

Chapter 3

DISTRICTS

3.01 Establishment of Districts:

The Town, and its jurisdictional area, is hereby divided into the following zoning districts as shown on the official zoning map, which together with all explanatory matter shown there on is hereby adopted by reference and declared part of this Ordinance. It should be noted that the Flood Hazard District is an overlay district and is not shown on the official zoning map, but the Town's flood plain map is produced by the U.S. Department of Housing and Urban Development. South Whitley's Flood Hazard Boundary Map was adopted December 21, 1973 and revised October 31, 1975. This is available at the South Whitley Town Clerk's office.

District Classification

Designation

Agricultural	A-1
Single-Family Residential	R-1
Two-Family and Multiple Family Residential	R-2
Local Business	LB
General Business	GB
Light Industrial	I-1
Heavy Industrial	I-2
Flood Hazard	FP

3.02 Changes to the Official Zoning Map:

If, in accordance with Section 3.04 of this Ordinance, and of Title 36, Article 7, Chapter 4, Section 600 et seq., of the Indiana Code, as amended, a change is made in a zoning district boundary, such change shall be made by the South Whitley Planning Commission, promptly after the Ordinance authorizing such change shall have been adopted by the South Whitley Town Council, with an entry upon the Official Zoning Map.

3.03 Authority of the Official Zoning Map:

The Official Zoning Map shall be located in the South Whitley Town Clerk's office. The President, Secretary and the Building Commissioner will also have a copy of this map. It shall be available to public inspection, and shall be, with the Revised Zoning Ordinance, the final authority as to the current zoning status of any land, parcel, lot, district, use, building, or structure in the Town and its jurisdictional area.

3.04 Replacement of the Official Zoning Map:

In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes made there to, the Town Council

may, by ordinance, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map, may correct drafting or other errors or omissions on the prior Official Zoning Map, but no such corrections shall have the effect of amending the Zoning Ordinance or the prior Official Zoning Map.

3.05 Interpretation of District Regulations:

The Board of Zoning Appeals shall interpret the provisions of this Ordinance as they pertain to the location of district boundaries where uncertainty exists as to the location of the District boundaries in relation to the Official Zoning Map. The following rules for interpretation shall apply:

- A. A boundary indicated as approximately following the center-line of a highway, street, alley, or easement shall be construed as following such center-line.
- B. A boundary indicated as approximately following a recorded lot line or the line bounding a parcel shall be construed as following such line.
- C. A boundary indicated as approximately following the corporate boundary line of a city, village, school district, section or township shall be construed as following such line.
- D. A boundary indicated as following a railroad line shall be construed as being midway between the main tracks.
- E. A boundary indicated as following a shoreline shall be construed as following such shoreline, and in the event of change in a shoreline shall be construed as following the actual shoreline.
- F. A boundary indicated as following the center-line of a stream, river, lake, or other body of water shall be construed as following such center-line.
- G. A distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- H. Where a physical or cultural feature existing on the ground is at variance with that shown on the Official Zoning Map, or in any other circumstance not covered by Paragraphs A through G above, the Board of Zoning Appeals shall interpret the zoning district boundary.

3.06 Application of Regulations:

The regulations established by this Ordinance within each zoning district shall be minimum regulations for promoting and protecting the public health, safety, and general welfare and shall be uniform for each class of land or building, dwellings and structures throughout each district. Where there are practical difficulties or unnecessary hardship in

the way of carrying out the strict letter of this Ordinance, the Board of Zoning Appeals shall have power in passing upon appeals to vary or modify any rules, regulations or provisions of this Ordinance so long as the intent and purposes of this Ordinance shall be observed, public safety secured, and substantial justice done.

3.07 Scope of Provisions:

The provisions of this Ordinance shall apply to all uses, structures, improvements, and alterations currently existing approved by the Town after enactment of this Ordinance.