tonya Davis

Ryan Rummell

Ryan Rummell

Fred Fentz

Fred Fentz

Libby Wyatt

Libby Wyatt

Sean Morgan

Sean Morgan

ATTEST:

Melissa Glazier
Clerk-Treasurer

ORDINANCE NO. 2026-____

**AN ORDINANCE ESTABLISHING A REGISTRATION
AND INSPECTION PROGRAM FOR RENTAL HOUSING
UNITS AND COMMERCIAL BUILDINGS LOCATED
WITHIN THE TOWN OF FORTVILLE, INDIANA AND
ESTABLISHING MINIMUM STANDARDS FOR RENTAL
HOUSING WITHIN THE
TOWN OF FORTVILLE, INDIANA**

RECITALS

A. The Town Council of the Town of Fortville, Indiana (respectively, the “Town Council” and the “Town”) has determined that there exists units of rental housing within the Town, which by reason of their operation, use, or occupancy are likely to affect the public health, safety, and general welfare of the community.

B. The Town Council has determined that it is necessary and desirable to provide for the registration and inspection of rental residential and commercial properties within the Town in order to protect the health, safety, and welfare of the residents of the Town.

C. The Town Council desires to take measures to protect the character and stability of residential neighborhoods along with the value of the land and buildings in the Town.

D. The Town Council remains committed to preventing the overcrowding of dwellings, hazardous conditions in commercial spaces, and other violations of laws and ordinances related to residential rental housing and commercial buildings.

NOW THEREFORE, be it ordained by the Town Council of the Town of Fortville, Indiana that:

Section 1. Title XV of the Fortville Code of Ordinances shall be amended to add the following Chapter 157: Rental Housing and Commercial Building Registration and Inspection:

REGISTRATION AND INSPECTION PROGRAM

§ 157.01 PURPOSE.

The purpose of this chapter is to provide for the registration and inspection of rental residential property and commercial buildings and to facilitate the prevention and correction of violations of laws and ordinances pertaining to such properties so as to protect the public health, safety and welfare of the people of the Town including, but not limited to, the following:

(A) To protect the public health and safety by ensuring rental units and commercial buildings comply with the Town’s building codes, property maintenance codes and the Zoning Ordinance and all other applicable regulations adopted by the State of Indiana or other governmental agency.

- (B) To protect the character and stability of residential neighborhoods.
- (C) To correct and prevent conditions that adversely affect or are likely to adversely affect safety, general welfare and health of the persons occupying dwellings and buildings.
- (D) To prevent the overcrowding of rental units.
- (E) To facilitate the enforcement of minimum standards for maintenance of existing residential rental and commercial buildings and thus to prevent slums and blight.
- (F) To preserve the value of land and buildings throughout the Town.

§ 157.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADULT. Every person at least 18 years of age or younger if emancipated.

COMMERCIAL BUILDING. Any building used for commercial or industrial purposes, regardless of whether the building is open to the public.

DWELLING UNIT. The abode of a family; a single unit providing complete, independent facilities for the exclusive use of the household, including permanent provisions for living, sleeping, eating, cooking and sanitation.

FAMILY. Includes all of the following:

- (1) An individual;
- (2) Two or more individuals related by genetics, marriage, legal adoption, foster care or guardianship, or other comparable relationship established by law; or
- (3) Five or fewer individuals who constitute a relatively permanent functioning group living as a single housekeeping unit.

HABITABLE ROOM. Any room meeting the requirements of this chapter for sleeping, living, or dining purposes excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage places, utility rooms and similar spaces.

INSPECTION OFFICER. That municipal officer charged with the primary responsibility of enforcement of the provisions of this chapter. As set out in § 157.12 hereof, the Town Building Inspector, or the Town Manager's designee if the Town Building Inspector position is vacant, shall serve as the Inspection Officer.

MULTI-FAMILY DWELLING. A residential building designed for, or modified to accommodate, more than one independent rental unit.

OWNER. Any person having a legal or equitable title in a rental building or premises.

PERSON. A corporation, firm, partnership, association, organization or any group acting as a unit, as well as a natural person. References in the masculine gender include the feminine and the neuter, in the present tense include the future, and the singular includes the plural.

PREMISES. A lot, plot or parcel of land containing a rental building, rental unit, or commercial building.

REGISTRATION PERMIT. The permit or approval issued by the Town upon registration of each rental unit.

RENTAL BUILDING. A building containing one or more rental units.

RENTAL UNIT. A rented dwelling unit or rooming unit.

TENANCY AGREEMENT. Includes all agreements, written, oral or implied, and valid rules and regulations embodying the terms and conditions concerning the use and occupancy of a rental unit.

TENANT. Any person entitled to occupy a rental unit under a tenancy agreement to the exclusion of others.

§ 157.03 COMPLIANCE REQUIRED; APPLICATION OF CHAPTER.

(A) No person shall occupy or maintain a rental unit or commercial building within the Town unless in accordance with the provisions of this chapter. This chapter applies to all rental units and commercial buildings located within the Town, but shall not apply to the following:

- (1) Occupancy in a single-family, owner-occupied dwelling unit.
- (2) Occupancy in a “group home” or “institutional residential” as those terms are defined in the Town of Fortville Zoning Ordinance.
- (3) Occupancy in federally subsidized and owned housing complexes which have multiple on-site units and which are owned and maintained by the federal government or local housing authority, or scattered site Section 8 housing units administered by a local housing authority.
- (4) Occupancy by the purchaser of a dwelling unit under a recorded contract of sale.
- (5) Transient occupancy in a hotel, motel or other similar lodging.

(B) It shall be the responsibility of each person owning or operating a dwelling unit that said person claims is exempt from this chapter to produce such documentation or other information as may be requested by the Inspection Officer or his designee so as to permit the Inspection Officer or designee to determine whether said dwelling unit is exempt.

§ 157.04 REGISTRATION REQUIRED.

(A) No owner of real estate within the Town shall use said real estate for the purpose of erecting or maintaining a rental unit or commercial building thereon after July 1, 2026, without registering each rental unit or commercial building with the Town. All existing rental units and commercial buildings shall be registered with the Town between the effective date of this ordinance and July 1, 2026. The registration shall be affected by furnishing to the Town a complete and accurate application upon forms prescribed by the Town, setting forth the following information:

- (1) The legal name of all owners;
- (2) Physical address (no P.O. Boxes) of all owners, including phone number and email address.
- (3) Street address of the rental unit;

(4) If the owner is not a resident of Hancock County, Indiana, or a county contiguous to Hancock County, the name, physical address (no P.O. Boxes), email, telephone number of the owner's agent authorized to receive notification of complaints, damages, emergencies, substandard conditions or other communications, including service of process. The address of any and all agents shall be within Hancock County or a contiguous county. Any owner who does not reside in Hancock County, Indiana, or a contiguous county shall be required to designate an agent;

(5) Verification that a Homestead Property Tax Deduction is not being claimed on the property while in use as a residential rental.

(6) For commercial buildings, each use (e.g., restaurant, grocery, medical offices, auto sales, etc.) presently occurring in the building.

(B) The registration application shall be signed by all owners, including the individual partners, shareholders, members, other individuals with an ownership interest in a corporation, company, or other entity that holds title to the rental unit or commercial building. Whenever the ownership of a rental unit or commercial building or group or complex of rental units changes, the new owner(s) shall have the responsibility to report the change in ownership to the Town and pay the \$25.00 registration fee within 30 days of the change of ownership. Whenever the use(s) of a commercial building changes, the owner(s) shall have the responsibility to report the change in use(s) to the Town and pay the \$25.00 registration fee within 30 days of the change of use(s). Previously issued registration permits shall automatically expire 30 days following transfer of title to a registered property or change of use(s). A registration permit shall otherwise remain in effect until suspended or revoked as set forth in this chapter. Issuance of a registration permit is not evidence that a property meets the requirements of this chapter or is otherwise fit for human habitation.

(C) Notification to the owner or his or her agent at the address shown on the registration application shall constitute sufficient notice pursuant to any provision of this chapter. Registration of a rental unit or commercial building shall be evidenced by issuance of a registration permit. An application for renewal of a registration permit shall contain the same information as an initial application.

§ 157.05 TENANT INFORMATION.

Each owner of a rental unit or commercial building shall at all times maintain an up-to-date list containing the names and contact information for all tenants in each rental unit or commercial building owned or operated by the owner. Each owner shall provide the Town, upon ten days written notice, any information from such list determined by the Town to be necessary for any valid legal purpose such as an application for a warrant to inspect a rental unit or commercial building, levying a fine against a tenant, or the giving of any notice to a tenant.

§ 157.06 REGISTRATION PERMIT FEES.

There shall be a one-time \$25.00 registration fee assessed for each rental unit or commercial building located within the Town. The above-referenced registration fee shall be paid at the time that the owner submits the registration application to the Town. Collection of the \$25.00 registration fee shall be waived until **July 1, 2026**. If the ownership and/or use of the rental unit or commercial building changes, a new registration and fee shall be filed within 30 days of the change in ownership or use(s) pursuant to § 157.04(B) of this ordinance.

§ 157.07 REGISTRATION PERMITS.

For all registered rental units or commercial buildings the Town shall issue a certificate stating the date of the unit's registration. The owner of each rental unit or commercial building shall be responsible for continuously maintaining a copy of the certificate. Each owner shall provide the Inspection Officer or his or her designee with a copy of the certificate upon request.

§ 157.08 COMPLAINT-DRIVEN INSPECTIONS.

(A) Each rental unit or commercial building and/or premises within the Town is subject to inspection by the Inspection Officer or his or her designee in accordance with this chapter. As of July 1, 2026, whenever the Inspection Officer or his or her designee receives information creating a reasonable belief that a non-exempt rental unit or commercial building or premises violates any of the standards and requirements of this chapter or as otherwise set forth in local, state, or federal ordinances, laws, or regulations (including non-registration of a rental unit or commercial building), the Inspection Officer may conduct an inspection of the rental unit or commercial building or premises.

(B) Unless waived by either the owner or tenant, the following procedure shall be used to obtain entry to rental units or commercial buildings and premises for the purpose of inspection. The Inspection Officer shall cause written notice to be mailed to the owner or his or her agent of the rental unit or commercial building or premise setting forth the date and time scheduled for the inspection together with the appropriate inspection application. The owner or his or her agent shall have seven (7) days from the notice issuance date in which to submit a complete and accurate inspection document to the Inspection Officer. In the inspection document, the owner shall include a current list of tenants for each rental unit or commercial building to be inspected and shall indicate whether the owner and all tenants consent to an inspection of the rental unit(s) or commercial building(s) or premises.

(C) The owner shall be responsible for granting access to each rental unit or commercial building or premise to the Inspection Officer or his or her designee. In the event the owner and/or tenant refuses entry to any given rental unit or commercial building or premise for inspection pursuant to this chapter, the Inspection Officer shall seek a warrant with the appropriate court of Hancock County for entry and inspection as provided in this chapter. The Inspection Officer, or his or her designee, shall conduct an inspection, as authorized by such search warrant. The Town Council has determined that the inspections provided in this chapter for all rental unit or commercial buildings constitutes a reasonable method to protect the health, safety, and welfare of its citizens.

§ 157.09 INSPECTION FEES.

In the event that no violations (including non-registration of a rental unit or commercial building) of this chapter are discovered during the initial inspection, the owner shall not be charged a fee for the inspection. However, in the event that the initial inspection reveals any violation of this chapter for which the owner is responsible the owner shall be charged an inspection fee of \$100.00. This inspection fee shall be paid by the owner within 30 days of the date of the initial inspection or be subject to additional penalties and collection fees.

§ 157.10 NOTIFICATION OF DEFICIENCIES TO LANDLORD; REINSPECTIONS.

(A) In the event any inspection reveals a deficiency or violation of the local, state, or federal codes governing the use and/or occupancy of the rental unit or commercial building, the Inspection

Officer shall within ten days from the date of the inspection notify the owner of the rental unit or commercial building of the deficiencies. Such notice of deficiencies shall:

- (1) Be in writing;
 - (2) Shall include a description of the real estate sufficient for identification;
 - (3) State the reason or reasons why the notice is being issued including a reference to any relevant ordinance, law, and/or regulation alleged to have been violated;
 - (4) Include a correction order allowing a reasonable time for the repairs and improvements required to bring the rental unit or commercial building into compliance with the provisions cited in the above-referenced notice; and
 - (5) Include an explanation of the owner's right to seek modification or withdrawal of the notice by petition to the Board of Zoning Appeals.
- (B) The notice prescribed above shall be deemed to be properly served upon the owner or his or her agent at the address shown on the registration application.
- (C) A re-inspection shall be conducted after the end of the above-referenced compliance time frame. If the Inspection Officer finds that compliance with all noted violations has not been accomplished, the Inspection Officer may commence proceedings to suspend and/or revoke the registration permit for the premises.
- (D) The first re-inspection performed after the expiration of the compliance time frame shall be assessed a fee of \$100.00 per rental unit or commercial building to be inspected. All further re-inspections necessitated by the continued existence of violations shall be assessed a fee of \$200.00 per rental unit or commercial building to be inspected. No registration permits shall be issued until the fees are paid in full.

§ 157.11 PROBATION, SUSPENSION OR REVOCATION OF REGISTRATION PERMITS.

(A) Probation. Based upon charges filed by the Inspection Officer, the Board of Zoning Appeals may, if it finds the charges to be true, impose up to a three (3)-year probation, during which any additional violations may result in the suspension or revocation of the registration permit, for any premises found to be under the following circumstances:

- (1) If there is an adjudication of two (2) or more violations of the Town Code or other law or regulation governing the use and/or occupancy of the property within one (1) year, unless the owner was the party reporting the violation or, unless the owner or owner's agent has evicted the tenants;
- (2) An adjudication that the owner, owner's agent or person acting on behalf of the owner has violated § 157.13 or § 157.14 of this chapter.

(B) Suspension. Based upon charges filed by the Inspection Officer, the Board of Zoning Appeals may, if it finds the charges to be true, impose up to a 120-day suspension of the registration permit for any premises found to be under the following circumstances:

- (1) One (1) or more additional bases exist that would support the imposition or probation within one (1) year of any other sanctions being imposed under this section and the owner has not taken appropriate corrective action.

- (2) An adjudication that the owner, owner's agent, or person acting on behalf of the owner has:
- (a) Knowingly violated the maximum occupancy provisions set forth in the rental housing code;
 - (b) Illegally used or allowed the illegal use of non-habitable or non-occupiable space;
 - (c) Illegally converted space to occupiable or habitable use or illegally added an additional rental unit or commercial building to the property;
 - (d) Violated the provisions of § 157.04 (rental certificate required);
 - (e) Failed to correct any code violation at the property affecting health and safety within the time allowed;
 - (f) Provided the Inspection Officer or his or her designee with any false or materially incomplete information in connection with the property or the registration permit.

The suspension shall begin upon the vacation of the rental unit or commercial building. The owner shall take all legal steps necessary to vacate the rental unit or commercial building as soon as possible.

(C) Revocation. Based upon charges filed by the Inspection Officer, the Board of Zoning Appeals may, if it finds the charges to be true, permanently revoke the registration permit for any premises under the following circumstances:

- (1) Any occupancy during or payment of rent for the period of any suspension under § 157.11(B); or
- (2) Within three (3) years after suspension, any further occurrence or violation that would be grounds for a suspension of the registration permit.

(D) The Inspection Officer shall prepare and file charges, including proposed penalties, with the Board of Zoning Appeals specifying the specific violation and relief requested. Such charges, proposed penalties, and notice of a hearing shall be served upon the owner or his or her agent by certified mail, return receipt requested to the address of record.

(E) The Board of Zoning Appeals shall set a date for hearing of the charges, not less than ten days after mailing of the notice. The Board of Zoning Appeals shall hear the evidence and argument of the Inspection Officer and the owner. After the hearing, the Board of Zoning Appeals shall make a written decision supported by findings. The decision of the Board of Zoning Appeals may be appealed to a court of general jurisdiction in Hancock County within 30 days of the decision.

(F) Following the permanent revocation of a registration permit by the Board of Zoning Appeals, and after any penalties have been paid in full, an owner may apply to the Town for the issuance of a new registration permit. As part of the application process for a new registration permit the owner shall permit the Inspection Officer to inspect each rental unit or commercial building and/or premises wherein the registration permit was previously revoked to determine compliance with the requirements of this chapter.

§ 157.12 INSPECTION OFFICER.

The Town Building Inspector, or the Town Manager's designee if the position of Building Inspector is vacant, shall act as the Inspection Officer. The decisions of the Inspection Officer may be appealed to the Board of Zoning Appeals on petition filed with the Board within 20 days after hand delivery or mailing, whichever occurs first, of the Inspection Officer's decision.

§ 157.13 TRUTH IN ADVERTISING.

(A) No owner of a rental unit or commercial building shall incorrectly represent in any advertisement, sign, or other written or oral form, including on social media or the internet, the occupancy limits of the rental unit or commercial building.

(B) No tenant of a rental unit or commercial building advertising for sublease shall incorrectly represent in any advertisement, sign, or other written or oral form, the occupancy limits of the rental unit or commercial building.

§ 157.14 RETALIATORY EVICTION PROHIBITED.

It shall be a violation of this chapter if a court of competent jurisdiction determines that any owner or his or her agent brought or threatened to bring an action for possession of a rental unit or commercial building for the purpose of retaliating against a tenant for requesting an inspection of a rental unit or commercial building.

§ 157.15 RENTAL HOUSING FUND ESTABLISHED.

(A) The Town Council hereby establishes a Rental Housing Fund.

(B) The Inspection Officer and/or his or her designee(s) shall be named and have the authority for the collection, allocation and expenditure (as approved by the Town Council) of all costs associated with the administration of the rental housing program.

§ 157.16 RELATIONSHIP TO OTHER ORDINANCES.

It is the intent of the Town Council that this chapter provide a comprehensive regulatory program for rental housing within the Town. Provisions of this chapter are to be interpreted to be compatible with all other ordinances of the Town, whether in effect as of the date of the adoption of this chapter or thereafter adopted. When this chapter conflicts with other ordinances, private covenants, commitments, permits, agreements, state laws, federal laws, or other regulations, the greater restriction shall control.

§ 157.99 PENALTY.

In addition to probation, suspension and revocation of a registration permit as set forth in § 157.11 of this chapter, the Board of Zoning Appeals may impose the following penalties on any and all persons found to be in violation of this chapter:

(A) For submitting any other false or materially incomplete information on an application or any other information submitted under this chapter, a fine of up to \$1,000.00, unless the violator has been convicted of a previous violation for submitting any other false or materially incomplete information on an application or any other information submitted under this chapter, in which case the fine may be up to \$2,500;

(B) For failure to maintain a rental certificate pursuant to § 157.07, a fine of up to \$500, unless the violator has been convicted of a previous violation for failing to maintain a rental certificate, in which case the fine shall be up to \$1,000;

(C) For failure to timely sign or submit a complete registration application, any tenant information requested pursuant to § 157.05 or an inspection application, a fine of up to \$100, each day a violation of this provision exists or continues to exist constituting separate and distinct violation of this chapter;

(D) For knowingly committing, permitting or allowing any overoccupancy, a fine of up to \$500, unless the violator has been convicted of a previous violation involving overoccupancy, in which case the fine shall be up to \$1,000, with each day a violation of this provision exists or continues to exist constituting a separate and distinct violation of this chapter;

(E) For rental of any dwelling unit without first obtaining or continuing to have a valid registration permit, a fine of up to \$100, unless the violator has been convicted of previous violation involving renting without a registration permit, in which case the fine shall be up to \$500, with each day a violation of this provision exists or continues to exist constituting a separate and distinct violation of this chapter;

(F) For bringing or threatening to bring an action for possession of a rental until for the purpose of retaliating against a tenant for requesting an inspection of a rental unit in violation of § 157.14, a fine of up to \$2,500;

(G) For violation of any other provision of this chapter, a fine of up to \$100, for each day after which a correction was to be made pursuant to § 157.10(A)(4).

SECTION 14. Any Section or Subsection of the Fortville Town Code that is not specifically amended or restated herein remains in full force and effect.

SECTION 15. If any provision in this Ordinance is declared invalid, the remaining provisions of the Ordinance shall remain in full force and effect.

SECTION 16. Any ordinances or provisions thereof that are inconsistent with this Ordinance are hereby superseded.

[Signature Page Follows]

Introduced and filed on the ____ day of _____, 2026.

Duly ordained and passed this ____ day of _____, 2026 by the Town Council of the Town of Fortville, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF FORTVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:

Tonya Davis, President

Tonya Davis, President

Ryan Rummell, Vice President

Ryan Rummell, Vice President

Frederick "Fritz" Fentz

Frederick "Fritz" Fentz

Elizabeth Wyatt

Elizabeth Wyatt

Sean Morgan

Sean Morgan

ATTEST:

Melissa Glazier
Clerk-Treasurer

ORDINANCE NO. 2026-_____

Cross References: 2024-3B
2025-9A

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF FORTVILLE,
INDIANA. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
FORTVILLE, INDIANA, THAT THE ZONING ORDINANCE IS HEREBY
AMENDED AS FOLLOWS:**

SECTION 1. DECLARATION

That the text of the Zoning Ordinance of the Town of Fortville, Hancock County, Indiana is hereby amended as outlined within this ordinance.

SECTION 2. PURPOSE AND INTENT

This ordinance acknowledges that the Mercho-Lauth PUD, as amended by the Mercho-SC Bodner PUD, exists at the time of approval of this ordinance. This ordinance is intended to amend and expand the language of the existing Mercho-Lauth PUD regarding commercial/industrial development of Area B. This ordinance shall effect no change to the existing Mercho-Lauth PUD or Mercho-SC Bodner PUD unless those changes are explicitly outlined within this ordinance.

SECTION 3. ZONING

The zoning classification of the subject property legally described in what is attached hereto and incorporated herein referenced as Exhibit A (the “Real Estate”), shall remain PUD as previously approved by the Town.

SECTION 4. PUD NAME

This ordinance amends the name of the Mercho-SC Bodner PUD as to the Real Estate. All references in the Mercho-SC Bodner PUD and Mercho-Lauth PUD are hereby revised to “**Madison Addition PUD**”.

SECTION 5. CONCEPT PLAN/MAP

This ordinance replaces Exhibit B - Concept Plan/Map in the Mercho-Lauth PUD with the illustrative concept plan/map attached as Exhibit B to this ordinance.

**SECTION 6. PLANNED UNIT DEVELOPMENT STANDARDS WITH CONCEPT
ELEVATIONS**

This ordinance amends Exhibit C - Planned Unit Development Standards with Concept Elevations, as to the Real Estate.

Section II.A.3.a is hereby repealed in its entirety and replaced with the following provision:

3. Area B
 - a) Buildings south of East Park Street shall be commercial. See Exhibit A-1.

- b) Buildings north of East Park Street may be either industrial or commercial. See Exhibit A-2.
- c) Commercial Uses in Area B shall include any use in the CC zoning district as set forth in the Use Matrix in Section 3.2 of the Fortville Zoning Ordinance, as may be amended.
- d) Industrial uses in Area B shall include any use in the IL zoning district as set forth in the Use Matrix in Section 3.2 of the Fortville Zoning Ordinance, as may be amended.
- e) The following uses, as shown in the Use Matrix in Section 3.2 of the Fortville Zoning Ordinance, shall be prohibited in Area B (see insert):
 - (i) Residential Uses
 - (ii) Agricultural Uses
 - (iii) Communication Uses
 - (iv) Funeral Home
 - (v) Lodge or Private Club
 - (vi) Parking lot / Structure (as primary uses)
 - (vii) Golf Course / Country Club
 - (viii) Greenhouse (commercial)
 - (ix) Night Club
 - (x) Radio / TV Station
 - (xi) Skating Rink / Swimming Pool
 - (xii) Heliport
 - (xiii) Kennel
 - (xiv) Auto Sales
 - (xv) Recreational Vehicle Sales / Service
 - (xvi) Lumber Yard
 - (xvii) Packaging Facility
 - (xviii) Tool and Die Shop
 - (xix) Mini-warehouse / Self-Storage
 - (xx) Any Special Exception Use otherwise permitted in CC or IL

Section II.B. is hereby amended to add the following:

B. Density

- 3. There shall be no limitations on single building square footage or aggregate square footage of all buildings located in Area B.

Section II.D.3. is hereby repealed in its entirety and replaced with the following provision:

- D.3. Area B may have one access point from West Garden Street (W CR 1000 N), multiple access points from future South Madison Boulevard, and two access points to Wilkinson Street. The access points are tentatively planned as shown on Exhibit B.

Section II.G. is hereby repealed in its entirety and replaced with the following provision:

G. Commercial Building Design

- 1. Commercial buildings shall comply with the following:
 - a) Height shall not exceed 36 feet, not including parapets or mechanical equipment.
 - b) Single-story and multi-story buildings are permitted.
 - c) Consistent with the included renderings, masonry (brick, brick veneer, stone, splitface concrete masonry units) and glass shall be the dominant materials of

- all buildings. Other materials shall only be used as accents.
- d) Commercial Buildings may have up to 90% coverage of hard surface areas.
 - e) Shall be subject to any other Commercial Design Standards in the Zoning Ordinance, as amended.

Industrial Building Design

- 1. Industrial buildings shall comply with the following:
 - a) Height shall not exceed fifty feet (50'), not including parapet walls or rooftop mechanical equipment..Consistent with the included renderings, at least 40% masonry, (brick, brick veneer, stone, splitface concrete masonry units) shall be used on the front and side facades of Building 2, and at least 25% of the front façade of Building 3.
 - b) Industrial buildings may have 90% coverage of hard surface areas.
 - c) Shall be subject to any other Industrial Design Standards in the Zoning Ordinance, as amended.

Section II.H. is hereby amended to add the following:

- 2. In Area B, all user monument signage shall feature consistent design with routed aluminum panels with acrylic push-through text and logos; Color text and logs allowed.

Section II.I.2 is hereby repealed in its entirety and replaced with the following provision:

- 3. Area B: Industrial: Light (IL) and Commercial: Community (CC).

Section II.J is hereby added:

Area B Detention Ponds. Each shall include landscaping and a fountain similar to the exhibit below, and the pond south of Building 1 shall also have a masonry ledge:



This ordinance replaces Exhibit B with the illustrative commercial/industrial development plan and elevations attached as Exhibit C to this ordinance.

Nothing in this ordinance shall change or alter any of the already established development standards at the time of approval of this ordinance unless otherwise identified in this PUD ordinance.

SECTION 7. LAND USE

Nothing in this ordinance shall change or alter any of the already permitted land uses at the time of approval of this ordinance unless otherwise identified in this PUD ordinance.

SECTION 8. PROCEDURES AND APPROVALS

Pursuant to Indiana Code §§ 36-7-4-600 et seq., the Town Council of the Town of Fortville (“Council” and “Town,” respectively) has lawfully adopted a Zoning Ordinance, the terms of which are applicable to the geographic area consisting of the incorporated area of the Town, and which Zoning Ordinance has been codified in the Town’s Code of Ordinances.

Pursuant to Indiana Code § 36-7-4-602, the Council is authorized to amend the map that is part of the Zoning Ordinance.

The Fortville Advisory Plan Commission (“Plan Commission”) rendered a Favorable Recommendation after conducting a Public Hearing at their meeting on _____, 2026 regarding a request to amend the text of Ordinance No. 2024-3B.

In accordance with Indiana Code § 36-7-4-605, the Plan Commission certified its Favorable Recommendation regarding the Text Amendment to the Town Council.

The Council has considered the Plan Commission’s recommendation and, in accordance with Indiana Code § 36-7-4-608, desires to adopt the proposed change in zoning for the Real Estate.

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Council as follows:

SECTION 1. The text of Ordinance No. 2024-3B is hereby amended as set forth in this Ordinance.

SECTION 2. Subsequent to this approval, after Plan Commission approval of Concept Elevations, Concept Lighting, Concept Landscaping, and Concept Site Plans, all modifications those concept plans shall be submitted for review and approval by the Town’s Planning & Building Director. The Planning & Building Director’s review of the elevations shall be performed in order to determine its compatibility and consistency with the intended quality, character, and development standards of this PUD.

SECTION 3. The Town’s Planning & Building Director shall have the discretion and flexibility to consider and approve minor modifications pertaining to any development and architectural standards and concept layout established by this Ordinance if the Town’s Planning & Building Director determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance. All such modifications shall be made in writing with an explanation supporting the change.

SECTION 4. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed. Additionally, if applicable, all previous zoning commitments are hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect upon passage, and upon ordinance publication, if applicable.

[Signature Page Follows]

Introduced and filed on the ____ day of _____, 2026.

Duly ordained and passed on the ____ day of _____, 2026 by the Town Council of the Town of Fortville, Hancock County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

TOWN OF FORTVILLE, INDIANA BY ITS TOWN COUNCIL

| AYE | | NAY |
|-----|--------------------------------|-----|
| | Tonya Davis, President | |
| | Ryan Rummell, Vice President | |
| | Fred (Fritz) Fentz, Councilman | |
| | Libby Wyatt, Councilwoman | |
| | Sean Morgan, Councilman | |

ATTEST:

Missy Glazer, Clerk-Treasurer

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law. Joseph D. Calderon

This instrument was prepared by Joseph D. Calderon, Barnes & Thornburg LLP, 11 South Meridian Street, Indianapolis, Indiana 46204.

EXHIBIT A - LEGAL DESCRIPTION

Blocks A & B in the Secondary Plat of Madison Addition, a subdivision in the Town of Fortville, Hancock County, Indiana, as per plat thereof recorded December 17, 2025, in Plat Cabinet D, Slide 386-387, as Instrument No. 202514232, in the Office of the Recorder of Hancock County, Indiana.

Parcel Nos:

30-02-10-300-012.010-017

30-02-10-300-012.011-017



OVERALL CONCEPTUAL SITE PLAN

FORTVILLE DISTRICT

FORTVILLE, INDIANA - FEBRUARY 25, 2026

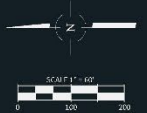
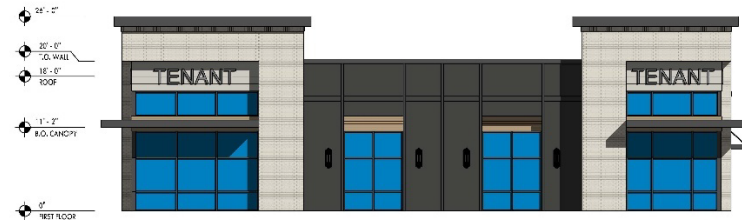


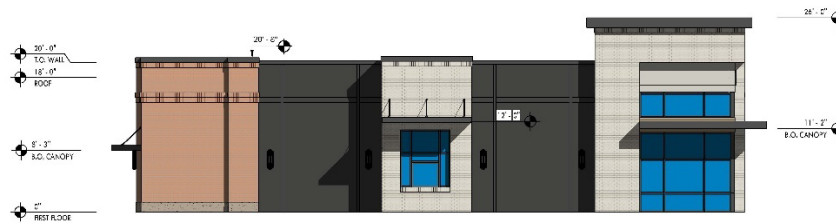
Exhibit "B"



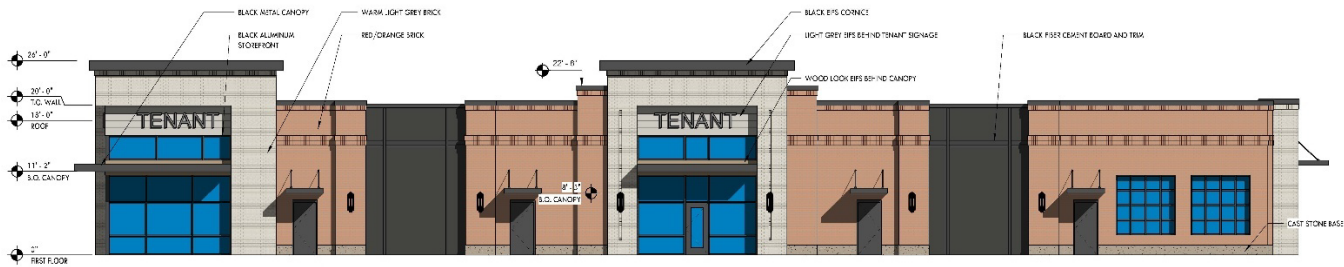
EAST ELEVATION **1**
1/8" = 1'-0"



SOUTH ELEVATION **2**
1/8" = 1'-0"



WEST ELEVATION **3**
1/8" = 1'-0"



NORTH ELEVATION **4**
1/8" = 1'-0"

Exhibit "C" – Commercial Building Character Exhibit



Exhibit “C” – Building 2 Character Exhibit



Exhibit “C” – Building 3 Character Exhibit

Exhibit A – Legal Description

Durack Farms, LLC Parcel

A part of the Northwest Quarter of Section 17, Township 17 North, Range 06 East of the Second Principal Meridian, Vernon Township, Hancock County, Indiana.

Beginning at the Northwest corner of said Quarter Section; thence North 89 degrees 17 minutes 53 seconds East, (assumed bearing) along the North line of said Quarter Section, a distance of 784.15 feet to the Northwest corner of the land described in Instrument Number 202207176 in the Office of the Recorder of Hancock County, Indiana; thence South 00 degrees 40 minutes 36 seconds East, along the West line of said land a distance of 498.10 feet to a 5/8 inch diameter rebar with plastic cap stamped "C2LS FIRM #0035" marking the Southwest corner of said land; thence North 89 degrees 17 minutes 53 seconds East, along the South line of said land, a distance of 521.47 feet to a 5/8 inch diameter rebar with plastic cap stamped "C2LS FIRM #0035" marking the Southwest corner of said land, said point being on the East line of the West Half of said Quarter Section; thence South 00 degrees 02 minutes 42 seconds West, along said line, a distance of 828.22 feet to the Northeast corner of the Southwest Quarter of said Quarter Section; thence continuing along said line South 00 degrees 02 minutes 42 seconds West, a distance of 792.00 feet to the Southeast corner of the land described in Instrument Number 100012943 in said Recorder's Office; thence South 89 degrees 22 minutes 47 seconds West, along the South line of said land, a distance of 1320.77 feet to the Southwest corner thereof, said point being on the West line of said Quarter-Quarter Section; thence North 00 degrees 15 minutes 52 seconds East, along said line, a distance of 621.19 feet to the Southwest corner of 0.412 acre tract of land described in Instrument Number 202409793 in said Recorder's Office; thence with the lines of said land the following 5 courses and distances: 1) South 89 degrees 42 minutes 05 seconds East, a distance of 19.19 feet; 2) thence North 04 degrees 12 minutes 18 seconds East, a distance of 210.83 feet; 3) thence North 00 degrees 17 minutes 55 seconds East, a distance of 200.67 feet; 4) thence North 03 degrees 27 minutes 27 seconds West, a distance of 210.78 feet; 5) thence North 89 degrees 42 minutes 05 seconds West, a distance of 19.84 feet to the West line of the Northwest Quarter of said Quarter Section; thence North 00 degrees 17 minutes 55 seconds East, along said line, a distance of 98.11 feet to the Southwest corner of a 0.361 acre tract of land described in said Instrument Number 202409793; thence with the lines of said land the following 5 courses and distances: 1) North 89 degrees 59 minutes 57 seconds East, a distance of 20.73 feet; 2) thence North 05 degrees 16 minutes 03 seconds East, a distance of 161.34 feet; 3) thence North 00 degrees 00 minutes 11 seconds West, a distance of 200.82 feet; 4) thence North 04 degrees 09 minutes 31 seconds West, a distance of 160.75 feet; 5) thence South 89 degrees 59 minutes 57 seconds West, a distance of 21.16 feet to the West line of said Quarter-Quarter Section; thence North 00 degrees 17 minutes 55 seconds East, along said line, a distance of 254.16 feet to the Point of Beginning, Containing 57.217 acres, more or less.

AND

RDJ Petty LLC/CA Petty LLC Parcel

A part of the Northwest Quarter and a part of the Southwest Quarter, all in Section 17, Township 17 North, Range 06 East of the Second Principal Meridian, Vernon Township, Hancock County, Indiana.

Beginning at the Northeast corner of said Northwest Quarter Section; thence South 00 degrees 11 minutes 28 seconds East, along the East line of said Quarter Section, a distance of 2575.64 feet to the northerly Right-of-

Way line of the Conrail Railroad (formerly C.C.C. & St. L Railroad); thence South 56 degrees 08 minutes 52 seconds West, along said Right-of-Way line, a distance of 1593.08 feet to the West line of the East Half of the Southwest

Quarter of said Section; thence North 00 degrees 02 minutes 22 seconds East, along said line, a distance of 793.73 feet to the Southwest corner of the East Half of said Northwest Quarter Section; thence North 00 degrees 02 minutes 42 seconds East, along the West line of said Half-Quarter Section a distance of 2653.25 feet to the Northwest corner thereof; thence North 89 degrees 17 minutes 53 seconds East, along the North line of said Half-Quarter Section, a distance of 1311.89 feet to the Point of Beginning, Containing 91.106 acres, more or less.

Exhibit B – Lakefield Concept Plan



Exhibit C – Illustrative Architectural Exhibit
Lakefield Estates



Lakefield Reserve (ranch plans)



Lakefield Landing



Exhibit D – Development Standards

Lakefield Planned Unit Development (PUD) Development Standards

A. Platting.

i. Lot Sizes

1. Density. The maximum density shall be 3.0 dwelling units per acre on the overall acreage included in the subdivision.

ii. Development Standards

1. Lakefield Estates

| Standard | Lakefield Estates |
|---------------------------------|---|
| Maximum Number of Units | 102 |
| Maximum Impervious Space | 50% |
| Minimum Living Space, Ranch | 1,800 sq. ft. |
| Minimum Living Space, Two Story | 2,000 sq. ft. |
| Minimum Lot Width | 62 ft |
| Minimum Lot Depth | 125 ft. |
| Minimum Front Yard Setback | 25 ft. |
| Minimum Side Yard Setback | 7 ft.; 5 ft. adjacent to 3-car garage |
| Minimum Rear Yard Setback | 30 ft. |

2. Lakefield Reserve

| Standard | Lakefield Reserve |
|---------------------------------|-------------------|
| Maximum Number of Units | 102 |
| Maximum Impervious Space | 50% |
| Minimum Living Space, Ranch | 1,500 sq. ft. |
| Minimum Living Space, 1.5 Story | 1,700 sq. ft. |
| Minimum Living Space, Two Story | Not Applicable |
| Minimum Lot Width | 50 ft. |
| Minimum Lot Depth | 125 ft. |
| Minimum Front Yard Setback | 25 ft. |
| Minimum Side Yard Setback | 5 ft. |
| Minimum Rear Yard Setback | 20 ft. |

3. Lakefield Landing

| Standard | Lakefield Landing |
|---------------------------------|---|
| Maximum Number of Units | 118 |
| Maximum Impervious Space | 60% |
| Minimum Living Space, Ranch | 1,400 sq. ft. |
| Minimum Living Space, Two Story | 1,800 sq. ft. |
| Minimum Lot Width | 40 ft. |
| Minimum Lot Depth | 125 ft. |
| Minimum Front Yard Setback | 25 ft./25 ft./28 ft. (No more than 2 homes in a row with same 25' setback) |
| Minimum Side Yard Setback | 5 ft. |
| Minimum Rear Yard Setback | 20 ft. |

4. Setbacks. As measured from the property line to the foundation. Eaves and masonry may encroach into the setback areas.

iii. Lot Conditions.

1. Driveways. Driveways and parking areas shall not extend in width past the width of the face of the garage.
2. Concrete Walks. Concrete walks leading from the driveway to any point of egress on the home shall be at least three (3) feet in width.
3. Mechanical and Equipment Locations. No electrical meters, air conditioning equipment, generators, or any other mechanical equipment shall be permitted on the front elevation of the home.

iv. Public Safety/Street Width.

1. Right-of-Way (ROW) Width. To accommodate emergency vehicle access, all streets within the PUD shall be designed with a minimum ROW width of fifty-five (55) feet.
2. Street Width. All streets within the PUD shall have a minimum street width of twenty-nine (29) feet from back of curb to back of curb.
3. Curbs. Chairback curbs are required.
4. Street Trees. Required between the sidewalk and the curb, the minimum planting area shall be seven and a half (7.5) feet.

v. Access.

1. Ingress/Egress. Ingress and egress shall be designed to align with traditional grid-platted developments with multiple ingress/egress points from frontage and secondary roads bordering the PUD. Turning radius dimensions for the drive connections shall be allowed to be tighter to accommodate the grid-like development.

2. Through Streets. To achieve linkage and connectivity with neighboring subdivisions, schools, shopping areas, and Old Town Fortville; to design walkable, transit-oriented communities; and to improve safety, accessibility, street maintenance, and emergency response, through streets shall be required.
3. Cul-De-Sacs. Shall be prohibited.

B. Design Features/Architecture.

i. Foundations

1. Wood Frame. Wood frame foundations are not permitted.
2. Foundation. Shall have minimum 8" poured concrete or 8" concrete block.
3. Basements. When used, shall have minimum 7 foot 8 inches (7'8") ceiling height.
4. Slab on Grade. Shall be minimum 4" concrete slab on gravel base.
5. Waterproofing. All basement foundations shall be waterproofed with spray coating or like treatment.
6. Grade to Landscaping Distance. Distance between finish grade/landscaping to be between six (6) to ten (10) inches.

- ii. **Front Elevations.** No plumbing, mechanical venting are permitted elevation of the home. This includes, but is not limited to, the vertical walls and roof slope(s).

C. Garage.

- i. Minimum. A minimum of a two (2) car garage is required.
- ii. Garage Doors. All garage doors shall have glass windows. Decorative hardware optional.
- iii. Garages may be front-loading, side-loading, or rear-loading.
- iv. On all lots 50 feet wide and greater (Lakefield Reserve), the width of front-loading garage doors shall not exceed fifty (50) percent of the width of the front elevation of the home.
- v. Garage Doors 40-foot lots (Lakefield Landing). Garage bays shall be separated and include windows.
Garage doors shall be painted to match the house body or trim color.
- vi. A third car bay shall be separated by a minimum 2' plane recess.
- vii. Location. Garages shall not protrude more than 10' in front of the living
- viii. area or front porch of the home for the Estates and Reserve Series.

Lakefield Estates & Reserve



Lakefield Landing



D. Exterior Cladding.

- i. Materials. Cellular PVC (ex: Azek, Klear, or like), fiber cement (ex: James Hardie, or like), composite stock (ex: LP Smart Trim, Miratec, or like), masonry, and painted/stained/sealed cedar are acceptable exterior trim materials.
- ii. Masonry. Some brick or stone is required on the front of each home.
- iii. Panels. Preformed masonry panels are not permitted.
- iv. Vinyl.
 1. No vinyl siding, shake, or panel siding is permitted.
 2. Vinyl soffits are permitted.
 3. Vinyl architectural details (gable vents, shutters, etc.) are permitted.
- v. Aluminum.
 1. No aluminum siding, shake, or panel siding is permitted.
 2. Aluminum soffits are permitted.
- vi. Corner Lots & Lots Abutting Common Area. Shall have a 2' masonry wainscot around the entire home for corner lots and for lots with a side yard abutting common area.

E. Exterior Trim.

- i. Surrounds. A minimum of nominal 1 inch depth by six (6) inch width trim around all windows and doors is required, unless set into a masonry plane.
- ii. Detailing. Fypon and other like products are permitted for architectural detailing. A frieze board shall be provided below the soffit around the entire home.
- iii. Decking. Treated pine, cedar, and composite (ex: Trex, Timber Tech) are all acceptable wood decking materials.

F. Windows & Doors.

- i. Window Distribution. A minimum of two (2) windows shall be required on every elevation.
- ii. Installation. All windows shall be installed using flashing tape on the sill of the rough opening followed by a bead of silicone. Window tape shall be applied after installation of the window.
- iii. Window Wells. No preformed corrugated or block window wells shall be permitted. Rockwell window wells shall be allowed. Poured concrete and timber wells are permitted.
- iv. Cladding. Windows shall be vinyl, fiberglass, wood, vinyl clad, or aluminum clad.
- v. Window Grids. Double and single hung, awning, and sliding windows on the front elevation shall include grids where appropriate for the architectural style of the home.
- vi. Entry Doors. All front doors shall have a transom window above, or a sidelight window beside, or glass within the door, or be eight (8) feet tall
- vii. Window Frame Color. Shall be white, neutral/beige, or black, depending on adjacent trim color.

G. Roofing and Framing.

- i. Height. Minimum eight (8) foot wall heights are permitted on second and third floors. Eight (8) foot first floor wall heights are permitted.

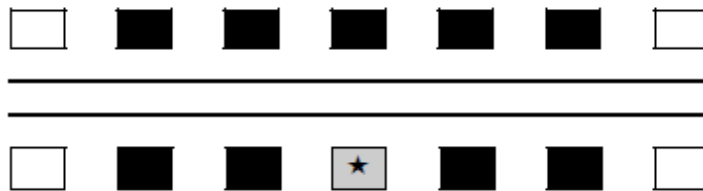
- ii. Shingles. Standard 3-tab shingles are not permitted (ex: Owens Corning Supreme or like). Dimensional shingles and/or standing seam metal is required.
- iii. Pitch.
 - 1. Front to Back Slopes. Minimum 6/12 roof pitch on front to back slopes. The Planning Director may approve lower roof pitches in keeping with certain historic architectural styles (craftsman, prairie, etc.).
 - 2. Gables or Dormers. Minimum 6/12 roof pitch on gables or dormers.
 - 3. Shed Dormers. Minimum 4/12 roof pitch on shed dormers.
- iv. Overhangs. All homes shall have a minimum sixteen (16) inch roof overhang on the entire roof perimeter, as measured from the framing and not including gutter systems.
- v. Ice and Water Shield. Ice and water shield shall be used pursuant to code.
- vi. Felt Paper. Felt paper to be used on field of roof pursuant to code.
- vii. Roof Vents. Box-style (slantback) roof vents are not permitted except for on a full hip roof to meet ventilation requirements.
- viii. Wraps and Sheathing.
 - 1. Wrap. House wrap (Tyvar, Tyvek, or like) is required on all wall sheathing.
 - 2. Sheathing. Coated sheathing (Zip System or like) can be used in lieu of traditional OSB or plywood sheathing and house wrap combination.
 - 3. Joints/Seams. Coated sheathing shall have all joints/seams taped.
- ix. Framing. Minimum 2" x 4" studs 16" o.c. with insulation board on all exterior and load bearing walls. Interior non-load bearing walls shall be 24" o.c. pursuant to code.

H. Anti-Monotony.

The following describes the anti-monotony requirement for Single-Family lots:

Lakefield Estates and Reserve. No two (2) homes within a five (5) home snapshot (applied to same-side street homes and across street homes) shall have the same front elevation.

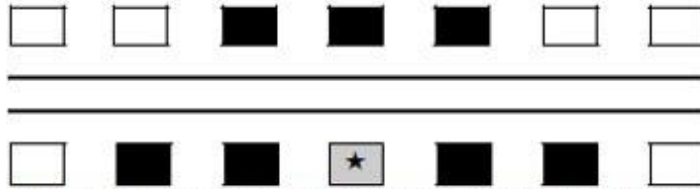
Single Family Monotony Code Depiction



Subject indicated with a star shall not have same elevation as adjacent homes indicated with shade.

Lakefield Landing. No two (2) homes within eight (8) home snapshot (applied to 5 homes on same-side street homes and 3 homes across street homes) shall have the same front elevation.

Single Family Monotony Code Depiction



Subject indicated with a star shall not have same elevation as adjacent homes indicated with shade.

I. Landscaping and Exterior Features.

- i. Community Perimeter Landscaping. Landscaping on frontage roads shall provide a minimum twenty-five (25) foot landscape buffer to include for every one hundred (100) feet of frontage: mounds; two two-(2) inch caliper shade trees of a minimum variety of three species; two two-(2) inch caliper ornamental trees of a minimum variety of five species; two six-(6) foot tall evergreen trees; and ten twenty four-(24) inch shrubs/bushes. To make the berm and landscape buffers aesthetically please, some undulation of the berm height is allowed.
- ii. Low Impact Design (LID) Considerations. Perennial ornamental grasses with a mature height of no more than six (6) feet, may be substituted for shrubs where necessary. The minimum container size for planting shall be one gallon.

J. Single Family Home Lot Landscaping.

- i. Trees. All homes shall include at least one (1) street tree between the curb and sidewalk with a minimum of two (2)-inch caliper at time of planting and selected from a minimum variety of three (3) species. Up to two (2) additional ROW parkway trees shall be planted on the side street of corner lots. Planting. Additional front and side yard trees, if provided, shall be planted a minimum of ten (10) feet behind the sidewalk.
- ii. Sodding and Seeding. All front yards shall be established through sodding. For purposes of sodding, corner lots shall be considered to have two (2) front yards. Future repairs and improvements can be made by seeding, providing no bare soil remains for a prolonged period of time. Rear yards are also preferred to be sodded, however, seeding is also acceptable as the minimum requirement. All front, rear, and side yards shall be properly graded and will use starter fertilizer when sodding and/or seeding.
- iii. Additional Landscaping. All homes shall include a minimum of eight (8) shrubs in the front foundation planting bed and all shrubs shall be at least eighteen (18) inches in height at time of planting.
- iv. Irrigation. Where irrigation is installed, the use of innovative, water efficient irrigation systems is strongly encouraged and recommended. All irrigation systems are to be below ground, fully automated systems in compliance with all

applicable building code requirements. All backflow control devices are to be located or screened so that they are not visible from the streets.

K. Green Space & Amenities.

- i. Pool. The PUD shall contain a pool.
- ii. Park. The PUD shall contain a central park, minimum of twenty thousand (20,000) square feet in size surrounded on all four (4) sides by a street.
- iii. Recreation and Picnic Areas. Recreational and picnic areas shall be placed in appropriate common areas.
- iv. A children's play structure with swings shall be provided in at least one of the center parks.
- v. An internal trail system shall be provided as generally shown on the Concept Plan.
- vi. A minimum of one (1) central park within the Planned Unit Development shall include active recreation amenities. Such amenities shall include sports courts, which may consist of pickleball courts, basketball courts, or a combination thereof.

L. Fences.

- i. Materials. If installed, all lot fencing shall be of the following materials: tan or white composite, tan or white PVC, or black metal (wrought-iron style).
- ii. Chain Link. No chain linked fence shall be permitted.
- iii. Height. The height of the fencing shall not exceed 6 feet above finished grade.
- iv. Layout. Front Yard. No fencing shall extend beyond the front house line.

M. Street Lights. Streetlights of a uniform nature will be placed at each entry and at each interior street intersection and at intermediate locations between intersections not to exceed four hundred (400) feet.

Lighting.

- i. All homes in the community shall have dusk to dawn carriage lights on the garage or yard lights.
- ii. Recessed can porch lights on a photo cell shall be required.

N. Street Numbers. Street numbers shall be uniformly mounted on each single-family home.

O. Mail Boxes. Uniform mailboxes and uniform street numbers within the PUD are required.

P. Sheds, Out Buildings, and Pools.

- i. Pools. No above ground pools shall be permitted.
- ii. Outbuildings. Outbuildings and sheds where installed shall be of uniform design to the main structure and shall not span over utility or drainage easements.

Q. Utility Installation. All utilities shall be trenched and located behind the curb.

- R. **Roadway frontage improvements.** The following improvements shall be installed along the real estate frontage of 1000 N (north side) and N 400 W (west side)
- i. 1000 N (north side)
 1. A eight (8) foot wide perimeter multi-use asphalt path
 2. Deceleration lane at all access points into the development.
 - ii. N 400 W (west side)
 1. A eight (8) foot wide perimeter multi-use asphalt path
 2. Deceleration lanes at all access points into the development.
- S. **Permanent Monument Signage.** If provided, shall only be a brick or stone pillar with an integrated or hanging sign to feature the project name and year of establishment.

Exhibit E -Lakefield Flats, Lakefield Towns and Lakefield Pointe

A. District Intent:

The Lakefield Flats, Lakefield Towns and Lakefield Pointe districts are intended to create a cohesive mixed-use environment where residential and commercial are thoughtfully integrated. The districts support multifamily and townhome housing alongside neighborhood-scale commercial uses designed to serve nearby residential communities, encourage walkability, reduce vehicle trips, and foster a sense of place and community connection. The district will consist of a multi-family area (Lakefield Flats), a townhome area (Lakefield Towns), and a neighborhood commercial area (Lakefield Pointe).

B. Permitted Uses.

- a. Lakefield Flats (Multi-Family Area): Dwelling, multi-family (apartment complex – 3 or more dwelling units) shall be permitted in the Lakefield Flats multi-family area. The permitted and maximum number of apartments in the Lakefield Flats Area shall not exceed two hundred eighty-eight (288).
- b. Lakefield Towns (Townhome Area): Dwelling, Two Family uses shall be permitted in the Lakefield Towns townhome area. The permitted and maximum number of Dwelling Units in the Townhome Area shall not exceed twenty (20). Townhomes shall be rear loaded.
- c. Lakefield Pointe (Neighborhood Commercial Area): All uses in the CN-Commercial Neighborhood zoning district, per the Town of Fortville, Indiana, Zoning Ordinance (the “Fortville Zoning Ordinance”), shall be permitted in the Lakefield Pointe neighborhood commercial area. Special Exception uses in the CN-Commercial zoning district shall be permitted only if approved pursuant to the terms of the Fortville Zoning Ordinance.

C. Development Standards.

a. Lakefield Towns and Lakefield Flats development standards:

| Requirement | Lakefield Towns Townhome Area | Lakefield Flats Multi-Family Area |
|---|---|--|
| Minimum Lot Area per Dwelling | 1,400 Sq. ft./unit | not applicable |
| Minimum Lot Width | 20 ft. per dwelling unit | not applicable |
| Maximum Building Height | 37 ft. | 45 ft. 3-Story 56 ft. 4-Story |
| Minimum Front Yard Setback | 12 ft. | 20 ft. |
| Minimum Side Yard Setback (separation between buildings) | 12 ft. | 20 ft. |
| Minimum Rear Yard Setback | 20 ft. as measured from back of alley curbs | 20 ft. 5ft. for Accessory Structures |
| Minimum Floor Area (per dwelling unit) | 1,400 Sq. ft./unit | 500 Sq. ft./unit |
| Maximum Lot Coverage | not applicable | not applicable |

If any development standard is not set forth above for the Lakefield Flats Multi-Family Area and/or Lakefield Towns Townhome Area, then the development standards of the RM – Residential Multi-Family zoning district in the Fortville Zoning Ordinance shall apply.

ii. Lakefield Pointe Commercial Neighborhood development standards:

The development standards of the CN-Commercial Neighborhood zoning district in the Fortville Zoning Ordinance shall apply to the Lakefield Pointe Commercial Neighborhood Area.

Exhibit F - Lakefield Mixed Use Concept Plan



weaver sherman design
architects and land planners

288 Multifamily Units / parked at 1.75p.s. / 1 d.u. + (7) eight unit garages

96th Street and Cyntheanne Road

Illustrative Site Plan

Scale 1"= 100'-0"



Exhibit G – Illustrative Architectural Exhibit

Lakefield Towns (townhomes)



Lakefield Flats (multi-family)

