

ORDINANCE NO. 915

**AN ORDINANCE OF THE OGDEN DUNES TOWN COUNCIL
AMENDING PORTIONS OF THE TEXT OF
THE SUBDIVISION CONTROL AND ZONING CODE OF OGDEN DUNES, INDIANA**

WHEREAS, the Town of Ogden Dunes has adopted a Subdivision Control and Zoning Code as part of the Ogden Dunes Town Code; and

WHEREAS, the Plan Commission of the Town of Ogden Dunes has studied the matter and recommended certain changes to the text portion of the Subdivision Control and Zoning Code; and

WHEREAS, the Plan Commission has held a public hearing regarding the amendments contained in this Ordinance; and

WHEREAS, the Plan Commission has certified its proposal to the Ogden Dunes Town Council; and

WHEREAS, the Ogden Dunes Town Council concurs in the recommendation of its Plan Commission.

NOW THEREFORE, be it and it is hereby ordained by the Ogden Dunes Town Council as follows:

SECTION ONE: Section 151.045(A) of the Town of Ogden Dunes Zoning Code shall be amended and hereafter read as follows:

**151.045 SUPPLEMENTARY USE, HEIGHT, AREA AND
YARD REQUIREMENTS.**

The regulations specified in this Zoning Code shall be subject to the following interpretations and exceptions:

(A) Use.

(1) *Accessory Uses - General.* Accessory uses and structures, such as detached private garages, tool or storage sheds, swimming pools, fences, retaining walls and landscaping, are permitted in all districts in conjunction with a primary use or structure, provided the accessory use does not change the character of the district in which it is located. Except as otherwise set forth herein, no accessory building may be located closer than fifteen feet (15') to a side or rear lot line, nor closer than ten feet (10') from any portion of the principal building and shall not project further than the front setback line of the principal building.

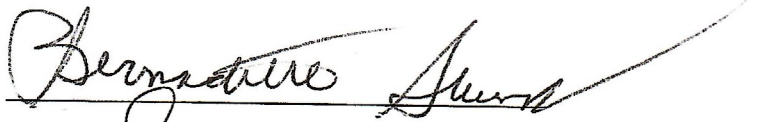
- (2) *Garages.* Not more than one (1) garage of not more than three (3) car capacity (24' x 36', or 864 square feet) and of not more than one (1) story or a total height of fifteen feet (15') shall be permitted on any lot in the R District.
- (3) *Sheds.* No shed may be located closer than five feet (5') to a rear lot line or closer than fifteen feet (15') from a side yard line, nor closer than ten feet (10') from any portion of the principal building, and no shed shall project further than the front setback line of the principal building. No shed may exceed 144 square feet (12' x 12').
- (4) *Basement Dwellings.* No basement shall be used as a temporary dwelling.
- (5) *Dwellings on Small Lots.* Notwithstanding the limitations imposed by any other provisions of this chapter, the Plan Commission may permit the erection of a dwelling on any lot in the R District, separately owned or under contract of sale and containing an area of less than 10,000 square feet, but not less than 8,000 square feet, and a width or depth less than required therein, provided that:
- (a) The lot was not diminished in area, width or depth subsequent to its final platting in accordance with law; and
- (b) The proposed erection plans result in a front yard of not less than twenty feet (20'), a rear yard of not less than fifteen feet (15'), and two (2) side yards of not less than five feet (5').
- (6) *Mobile Homes.* The parking of a mobile home in any district is hereby prohibited, unless otherwise provided in this chapter.
- (7) *Trailers.* A trailer used for construction headquarters or for the storage of materials used during construction may be parked at a construction site for a period not to exceed six (6) months upon the securing of a permit therefor. Such six (6) month period shall be renewable for one (1) six (6) month period only at the option of the Plan Commission.
- (8) *Fences.* No fence, sign, structure or privacy wall shall be erected in any front, rear or side yard setback area, except as follows:
- (a) Subject to subsection (b), other structures, such as fences and retaining walls exceeding two feet (2') in height may be placed on the property line with the concurrence, in writing, of both adjoining property owners, provided that both adjoining property owners have agreed upon the location of the property line and the design of the fence. Absent agreement of adjoining property owners, fences and/or privacy walls must be set back not less than three feet (3') from any property line. The Ogden Dunes Building Department will provide a form of hold harmless and maintenance agreement which must be signed by the adjoining property owners prior to the issuance of a building permit.

(b) Fences and/or privacy walls shall not exceed seventy-two inches (72") in height and may be permitted only in the rear or side yard setback areas; provided, a fence and/or privacy wall may be placed on the property line as long as both adjoining owner(s) concur and that such adjoining property owner(s) agree, in writing, such minimum agreements, including that the location of the property line has been identified and both owners agree that such property line is accurate.

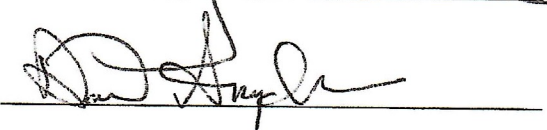
SECTION TWO: This Ordinance shall be in full force and effect from and after its passage and adoption as provided by law.

ALL OF WHICH IS PASSED AND ADOPTED this 5th day of January, 2026.

OGDEN DUNES TOWN COUNCIL







ATTEST:


Amy Parry, Clerk Treasurer