



# City of Butler, Indiana Plan Commission

215 South Broadway  
Butler, IN 46721

Phone: 260-868-5200  
www.butler.in.us

## PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CITY OF BUTLER, INDIANA ZONING MAP ZMA-2021-01 DATED, MAY 10, 2021

### FINDINGS | AMENDMENT

1. This proposed amendment to amend the City of Butler, Indiana Zoning Map was initiated by the City of Butler, Indiana Plan Commission as allowed by I.C. 36-7-4-602(c)(1)(A).
2. A public hearing notice regarding this petition was published Tuesday, April 23, 2021. Proof of publication and proof of payment for the notice is referenced herein and made a part of the file copy of this Amendment as “**Attachment A.**”
3. Public hearing notices have also been provided to the owners of the parcels proposed for rezoning and to the adjoining landowners by certified mail. Proof of service is referenced herein and made a part of the file copy of this Amendment as “**Attachment B.**” *(Note: will be presented at hearing)*
4. The amendment under consideration proposes that the parcels described in “**Attachment C**” be rezoned as noted. The permitted uses for both the existing and proposed zoning districts, as prescribed by “Appendix A” of the City of Butler Zoning Ordinance, are attached to, and made a part of file copy of this Amendment, as “**Attachment D.**” GIS aerial illustrations of the parcels subject to rezoning are depicted in “**Attachment E.**”

The proposed change of zoning is consistent with the most desirable use for the land involved and is in harmony with the existing conditions in the area and the existing structures and uses in the area.

5. The City of Butler Plan Commission hereby verifies that it has given reasonable regard to the following when reviewing the aforementioned petition in public hearing, per IC 36-7-4-603:
  - a. the City of Butler, Indiana Comprehensive Plan;
  - b. the current conditions and the character of current structures and uses within the parcel proposed for rezoning;
  - c. the most desirable use for the parcel proposed for rezoning;
  - d. the conservation of property values for the adjoining properties; and
  - e. responsible development and growth.

The report covering the above review items is referenced herein and made a part of the file copy of this Amendment as “**Attachment F.**”

6. The proposed zoning change preserves property values and is in the best interests of the City as a whole.

## RESOLUTION OF PROPOSED AMENDMENT

Resolved, this \_\_\_\_\_ day of \_\_\_\_\_, 2021 the City of Butler, Indiana Plan Commission hereby approves a (favorable) / (unfavorable) / (no) recommendation for the following amendment to the City of Butler, Indiana Comprehensive Plan, and by reference herein, the Butler Zoning Ordinance and Map; and shall certify this recommendation to the Common Council of the City of Butler, Indiana.

The zoning designations for the following respective parcels are proposed to be changed as follows:

- A.** Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits and the Extra-territorial Jurisdiction of the City of Butler, Indiana, from “HI-Heavy Industrial” to “AG-Agriculture,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:
1. 404 South Federal Street –
    - Parcel # 23-07-11-178-001 / Pt. N, Pt. NW ¼, Section 11, Township 34 N, Range 14 East.
    - Parcel # 15-07-11-176-002 / Pt. E ½, NW ¼, Tract 1, Section 11, Township 34 N, Range 14 East.
- B.** Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “HI-Heavy Industrial” to “SFR-Single Family Residential,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:
1. 429 Walnut Street –
    - Parcel # 15-07-11-176-003 / Pt. E1/2. NW ¼ (Tract 3), Section 11, Township 34 N, Range 14 East.
- C.** Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “LI-Light Industrial” to “Single-Family Residential,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:
1. 425 Walnut Street -
    - Parcel # 23-07-11-178-002 / Pt. N, Pt. NW ¼, Section 11, Township 34 N, Range 14 East.
- D.** Change the zoning designation for the following described parcel of real estate, located within the City of Butler, Indiana Extra-territorial jurisdiction, from “HI-Heavy Industrial” to “AG-Agriculture,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:
1. The portion of Parcel # 15-07-11-151-002 that is located between Parcel # 15-07-11-176-002 and Parcel # 23-07-11-177-001 in Section 11, Township 34 N, Range 14 East.
- E.** Change the zoning designation for the following described parcel of real estate, located within the City of Butler, Indiana Corporate Limits, from “LI-Light Industrial” to “SFR-Single-Family Residential,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:
1. The portion of Parcel # 15-07-11-151-002 that is located between Parcel # 23-07-11-178-002 and Parcel # 23-07-11-177-002 in Section 11, Township 34 N, Range 14 East.
- F.** Change the zoning designation for the following described parcels of real estate, located within the

Corporate Limits of the City of Butler, Indiana, from “LI-Light Industrial” to “Agriculture,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Parcel # 23-07-11-177-001, Pt. SE ¼, NW ¼ in Section 11, Township 34 N, Range 14 East.
2. Parcel # 23-07-11-177-003, In SW ¼, NW ¼ in Section 11, Township 34 N, Range 14 East.

**G.** Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “LI-Light Industrial” to “Agriculture,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. 700 South Federal Street
  - Lots 19-30, Heller’s Addition to the City of Butler, Parcel #’s 23-07-11-180-001 through 012.

**H.** 311 Railroad Street - Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “HI-Heavy Industry” to “LI-Light Industry” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Lots 21 and 22, Danforth’s Addition to the City of Butler, IN, (Parcel #’s 23-07-12-107-007 & 23-07-12-107-008).
2. The West 66 feet of Lot 23, Danforth’s Addition to the City of Butler, IN (Parcel # 23-07-12-108-006).

**I.** Change the zoning designation for the following described parcel of real estate, located within the Corporate Limits of the City of Butler, Indiana from “OTR-Old Town Residential” to “LI-Light Industry” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Lot 29, Danforth’s Addition to the City of Butler, Indiana, (Parcel # 23-07-12-107-005).

**J.** Change the zoning designation for the following described parcel of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “HI Heavy Industrial” to “Old Town Residential,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. The mid 66 feet of Lot 23, Danforths’ Addition to the City of Butler, Indiana, (Parcel #’s 23-07-12-108-007).

**K.** Change the zoning designation for the following described parcel of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “HI-Heavy Industry” to “Old Town Residential,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. The East 113 feet of Lot 23, Danforths’ Addition to the City of Butler, Indiana, (Parcel #’s 23-07-12-108-008).

**L.** Change the zoning designation for the following described parcel of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “MFR-Multi-Family Residential” to “SFR-Single-Family Residential,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Lot 1, Mayerknoll Addition, Plat 3 to the City of Butler, Indiana, (Parcel #’s 23-07-02-476-001).

**M.** Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from “OTR-Old Town Residential” to “INS-Institutional and Office,” as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Lot 1 and Lot 2, except the West 57 feet, Tomlinson's Addition to the City of Butler (Parcel #’s

23-07-02-488-008 & 009).

Further, the Commission directs that a copy of this recommendation be submitted to the City of Butler, Indiana Common Council for their consideration as provided by statute.

Following ratification by ordinance of this amendment by the Common Council of the City of Butler, Indiana, the Zoning Administrator of the City of Butler, Indiana shall record said amendment on the official zone map, and publish a notice of adoption of this amendment as provided by I.C. 36-7-4-610.

Said property shall be subject to the requirements of the Zoning Ordinance of the City of Butler, Indiana, as amended, and all other federal, state and local regulations.

**(FAVORABLE) / (UNFAVORABLE) / (NO) RECOMMENDATION GRANTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, BY THE CITY OF BUTLER, INDIANA PLAN COMMISSION BY A VOTE OF \_\_\_\_\_ ( ) YES AND \_\_\_\_\_ ( ) NO.**

	<b>ATTEST:</b>
President City of Butler, Indiana Plan Commission	Secretary City of Butler, Indiana Plan Commission

**BEFORE THE PLAN COMMISSION OF THE CITY OF BUTLER, INDIANA  
CERTIFICATION OF A RECOMMENDATION BY THE CITY OF BUTLER PLAN  
COMMISSION FOR A PROPOSED AMENDMENT TO THE CITY OF BUTLER, INDIANA  
COMPREHENSIVE PLAN, ZONING ORDINANCE AND ZONING MAP**

**TO: THE COMMON COUNCIL OF THE CITY OF BUTLER, INDIANA  
COUNTY OF DEKALB  
STATE OF INDIANA**

Comes now Kent Likes, the duly elected and qualified President of the City of Butler, Indiana Plan Commission, and being duly sworn upon his oath, hereby deposes, says and certifies the following:

1. Affiant is over the age of eighteen (18) years and has personal knowledge of the facts attested to herein.
2. Affiant is the duly elected, qualified and acting President of the City of Butler, Indiana Plan Commission.
3. The Commission conducted, pursuant to statutory notice, a continued public hearing at the Butler City Building, on May 10, 2021 at 6:30 P.M. on a proposed amendment to the City of Butler, Indiana Comprehensive Plan, Zoning Ordinance and Zoning Map.
4. At the conclusion of said public hearing, and on motion made and duly seconded, the Commission, by a vote of \_\_\_\_\_ ( ) in favor and \_\_\_\_\_ ( ) against, resolved to certify to the Common Council of the City of Butler, Indiana the amendment as proposed, which amendment is attached to this certification as "Attachment A", with a favorable recommendation.
5. This certification is made and delivered pursuant to I.C. 36-7-4-508(a), I.C. 36-7-4-605(a)(2), I.C. 36-7-4-605(a)(3) and I.C. 36-7-4-608.

\_\_\_\_\_  
**Kent Likes  
Plan Commission  
City of Butler, Indiana**

Sworn and subscribed to before me, a Notary Public in and for said County and State, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Printed Name**

**Notary Public  
Resident of DeKalb County, IN**

**My Commission Expires: \_\_\_\_\_**



NOTICE OF A PUBLIC HEARING  
OF THE CITY OF BUTLER,  
INDIANA PLAN COMMISSION ON  
A PROPOSED AMENDMENT TO  
THE CITY OF BUTLER, INDIANA  
ZONING MAP

This is to provide notice that the Butler Plan Commission will hold a public hearing, Monday, May 10, 2021, 6:30 PM, in the Butler City Hall Council Chamber, 215 South Broadway, Butler, Indiana, to consider a proposed amendment to the Butler Zoning Map.

The Commission will consider a proposal to amend the map, # ZMA-2021-01, per the relevant sections of the IC 36-7-4-600 Series, as initiated by the Commission.

The zoning designations for the following respective parcels are proposed to be changed as follows:

A. Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits and the Extra-territorial Jurisdiction of the City of Butler, Indiana, from "HI-Heavy Industrial" to "AG-Agriculture," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. 404 South Federal Street -  
Parcel # 23-07-11-178-001 / Pl. N, Pl. NW 1/4, Section 11, Township 34 N, Range 14 East.

Parcel # 15-07-11-176-002 / Pl. E 1/2, NW 1/4, Tract 1, Section 11, Township 34 N, Range 14 East.

B. Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from "HI-Heavy Industrial" to "SFR-Single Family Residential," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. 425 Walnut Street -  
Parcel # 15-07-11-176-003 / Pl. E1/2, NW 1/4 (Tract 3), Section 11, Township 34 N, Range 14 East.

C. Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from "LI-Light Industrial" to "Single-Family Residential," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. 425 Walnut Street -  
Parcel # 23-07-11-178-002 / Pl. N, Pl. NW 1/4, Section 11, Township 34 N, Range 14 East.

D. Change the zoning designation for the following described parcel of real estate, located within the City of Butler, Indiana Extra-territorial jurisdiction, from "HI-Heavy Industrial" to "AG-Agriculture," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. The portion of Parcel # 15-07-11-151-002 that is located between Parcel # 15-07-11-176-002 and Parcel # 23-07-11-177-001 in Section 11, Township 34 N, Range 14 East.

E. Change the zoning designation for the following described parcel of real estate, located within the City of Butler, Indiana Corporate Limits, from

"LI-Light Industrial" to "SFR-Single-Family Residential," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. The portion of Parcel # 15-07-11-151-002 that is located between Parcel # 23-07-11-178-002 and Parcel # 23-07-11-177-002 in Section 11, Township 34 N, Range 14 East.

F. Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from "LI-Light Industrial" to "Agriculture," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Parcel # 23-07-11-177-001, Pl. SE 1/4, NW 1/4 in Section 11, Township 34 N, Range 14 East.

2. Parcel # 23-07-11-177-003, In SW 1/4, NW 1/4 in Section 11, Township 34 N, Range 14 East.

G. Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from "LI-Light Industrial" to "Agriculture," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. 700 South Federal Street -  
Lots 19-30, Heller's Addition to the City of Butler, Parcel #'s 23-07-11-180-001 through 012.

H. 311 Railroad Street - Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from "HI-Heavy Industry" to "LI-Light Industry" as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Lots 21 and 22, Dantorth's Addition to the City of Butler, IN, (Parcel #'s 23-07-12-107-007 & 23-07-12-107-008).

2. The West 66 feet of Lot 23, Dantorth's Addition to the City of Butler, IN (Parcel # 23-07-12-108-006).

I. Change the zoning designation for the following described parcel of real estate, located within the Corporate Limits of the City of Butler, Indiana from "OTR-Old Town Residential" to "LI-Light Industry" as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Lot 29, Dantorth's Addition to the City of Butler, Indiana, (Parcel # 23-07-12-107-005).

J. Change the zoning designation for the following described parcel of real estate, located within the Corporate Limits of the City of Butler, Indiana, from "HI-Heavy Industrial" to "Old Town Residential," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. The mid 66 feet of Lot 23, Dantorth's Addition to the City of Butler, Indiana, (Parcel #'s 23-07-12-108-007).

K. Change the zoning designation for the following described parcel of real estate, located within the Corporate Limits of the City of Butler,

Indiana, from "HI-Heavy Industry" to "Old Town Residential," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. The East 113 feet of Lot 23, Dantorth's Addition to the City of Butler, Indiana, (Parcel #'s 23-07-12-108-008).

L. Change the zoning designation for the following described parcels of real estate, located within the Corporate Limits of the City of Butler, Indiana, from "OTR-Old Town Residential" to "INS-Institutional and Office," as such terms are defined in the City of Butler, Indiana Zoning Ordinance:

1. Lot 1 and Lot 2, except the West 57 feet, Tomlinson's Addition to the City of Butler (Parcel #'s 23-07-02-488-008 & 009).

The proposed amendment, and a copy of the City of Butler, Indiana Zoning Ordinance, which lists the permitted uses for each zoning designation, are available for public review in the Butler Planning Department, Butler City Hall, 215 South Broadway. (PH: 260-868-5200, Email: planner@butler.in.us) during regular business hours.

Following is the agenda for the May 10, 2021 Plan Commission meeting:

1. Call to Order.
2. Roll Call.
3. Minutes of Previous Meeting.
4. Public Hearing Regarding a Proposed Amendment to the City of Butler, Indiana Zoning Map, ZMA-2021-01.
5. Review of the Proposed Replacement Butler Comprehensive Plan.
6. Zoning Administrator Report.
7. Commission Attorney.
8. Commission Members.
9. Audience Participation.
10. Next Meeting Date (July 12, 2021).
11. Adjourn.

The Plan Commission will receive and consider written comments regarding the proposed zoning map amendment that are filed with the Butler Planning Department before the hearing. The Commission will also hear oral comments from the public during the hearing. The Commission may continue this hearing from time to time, as it may consider necessary.

The Butler City Hall is handicapped-accessible from the front (west) entrance. The City of Butler, Indiana is an Equal Opportunity Provider.

Plan Commission, City of  
Butler, Indiana  
TS,2067727,4/23,hspaxlp

**CITY OF BUTLER, INDIANA PLAN COMMISSION- ZMA-2021-01  
ATTACHMENT C - LOCATIONS, OWNERS AND LEGAL DESCRIPTIONS OF PARCELS PROPOSED FOR REZONING**

Street #	Street	Property Owner of Record	Property Owner Mailing Address	Parcel #'s	Legal	Current Use	Current Zoning	Proposed Zoning	Reason for Proposed Zoning
404	South Federal Street	Seabreeze Ministries	Post Office Box 381 Butler, IN 46721	23-07-11-178-001  15-07-11-176-002	-Pt. N, Pt. NW 1/4 Section 11, Township 34 North, Range 14 East -Pt. E 1/2, NW 1/4, Tract 1, Section 11, Township 34 North, Range 14 East	Vacant land	HI-Heavy Industrial	AG-Agriculture	Zoning change is proposed to match historic, current and projected future use of property.
429	Walnut Street	Michael & Kimberly Damron	429 Walnut Street Butler, IN 46721	15-07-11-176-003	Pt. E 1/2, NW 1/4 (Tract 3), Section 11, Township 34 North, Range 14 East	Residential	HI-Heavy Industrial	SFR-Single Family Residential	Zoning change is proposed to match current and projected use of property.
425	Walnut Street	Allen Lee Robinson	425 Walnut Street Butler, IN 46721	23-07-11-178-002	Pt. N, Pt. NW 1/4, Section 11, Township 34 North, Range 12 East	Residential	LI-Light Industrial	SFR-Single Family Residential	Zoning change is proposed to match current and projected use of property.
	West of Walnut Street	State of Indiana	5333 Hatfield Road Fort Wayne, IN 46808	15-07-11-151-002	Portion of Parcel # 15-07-11- 151-002 that is located between Parcel # 15-07-11-176- 002 and Parcel # 23-07-11-177- 001 in Section 11, Township 34 North, Range 14 East	Vacant land	HI-Heavy Industrial	AG-Agriculture	Zoning change is proposed to match historic, current and projected future use of property.
400- block	Walnut Street	State of Indiana	5333 Hatfield Road Fort Wayne, IN 46808	15-07-11-151-002	Portion of Parcel # 15-07-11- 151-002 that is located between Parcel # 23-07-11-178-002 and Parcel # 23-07-11-177-002 in Section 11, Township 34 North, Range 14 East	Vacant land	LI-Light Industrial	SFR-Single Family Residential	Zoning change is proposed to match historic, current and projected future use of property.
424	Walnut Street	Delmar McConnell	424 Walnut Street Butler, IN 46721	23-07-11-177-001 23-07-11-177-003	-Pt. SE 1/4, NW 1/4 in Section 11, Township 34 North Range 14 East -In SW 1/4, NW 1/4 in Section 11, Township 34 North, Range 14 East	Vacant land	LI-Light Industrial	AG-Agriculture	Zoning change is proposed to match historic, current and projected future use of property.
700	South Federal Street	Jeremy Campbell	1105 Zimmerman Drive Auburn, IN 46706	23-07-11-18-001 through 012	Lots 19-30, Heller's Addition to the City of Butler	Vacant land	LI-Light Industrial	AG-Agriculture	Zoning change is proposed to match historic, current and projected future use of property.
311	Railroad Street	Kaiser's Rods n Customs	2615 County Road 75 Butler, IN 46721	-23-07-12-107-007 and 008 -23-07-12-108-006	-Lots 21 & 22, Danforth's Addition to the City of Butler -The West 66 feet of Lot 23, Danforth's Addition to the City of Butler	Commercial / Industrial building and use	HI-Heavy Industrial	LI-Light industrial	Zoning change is proposed to match current and projected future use of property.
300- block	East Oak Street	Kaiser's Rods n Customs	2615 County Road 75 Butler, IN 46721	23-07-12-107-005	Lot 29, Danforth's Addition to the City of Butler	Commercial / Industrial building and use	OTR-Old Town Residential	LI-Light industrial	Zoning change is proposed to match current and projected future use of property.

Street #	Street	Property Owner of Record	Property Owner Mailing Address	Parcel #'s	Legal	Current Use	Current Zoning	Proposed Zoning	Reason for Proposed Zoning
400-block	Railroad Street	Yellow Door Enter, LLC	921 East Dupont Road PMB # 889 Fort Wayne, IN 46825	23-07-12-108-007	The mid-66 feet of Lot 23, Danforth's Addition to the City of Butler	Vacant land	HI-Heavy Industrial	OTR-Old Town Residential	Zoning change is proposed to match historic, current and projected future use of property.
400-block	Railroad Street	DeKalb County Commissioners	c/o DeKalb County Auditor 100 South Main Street Auburn IN 46706	23-07-12-108-008	The East 113 feet of Lot 23, Danforth's Addition to the City of Butler	Vacant land	HI-Heavy Industrial	OTR-Old Town Residential	Zoning change is proposed to match historic, current and projected future use of property.
435	West Liberty Street	Sean Smith	662 North Compton Road Farmington, UT 84025	23-07-02-476-001	Lot 1, Mayerknoll Addition, Plat 3 to the City of Butler	Vacant lot	MFR-Multi-Family Residential	SFR-Single Family Residential	Zoning change is proposed to match projected future use of property.
217	West Main Street	Life Redeemed Apostolic Church	1103 Ashwood Drive Auburn, IN 46706	23-07-02-488-008 & 009	Lot 1 and Lot 2, except the West 57 feet, Tomlinson's Addition to the City of Butler	Church	OTR-Old Town Residential	INS-Institutional & Office	Zoning change is proposed to match historic, current and projected future use of property.

# City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix

City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix					Key "P" = Permitted Use "S" = Special Exception Use "-" = Not a Permitted Use							
 Residential Uses	Residential Zones				Business & Industry Zones				Specialty Zones			
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC	
Assisted living facility	-	S	-	-	P	-	-	-	-	P	-	
Bed & Breakfast	-	S	S	S	-	-	-	-	-	-	-	
Dwelling, manufactured home **	P	P	P	P	-	-	-	-	S	-	-	
Dwelling, mobile home	P	-	-	-	-	-	-	-	-	-	-	
Dwelling, multifamily	-	P / S*	S	-	-	-	-	-	-	-	-	
Dwelling, single family	-	S	P	P	-	-	-	-	S	-	-	
Dwelling, two-family	-	P	S	S	-	-	-	-	-	-	-	
Dwelling unit (upper floors)	-	P	-	-	P	-	-	P	-	-	-	
Group home	-	P	P	P	-	-	-	-	-	-	-	
Lodging house	-	-	-	-	P	-	-	-	-	-	-	
Mobile home community	P	-	-	-	-	-	-	-	-	-	-	
Nursing home	-	S	-	S	P	-	-	-	-	P	-	
developmentally disabled (large)	-	S	-	S	-	-	-	-	-	S	-	
Residential facility for the developmentally disabled (small)	-	P	P	P	-	-	-	-	-	-	-	
Residential facility for the mentally ill	-	P	P	P	-	-	-	-	-	-	-	
Retirement community	-	P	-	-	-	-	-	-	-	P	-	
<p>* Special Exception requirement applies to the proposed conversion of existing single-family dwellings in MFR districts to multi-family dwellings, not newly constructed multi-family units. (Amended by Ord. # 1583, adopted August 19, 2013) .</p> <p>“Manufactured Home Dwelling Units” are not permitted in any Butler zoning district on any parcel that abuts the entire length of South Broadway, North Broadway, East Main and West Main streets in Butler. (Amended by Ord. 1722, adopted February 1, 2021).</p>												
 Agricultural Uses	Residential Zones				Business & Industry Zones				Specialty Zones			
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC	
Agricultural crop production	-	-	-	-	-	-	-	-	P	-	-	
Farmstead	-	-	-	-	-	-	-	-	P	-	-	
Orchard	-	-	-	-	-	-	-	-	P	-	-	
Raising of farm animals	-	-	-	-	-	-	-	-	P	-	-	
Stable	-	-	-	-	-	-	-	-	P	-	-	
Storage of agricultural products	-	-	-	-	-	-	-	-	P	-	-	
Tree farm	-	-	-	-	-	-	-	-	P	-	-	

# City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix

<b>City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix</b>					<b>Key</b> "P" = Permitted Use "S" = Special Exception Use "-" = Not a Permitted Use						
 <b>Institutional Uses</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC
Cemetery	-	-	-	-	-	-	-	-	-	-	P
Child care institution	-	S	-	-	S	-	-	S	-	S	-
Church, temple or mosque	-	S	S	S	P	-	-	P	-	P	-
Community center	-	P	-	-	P	-	-	P	-	P	P
Government office	-	-	-	-	P	-	-	P	-	P	P
Government operation (non-office)	-	-	-	-	-	P	P	-	-	P	P
Hospital	-	-	-	-	P	-	-	-	-	P	-
Jail	-	-	-	-	P	-	-	-	-	S	-
Library, public	-	S	S	S	P	-	-	P	-	P	S
Museum	-	-	-	-	P	-	-	P	-	-	S
Park, public	-	P	P	P	S	S	S	S	-	S	P
Parking lot for business	-	S	S	-	P	P	P	P	-	P	-
Parking lot, public	-	S	S	-	P	P	P	P	-	P	P
Police, fire or rescue station	-	-	-	-	P	P	P	P	-	P	-
Pool, public	P	P	P	P	S	-	-	-	-	-	P
Post office	-	-	-	-	P	S	S	P	-	P	-
Recycling collection point	-	-	-	-	S	P	S	-	-	S	S
School (P-12)	-	-	-	-	S	-	-	S	-	P	-
Trade or business school	-	-	-	-	S	-	-	S	-	P	-
University or college	-	-	-	-	-	-	-	-	-	P	-
 <b>Business: Auto Sales &amp; Service Business: Auto Sales &amp; Service</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC
Automobile part sales	-	-	-	-	P	-	-	-	-	-	-
Automobile repair	-	-	-	-	P	P	P	-	-	-	-
Automobile sales	-	-	-	-	P	-	-	-	-	-	-
Automobile service station	-	-	-	-	P	-	-	-	-	-	-
Automobile wash	-	-	-	-	P	-	-	-	-	-	-
Gasoline station	-	-	-	-	P	-	-	P	-	-	-

**City of Butler, Indiana  
Zoning Ordinance  
Appendix A - Land Use Matrix**

<b>City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix</b>					<b>Key</b> "P" = Permitted Use "S" = Special Exception Use "-" = Not a Permitted Use							
 <b>Business: Food Sales &amp; Service Business: Food Sales &amp; Service</b>	<b>Residential Zones</b>				<b>Business &amp; Industry Zones</b>				<b>Specialty Zones</b>			
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC	
Bakery	-	-	-	-	P	-	-	P	-	-	-	
Coffee shop	-	-	-	-	P	-	-	P	-	-	-	
Convenience store	-	-	-	-	P	-	-	P	-	-	-	
Delicatessen	-	-	-	-	P	-	-	P	-	-	-	
Farmers market	-	-	-	-	P	-	-	P	-	-	-	
Grocery store	-	-	-	-	P	-	-	P	-	-	-	
Ice cream store	-	-	-	-	P	-	-	P	-	-	-	
Meat market	-	-	-	-	P	-	-	P	-	-	-	
Restaurant	-	-	-	-	P	-	-	P	-	-	-	
Restaurant drive-thru	-	-	-	-	P	-	-	-	-	-	-	
 <b>Business: General Business</b>	<b>Residential Zones</b>				<b>Business &amp; Industry Zones</b>				<b>Specialty Zones</b>			
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC	
Boat sales	-	-	-	-	P	-	-	-	-	-	-	
Funeral home or mortuary	-	-	-	-	P	-	-	P	-	-	-	
Hotel / motel	-	-	-	-	P	-	-	P	-	-	-	
Manufactured housing sales	-	-	-	-	-	P	-	-	-	-	-	
Printing shop / copy center	-	-	-	-	P	-	-	P	-	-	-	
Self storage facility	-	-	-	-	P	P	P	-	-	-	-	
Tool / equipment rental	-	-	-	-	P	P	P	-	-	-	-	
Tool / equipment sales	-	-	-	-	P	-	-	-	-	-	-	
 <b>Business: Office / Professional Business: Office / Professional</b>	<b>Residential Zones</b>				<b>Business &amp; Industry Zones</b>				<b>Specialty Zones</b>			
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC	
Bank / ATM	-	-	-	-	P	-	-	P	-	P	-	
Business / Financial services office	-	-	-	-	P	-	-	P	-	P	-	
Construction trade office	-	-	-	-	P	-	P	P	-	-	-	
Design services office	-	-	-	-	P	-	-	P	-	P	-	
Emergency medical clinic	-	-	-	-	P	-	-	P	-	P	-	
Medical / dental clinic	-	-	-	-	P	-	-	P	-	P	-	
Photography studio	-	-	-	-	P	-	-	P	-	P	-	
Travel agency	-	-	-	-	P	-	-	P	-	P	-	
Veterinarian clinic / hospital	-	-	-	-	P	-	P	-	-	P	-	

**City of Butler, Indiana  
Zoning Ordinance  
Appendix A - Land Use Matrix**

<b>City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix</b>					<b>Key</b> "P" = Permitted Use "S" = Special Exception Use "-" = Not a Permitted Use							
 <b>Business: Office / Professional Business: Office / Professional</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>			
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC	
Barber / beauty shop	-	-	-	-	P	-	-	P	-	-	-	
Day-care center, adult	-	-	-	-	P	-	-	P	-	P	-	
Day-care center, child	-	-	-	-	P	-	-	P	-	P	-	
Dry-cleaning service / laundry	-	-	-	-	P	-	-	P	-	-	-	
Fitness center / health club	-	-	-	-	P	-	-	P	-	-	-	
Tailor / alterations / seamstress	-	-	-	-	P	-	-	P	-	-	-	
Tanning salon	-	-	-	-	P	-	-	P	-	-	-	
Tattoo parlor / piercing parlor	-	-	-	-	P	-	-	P	-	-	-	
 <b>Business: Recreation</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>			
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC	
Amusement park	-	-	-	-	S	-	-	-	-	-	S	
Banquet hall	-	-	-	-	P	-	-	-	-	S	-	
Bar / tavern	-	-	-	-	P	-	-	P	-	-	-	
Billard / arcade room	-	-	-	-	P	-	-	P	-	-	-	
Bowling alley	-	-	-	-	P	-	-	P	-	-	-	
Club or lodge	-	S	S	-	P	-	-	-	-	S	-	
Country club	-	S	S	S	-	-	-	-	-	-	-	
Dance / karate studio	-	-	-	-	P	-	-	P	-	-	-	
Dance or nightclub	-	-	-	-	P	-	-	-	-	-	-	
Driving range	-	-	-	-	P	-	-	-	-	S	-	
Golf course	-	S	-	S	-	-	-	-	-	S	P	
Miniature golf	-	-	-	-	P	-	-	-	-	-	P	
Movie theater	-	-	-	-	P	-	-	-	-	-	-	
Nature preserve	-	-	-	-	-	-	-	-	-	-	P	
Paintball facility	-	-	-	-	-	-	-	-	-	-	P	
Recreation center	-	-	-	-	P	-	-	S	-	S	P	
Skating rink	-	-	-	-	P	-	-	-	-	-	-	

**City of Butler, Indiana  
Zoning Ordinance  
Appendix A - Land Use Matrix**

<b>City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix</b>					<b>Key</b> "P" = Permitted Use "S" = Special Exception Use "- " = Not a Permitted Use						
 <b>Business: Retail</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>	<b>GB</b>	<b>HI</b>	<b>LI</b>	<b>NB</b>	<b>AG</b>	<b>INS</b>	<b>REC</b>
Antique shop	-	-	-	-	P	-	-	P	-	-	-
Apparel shop	-	-	-	-	P	-	-	P	-	-	-
Art & craft studio	-	-	-	-	P	-	-	P	-	-	-
Book store	-	-	-	-	P	-	-	P	-	-	-
Building supply store	-	-	-	-	P	-	-	-	-	-	-
Car rental	-	-	-	-	P	-	-	-	-	-	-
Department store	-	-	-	-	P	-	-	P	-	-	-
Drug store	-	-	-	-	P	-	-	P	-	-	-
Fabric shop	-	-	-	-	P	-	-	P	-	-	-
Fireworks sales	-	-	-	-	P	-	-	-	-	-	-
Flower shop	-	-	-	-	P	-	-	P	-	-	-
Furniture shop	-	-	-	-	P	-	-	P	-	-	-
Garden shop	-	-	-	-	P	-	-	-	-	-	-
Gift shop	-	-	-	-	P	-	-	P	-	-	-
Gun sales	-	-	-	-	P	-	-	-	-	-	-
Hardware store	-	-	-	-	P	-	-	P	-	-	-
Home electronics/appliance store	-	-	-	-	P	-	-	P	-	-	-
Jewelry store	-	-	-	-	P	-	-	P	-	-	-
Liquor store	-	-	-	-	P	-	-	P	-	-	-
Music / media shop	-	-	-	-	P	-	-	P	-	-	-
News dealer	-	-	-	-	P	-	-	-	-	-	-
Office supply store	-	-	-	-	P	-	-	P	-	-	-
Party / event rental	-	-	-	-	P	-	-	-	-	-	-
Pawn shop	-	-	-	-	P	-	-	-	-	-	-
Pet grooming shop	-	-	-	-	P	-	-	P	-	-	-
Pet store	-	-	-	-	P	-	-	P	-	-	-
Plant nursery	-	-	-	-	P	-	-	-	P	-	S
Sporting goods store	-	-	-	-	P	-	-	P	-	-	-
Sexually oriented business	-	-	-	-	P	-	-	-	-	-	-
Super store	-	-	-	-	P	S	S	-	-	-	-
Video / DVD store	-	-	-	-	P	-	-	P	-	-	-

# City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix

<b>City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix</b>					<b>Key</b> "P" = Permitted Use "S" = Special Exception Use "-" = Not a Permitted Use						
 <b>Utility Uses</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC
Generation plant	-	-	-	-	-	S	-	-	-	-	-
Radio / TV station	-	-	-	-	S	-	S	-	-	-	-
Substation	-	-	-	-	-	S	S	-	-	S	S
Telecommunications facility	-	-	-	-	S	P	P	-	-	S	-
Telephone exchange	-	-	-	-	P	S	P	S	-	S	-
Treatment plant	-	-	-	-	-	S	S	-	-	S	P
 <b>Industrial</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC
Assembly	-	-	-	-	-	P	P	-	-	-	-
Distribution facility	-	-	-	-	-	P	P	-	-	-	-
Flex-space	-	-	-	-	-	P	P	-	-	-	-
Food production / processing	-	-	-	-	-	P	P	-	-	-	-
Gravel / sand mining	-	-	-	-	-	P	-	-	-	-	-
Heavy manufacturing	-	-	-	-	-	P	-	-	-	-	-
Incinerator	-	-	-	-	-	P	-	-	-	-	-
Junk yard	-	-	-	-	-	P	S	-	-	-	-
Light manufacturing	-	-	-	-	-	P	P	-	-	-	-
Liquid fertilizer storage/distribution	-	-	-	-	-	P	-	-	-	-	-
Recycling processing	-	-	-	-	-	P	-	-	-	-	-
Research center	-	-	-	-	-	P	P	-	-	-	-
Scrap metal yard	-	-	-	-	-	P	-	-	-	-	-
Sign painting / fabrication	-	-	-	-	-	P	P	-	-	-	-
Storage tanks	-	-	-	-	-	P	-	-	-	-	-
Testing lab	-	-	-	-	-	P	P	-	-	-	-
Three-Dimensional Printing (3-D Printing) <i>** (Amended by Ord. # 1618, adopted</i>	-	-	-	-	P	P	P	P	-	-	-
Tool & dye shop	-	-	-	-	-	P	P	-	-	-	-
Warehouse	-	-	-	-	-	P	P	-	-	-	-
Welding	-	-	-	-	-	P	P	-	-	-	-

**City of Butler, Indiana  
Zoning Ordinance  
Appendix A - Land Use Matrix**

<b>City of Butler, Indiana Zoning Ordinance Appendix A - Land Use Matrix</b>					<b>Key</b> "P" = Permitted Use "S" = Special Exception Use "-" = Not a Permitted Use						
 <b>Temporary</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>	<b>GB</b>	<b>HI</b>	<b>LI</b>	<b>NB</b>	<b>AG</b>	<b>INS</b>	<b>REC</b>
Carnival or travelling circus	-	-	-	-	-	S	-	-	-	-	-
Construction trailer	-	-	-	-	S	-	S	-	-	-	-
Model home	-	-	-	-	-	S	S	-	-	S	S
Religious tent meeting	-	-	-	-	S	P	P	-	-	S	-
Retail or wholesale activities											
Seasonal items sale											
Seasonal items of produce	-	-	-	-	P	S	P	S	-	S	-
Yard, garage or sidewalk sale	-	-	-	-	-	S	S	-	-	S	P
 <b>Accessory Uses</b>	<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>	<b>GB</b>	<b>HI</b>	<b>LI</b>	<b>NB</b>	<b>AG</b>	<b>INS</b>	<b>REC</b>
Child care, home	-	P	P	P	-	-	-	-	-	-	-
Home occupation	P	P	P	P	-	-	-	-	-	-	-



### South Federal Street / Walnut Street Area

The properties within the yellow line are proposed to be rezoned as noted:

- 404 South Federal
- 425 Walnut
- 429 Walnut
- State of Indiana Parcels
- McConnell parcels
- Campbell parcels

**Residential Uses at 425 & 429 Walnut** - The current uses at the above-noted addresses are currently considered to be both non-conforming uses and structures. If any of these structures were to be damaged by fire or other means and needed to be completely demolished, they could not be replaced with similar residential uses under the current "HI" or "LI" zoning status.

**Vacant Parcels** – The vacant parcels, owned by Seabreeze Ministries, Delmar McConnell, Daniel Campbell and the State of Indiana are currently zoned for industrial uses. The City of Butler has not extended water and sanitary sewer mains to this portion of Butler of a size or capacity that could serve any sort of industrial development, nor are there any plans to pursue such extensions.

**Corporate Line** – The red line is the Butler Corporate line. The parcels east and south of the line are within Butler. The remaining designated parcels are within the Butler Extraterritorial Jurisdiction and are subject Butler zoning.

City of Butler Plan Commission  
ZMA-2021-01 – Findings – Attachment E  
Depot Street Area – City of Butler Street Department Buildings



**217 West Main** – The Life Redeemed Apostolic Church, located at 217 West Main Street in Butler, is currently zoned “OTR-Old Town Residential.”

The proposed “INS-Institutional” zoning change brings these parcels into alignment with City’s practice of applying the INS designation to institutional properties (government, schools, churches).



### 300-400 Blocks of Railroad Street

This is a mixed-used area east of downtown Butler that contains both commercial and residential uses.

**311 Railroad** – The three parcels fronting on Railroad Street are proposed to be rezoned from “HI-Heavy Industry” to “LI-Light Industry.”

The other parcel associated with this address, fronting on East Oak Street, is proposed to be rezoned from “OTR-Old Town Residential” to “Light Industry.” This change will allow for light industrial uses within the buildings and parking to support the buildings.

The remaining two parcels in the 400 block of Railroad are proposed to be rezoned from “HI-Heavy Industry” to “Old Town Residential.” This change will bring these small parcels in line with the adjoining parcels immediately to the north.



# City of Butler, Indiana Plan Commission

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Butler, IN 46721

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## PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CITY OF BUTLER, INDIANA ZONING MAP ZMA-2021-01 DATED, MAY 10, 2021

### FINDINGS | AMENDMENT ATTACHMENT F

Following is a report related to the Findings for ZMA-2021-01, a proposal to amend the City of Butler, Indiana Comprehensive Plan & Zoning Map, as initiated by the City of Butler, Indiana Plan Commission:

**1. The City of Butler Plan Commission hereby verifies that it has given reasonable regard to the following when reviewing the aforementioned petition in public hearing, per IC 36-7-4-603:**

**a. The City of Butler, Indiana 2001 Comprehensive Plan, Goals 1 through 5, pages 18-19;**

- *Goal 1 - Maintain Butler's small town character.*
- *Goal 2 – Promote the growth of business and industry in Butler.*
- *Goal 3 - Improve the quality and increase the quantity of housing opportunities.*
- *Goal 4 - Recognize the role mixed-use development plays in small town character and adopt applicable regulations.*
- *Goal 5 - Ensure adequate public facilities are available for development.*

**b. The current conditions and the character of current structures and uses within the parcels proposed for rezoning;**

*The current conditions and character of the parcels proposed for rezoning are as noted in "Attachment C" to these hearing materials.*

**c. The most desirable use for the parcels proposed for rezoning;**

**425 & 429 Willow Street Parcels**

- *The parcels proposed for rezoning are currently being used, and have historically been used, for residential purposes, containing residential structures. Such use is the most desirable use for these parcels.*

**McConnell – Campbell – State of Indiana Parcels**

- *The parcels proposed for rezoning are currently undeveloped, consisting of primarily of trees and containing no structures. As there are no current utility service lines accessing these parcels, such use is the most desirable use for these parcels.*

**217 West Main Street**

- *This property has historically been a church. As five (5) current churches and church-related properties within Butler are zoned “INS-Institutional,” this proposed rezoning will bring this property in line with established zoning practice and should ensure the future use of this property as a church.*

**311 Railroad Street & 400-block of Railroad Street**

- *The parcels related to this 311 Railroad address are currently zoned “HI-Heavy Industry,” which is a designation typically applied to larger parcels in industrial parks. The proposed “LI-Light Industry” designation is a better designation for a mixed-use area.*
- *The western-most parcel in the 400-block of Railroad is proposed to be zoned “LI-Light Industry” to match the parcels across South Ash under the same ownership. This parcel will be used primarily for parking.*
- *The two eastern-most parcels in the 400-block of Railroad are small, triangular shaped parcels that are not projected to be developed. The proposed “OTR-Old Town Residential” zoning status will bring these parcels into alignment with the adjoining residential lots to the north.*

**d. The conservation of property values for the adjoining properties; and**

**South Federal / Walnut Area – 217 West Main**

- *Changing the zoning designation for these parcels to match their respective current and historic uses should have no negative impacts on the property values for the respective adjoining properties.*

**311 Railroad Street & 400 Block of Railroad Street**

- *The lots associated with 311 Railroad Street are long established as the site of commercial / manufacturing uses. Changing the zoning from HI to LI should not have an adverse effect on adjoining properties.*
- *The small partial lots in the 400-block of Railroad Street will be brought into alignment with the adjoining residential lots to the north.*

**e. Responsible development and growth.**

**All Parcels**

- *No new development or growth is being proposed, other than a new business for the established commercial building at 311 Railroad Street.*

Submitted by Steve Bingham, Butler City Planner, May 10, 2021.