

**CARMEL CITY CODE**  
**CHAPTER 10: ZONING & SUBDIVISIONS**  
**ARTICLE 1: ZONING CODE**  
**CARMEL ZONING ORDINANCE**  
**CHAPTER 23D: OLD TOWN DISTRICT OVERLAY ZONE**

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**23D.00      Old Town District Overlay Zone.**

23D.00.01      Purpose and Intent.

It is the purpose of the Old Town District (referred to in this *Chapter 23D* as the “District”) to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties in the designated Old Town District in Clay Township, Hamilton County, Indiana. The Commission and Council, in establishing this overlay zone, are relying on IC 36-7-4-600 *et seq.* and IC 36-7-4-1400 *et seq.* The Overlay Zone establishes regulations in addition to the zoning. In the case of conflicts between this Overlay Zone District Ordinance and the Zoning Code, the provisions of this Ordinance will prevail.

Old Town is an important historical commercial and residential area to the City of Carmel and Clay Township. In order to protect this important area, this Overlay Zone has been developed to provide for consistent and coordinated treatment of the properties in Old Town by establishing basic standards for structures, landscaping and other improvements.

Further, this Overlay Zone seeks to:

- \* Foster rehabilitation and development in Old Town
- \* Increase property values in Old Town
- \* Protect real estate investment in Old Town
- \* Retain Old Town neighborhood vitality
- \* Spur commercial activity in Old Town
- \* Attract new businesses to Old Town.

Within the Old Town District there are different parts and characteristics, therefore, the district is divided into three Sub-Areas: a Character Sub-Area, a Historic Range Line Road Sub-Area, and Main Street Sub-Area. Each Sub-Area will have separate guidelines that apply to it.

**23D.01      Old Town District Boundaries.**

Beginning at the intersection of the centerline of West Smokey Row Road (East 136<sup>th</sup> Street) and the Monon Greenway; thence east to the alley between 1<sup>st</sup> Avenue Northwest and North Range Line Road; thence south to the south property line of the property located at the southwest corner of West Smokey Row Road and North Range Line Road; thence east across North Range Line Road to the east property line of the property located at the southeast corner of East Smokey Row Road and North Range Line Road;

thence north to East Smokey Row Road;  
 thence east to the rear lot line of properties on the east side of 1<sup>st</sup> Avenue Northeast;  
 thence south to 7<sup>th</sup> Street Northeast;  
 thence east to the rear property line of properties on the east side of 2<sup>nd</sup> Avenue Northeast;  
 thence south to 3<sup>rd</sup> Street Northeast;  
 thence east to 3<sup>rd</sup> Avenue Northeast;  
 thence south to 1<sup>st</sup> Street Northeast;  
 thence south across the west property line of the property located at the northwest corner of East Main Street and 4<sup>th</sup> Avenue Northeast;  
 thence south crossing over Main Street to the rear lot line of properties on the north side of Carmel View Drive;  
 thence west to the rear lot line of properties on 1<sup>st</sup> Avenue Southeast;  
 thence south to the south property line of the property located at the southeast corner of 4<sup>th</sup> Street Southeast and 1<sup>st</sup> Avenue Southeast;  
 thence west to the alley between 1<sup>st</sup> Avenue Southeast and South Range Line Road;  
 thence north to 1<sup>st</sup> Street Southeast;  
 thence west to 2<sup>nd</sup> Avenue Southwest;  
 thence south to 2<sup>nd</sup> Street Southwest;  
 thence west to 4<sup>th</sup> Avenue Southwest;  
 thence north to the northwest corner of the property located on the northwest corner of West Main Street and 1<sup>st</sup> Street Northwest;  
 thence east to the Monon Greenway;  
 thence north on and along the Monon Greenway to the southern boundary of Bethenridge Subdivision;  
 thence east to 1<sup>st</sup> Avenue Northeast;  
 thence north to the northern boundary of Bethenridge Subdivision;  
 thence west to the Monon Greenway;  
 thence north on and along the Monon Greenway to the beginning.

Boundaries are further described by the map in *Figure 1*. Within the District, land is further subdivided into Sub-Areas, which describe different land use and design guidelines. The boundaries of the Sub-Areas are hereby established as shown on *Figure 1*.

## **23D.02 Application of Guidelines of the Overlay District.<sup>1</sup>**

### **A. Buildings covered by the Guidelines.**

Any alteration, addition or new construction within the Old Town District that requires a building permit must be reviewed for conformance with these guidelines. Wherever there exists a C-2/Old Town District within the Old Town Overlay District, the development standards and procedures of the C-2/Old Town District shall govern.

### **B. Character Buildings and Non-character Buildings.**

#### **1. Definition.**

- a. Character Buildings are those that have certain features that are in keeping with historical construction in the Old Town District.
- b. Non-character Buildings, usually built later, do not have many of these features. The aim of the guidelines is to preserve or create character features where it is possible to do so.

#### **2. Application of guidelines.** Some of the guidelines are directed only at Character Buildings and are not applicable to Non-character Buildings. *Figure 3* designates the Character and Non-character Buildings. Such designation may be reviewed and revised at any time by the Director, using the criteria established in *23D.03(C)*.

#### **3. New construction.** New buildings must be built with the features of Character Buildings, except for Accessory Buildings added to a property where the Principal Building is Non-character.

<sup>1</sup> Section 23D.02 amended per Ordinance Z-607-15.

4. Reconstruction. Redevelopment or reconstruction of a property where the existing building has been demolished will be considered new construction, regardless of the classification of buildings previously existing on that site, except as provided in *Section 23D.02(B)(5)*.
5. Demolition.<sup>2</sup> No Character Building, or any part of it, may be demolished in this overlay without the consent of the Director. Before receiving any permits or undertaking any work that constitutes demolition, the applicant must comply with *Section 23D.04: Submittal Process/Application Procedure* of this Ordinance.
- a. The Director shall only consider the following when determining whether a building or any part of it may be demolished:
- i. Structural conditions pose an imminent safety hazard.
  - ii. An advanced state of dilapidation or fire damage would make it unfeasible to repair the building for any reasonable economic use.
  - iii. Significance. The Director shall consider the architectural and historical significance of the structure individually, in relation to the street, and as a part of the district as a whole. These same considerations will be given to parts of the building. The Director will also consider how the loss of a building, or a portion thereof, will affect the character of the overlay district, the neighboring buildings, and, in the case of partial demolition, the building itself. Buildings that are noted as non-character shall be researched to confirm that there is no obscured architectural or historical significance.

In making its determination of significance, the Director shall consider the following:

1. Architectural and historic information and significance.
  2. Information contained in the district's National Register nomination (if one exists).
  3. The Hamilton County Interim Report, as amended, published March 1992 by the Historic Landmarks Foundation of Indiana.
  4. Information contained in any other professionally conducted historic surveys pertaining to this district.
  5. The opinion of Staff.
  6. Evidence presented by the applicant.
  7. Evidence presented by recognized experts in architectural history.
- iv. Replacement: Demolition of a structure may be justified when, in the opinion of the Director, the proposed new development with which it will be replaced is of greater significance to the enhancement of the overlay district than retention of the existing structure. This will only be the case when the structure to be demolished is not of material significance, the loss of the structure will have minimal effect on the historic character of the district, and the new development will be compatible, appropriate and beneficial to the district.

To afford the Director the ability to consider demolition on the basis of replacement development, the applicant shall submit the following:

1. information required by *Section 23D.04: Submittal Process/Application Procedure* of this Ordinance;
2. a scaled streetscape drawing showing the new development in its context, including at least two buildings on either side; and
3. other pertinent documents deemed relevant by the Director.

<sup>2</sup> *Section 23D.02(B)(5)* amended per *Ordinance Z-523-08, §a; Z-545-10; Z-552-11; Z-560-12; Z-580-13; Z-597-14; Z-607-15.*

- b. For the purpose of this Overlay ordinance, demolition shall be defined as the razing, wrecking, or removal by any means of the entire or partial exterior of a structure. The following examples are meant to help define demolition and are not all-inclusive:
  - i. The razing, wrecking, or removal of a total structure.
  - ii. The razing, wrecking, or removal of a part a structure, resulting in a reduction in its mass, height or volume.
  - iii. The razing, wrecking, or removal of an enclosed or open addition.
- c. Some work that may otherwise be considered demolition may be considered rehabilitation, if done in conjunction with Site Plan and Design Review, per *Chapter 23D.04*. Examples of rehabilitation include:
  - i. The removal or destruction of exterior siding and face material, exterior surface trim and portions or exterior walls.
  - ii. The removal or destruction of those elements which provide enclosure at openings in any exterior wall (e.g., window units, doors, panels.)
  - iii. The removal or destruction of architectural, decorative or structural features and elements which are attached to the exterior of a structure (e.g., parapets, cornices, brackets, chimneys.)
- d. Examples of work not included in demolition:
  - i. Any work on the interior of a structure.
  - ii. The removal of exterior utility and mechanical equipment.
  - iii. The removal, when not structurally integrated with the main structure, of awnings, gutters, downspouts, light fixtures, open fire escapes, and other attachments.
  - iv. The removal of signs.
  - v. The removal of paint.
  - vi. The removal of site improvement features such as fencing, sidewalks, streets, driveways, curbs, alleys, landscaping and asphalt.
  - vii. The replacement of clear glass with no historic markings.

NOTE: Items ii-vi may be considered rehabilitation and require a Site Plan and Design Review, per *Chapter 23D.04* and a Letter of Grant.
- e. However, where a building has been demolished due to fire or other accident or disaster that is customarily covered by insurance, the owner may reconstruct the property in accordance with the applicable guidelines in *Section 23D.03*, or in substantially the same design as existed prior to the accident, after he/she receives Site Plan and Design Review, per *Section 23D.04* and a Letter of Grant.

### C. Features of Character Buildings.

Buildings shall be considered Character buildings, regardless of age, if they were originally built with all of the following characteristics, or if they have been altered to conform with these characteristics:

- 1. The following are typical of Character Buildings in the Character Sub-Area and the Historic Range Line Road Sub-Area:
  - a. Small lots and small size houses, compared to Carmel's later subdivisions.
  - b. Narrow house fronts compared to length.
  - c. Hip or gabled roofs.
  - d. Wood clapboard materials and wood or brick details.
  - e. Narrow, rectangular wood windows.

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- f. Detached garages in the rear of the property.
  - g. Consistent Setbacks from the street and narrow Side Yards.
  - h. Front porches (optional).
2. The following are typical elements of buildings in the Main Street Sub-Area:
- a. Retail uses on the ground floor.
  - b. Transparent storefront glass for most of the length of the frontage.
  - c. Little or no Setback from the sidewalk or right-of-way line.
  - d. Orientation and front door opens toward Main Street.
  - e. Parking in the rear or sides of building, not in the front.
  - f. Pedestrian scale details and variety in the signs, awnings, and storefronts.
  - g. Buildings at least two (2) stories tall.
  - h. Walls faced in brick or wood, not concrete block or metal.

**23D.03**      **Guidelines.**<sup>3</sup>A.      **Historic Range Line Road Sub-Area.**

The Historic Range Line Road Sub-Area encompasses the houses and businesses north of Main Street along Range Line Road. These buildings are generally larger than the others in the Old Town area and are more architecturally distinctive. In addition, their high visibility contributes greatly to the sense of Old Town as an historic area.

**1.      Renovations and Additions to All Existing Buildings.**

The following guidelines shall be applicable to all exterior renovations and additions to existing buildings in the Historic Range Line Road Sub-Area, regardless of whether the building is designated a Character or Non-character.

- a.      **Lot Dimensions and Coverage.**
  - i.      Existing lot dimensions as originally platted shall be acceptable.
  - ii.     **Minimum Lot Width.**
    - (a)     Single-family residence: Fifty (50) feet.
    - (b)     All other Uses: Sixty (60) feet.
  - iii.    **Maximum Lot Coverage.**
    - (a)     Single-family Uses: Forty-five percent (45%) of the area of the lot
    - (b)     All other Uses: Seventy percent (70%) of the area of the lot.
  - iv.     No lot may be created by Subdivision or by joining which results in a width of greater than ninety (90) feet.
- b.      **Setbacks.**
  - i.      Additions, except for open-air porches, may not be added to the front of the building except where the building is set back more than twenty (20) feet from the setback line of its nearest two neighbors (See *Figure 2b*).
  - ii.     A Corner Lot for a residential use is presumed to have a front yard setback on both streets that it faces. For a non-residential use, the front yard shall be Range Line Road (if the property is located on Range Line Road) or the street with the greatest traffic.
  - iii.    Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
- c.      **Materials.** Additions and alterations to the exterior will use materials consistent with those found on the building when it was originally built.
- d.      **Roof.** Alterations that reduce the roof pitch of an existing building more than five degrees (5°) are not allowed. Additions may have a shed, gable, or hip roof. Porch additions may have a flat roof.
- e.      **Garages.**
  - i.      All new garages must be either:
    - (a)     Detached buildings that are sited at least five (5) feet behind the Front Line of the Principal Building, or
    - (b)     Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the Front Line of the Principal Building. New attached garages on Corner Lots should be oriented to the side street, rather than to Range Line Road.

<sup>3</sup> Section 23D.03 amended per Ordinance No. Z-453-04, §ds-eq; Z-561-12; Z-577-13; Z-607-15.

- ii. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots.
- iii. New detached or attached garages and other Accessory Buildings should use exterior materials similar to the Principal Building.
- iv. Covered walkways attaching the garage to the Principal Building are allowed.
- f. **Lighting and Fencing.** See also *Chapter 33: Commercial Development Landscape Ordinance, Old Town Section.*
  - i. A paved walkway from the porch or front door to the front sidewalk is required.
  - ii. Exterior lighting is restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
  - iii. Fences greater than thirty-six inches (36") tall are not allowed in the Front Yard of the property.
  - iv. Chain link material is prohibited forward of the Front Line of the Principal Building.
  - v. Commercial dumpsters and trash receptacles must be screened from view at all times.
- g. **Signs.** Signage, where allowed, shall abide by *Chapter 25.07: Sign Ordinance.*
- h. **Parking and Driveways.**
  - i. Paving shall be defined as any existing material used in the driveway.
  - ii. Parking is not allowed in the Front Yard of any property, except on a driveway leading to the garage nor on any unpaved surface located anywhere else on the property.
  - iii. Driveways leading to the garage may not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
    - (a) up to eighteen (18) feet wide if oriented toward a Front Yard, or
    - (b) the width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
  - iv. Parking spaces required to be provided under the Zoning Ordinance may be reduced by up to fifty percent (50%) in order to accommodate difficult site conditions such as limited access, small lots, and/or existing mature trees.
  - v. New curb cuts on Range Line Road will not be permitted unless there is no alternative access from a side street.
- i. **Permitted Uses.** In addition to those uses allowed in the underlying zoning district, retail uses shall be allowed in the Historic Range Line Road Sub-Area.

**2. Additional Guidelines for Alterations & Additions to Character Buildings in the Historic Range Line Road Sub-Area.**

Alterations and additions to existing, Character Buildings in the Historic Range Line Road Sub-Area shall be guided by the following:

- a. **Building Use.** Notwithstanding uses otherwise allowed by zoning, uses that require Substantial Alteration or additions to the exterior of a Character Building in order to accommodate the functional requirements will not be allowed.
- b. **Materials.**
  - i. Details such as porch railings, trim boards, fascia boards, and cornices may not be removed from the building.
  - ii. Original materials of the building will be repaired rather than replaced, when possible.

- iii. When original materials, windows, doors, siding, railings, and other details cannot be repaired, they may only be replaced with architecturally correct materials that simulate the look, details and dimensions of the original. Substitute materials (vinyl, aluminum, concrete plank, *e.g.*) must meet these standards in order to be acceptable.
- c. Alterations.
  - i. Alterations to the interior of the historic building are allowed if the exterior of the building is not changed.
  - ii. No alterations are allowed that permanently change the massing, character, window placement or details of the exterior of the original building.
  - iii. Previous additions or alterations to the building that detract from or conceal the character of the building may be removed and the building restored to a previous condition. In this process, no attempt should be made to add “historic” features (*e.g.*, bay windows or gingerbread trim) not actually a part of the original building.
- d. Additions.
  - i. Additions are allowed only in the rear of the building.
  - ii. Additions may not be taller or wider than the existing building.
  - iii. Additions must be designed to complement, but not mimic, the historic architecture.
  - iv. Additions must be built in such a way that they can be removed in the future without damage to the original building.

### 3. New Construction.

The following guidelines apply to all new buildings built within the boundaries of the Historic Range Line Road Sub-Area.

- a. Building Mass.
  - i. Buildings are to be oriented parallel and perpendicular to the street.
  - ii. Buildings will generally be longer than they are wide, with the narrow dimension facing the street. Building widths may not exceed forty-five (45) feet, except where the lot is greater than eighty (80) feet in width, in which case the building may be up to fifty-five (55) feet wide.
- b. Setbacks.
  - i. New buildings must follow the dominant or average Front Yard Setback dimension of existing buildings on the same block and on the same side of the street, with a variation of up to three (3) feet allowed (See *Figure 2a*).
  - ii. Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
- c. Lot Dimensions and Coverage.
  - i. Minimum Lot Width.
    - (a) Single-family Dwelling: Fifty (50) feet.
    - (b) All other Uses: Sixty (60) feet.
  - ii. Maximum Lot Coverage.
    - (a) Single-family Uses: Forty-five percent (45%) of the area of the lot
    - (b) All other Uses: Seventy percent (70%) of the area of the lot.
  - iii. No lot may be created by Subdivision or by joining which results in a width of greater than ninety (90) feet.



- d. Materials.
- i. All sides of the Principal and Accessory Buildings must be clad in wood, brick, stone, or high-quality lap, shake or shingle style cement board. The same material must be used on all sides of the building.
  - ii. New detached garages and other Accessory Buildings should use exterior materials similar to the Principal Building.
  - iii. Windows and trim must be framed in wood or vinyl-clad wood.
  - iv. Visible aluminum storm windows or doors are not allowed.
  - v. Chimneys are to be brick.
  - vi. Exterior guardrails, handrails and other stair details may be wood or wrought iron.
  - vii. Roofs are to be asphalt, wood or slate shingles.
  - viii. Foundations must be split-face block, stone veneer or poured-in-place concrete.
- e. Windows, Doors.
- i. Vertical, rectangular double-hung or casement windows are required. These may be used in multiple sets to create larger expanses of window area.
  - ii. Plate-glass picture windows, strip windows and arched windows are not allowed on the front facade.
  - iii. Special windows are allowed (ovals, hexagon, *etc.*) as accents.
- f. Roof.
- i. The roof of the Principal Building and Accessory Buildings shall be gabled, multi-gabled, or hipped, with a minimum pitch of eight to twelve (8:12).
  - ii. A roof over a porch or bay window may be flat or pitched.
- g. Porches.
- i. Covered porches facing the street on the first or upper floor of the structure are strongly encouraged but not required.
  - ii. Uncovered decks are not allowed in the front yard.
- h. Building Height.
- i. Minimum: Thirteen (13) feet to the midpoint of the cornice and the ridgeline.
  - ii. Maximum: Thirty (30) feet to the midpoint of the cornice and the ridgeline, except as provided in *h(iii)*.
  - iii. Buildings may not exceed the height of the tallest dimension of the nearest two character buildings by more than seven (7) feet. If there are no character buildings in the same block, or across the street, then *Subsection h(ii)* shall apply.
- i. Garages.
- i. All new garages must be either:
    - (a) Detached buildings that are sited at least five (5) feet behind the Front Line of the Principal Building, or
    - (b) Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the Front Line of the Principal Building. New attached garages on Corner Lots should be oriented to the side street, rather than to Range Line Road.

- ii. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots.
- iii. New detached or attached garages and other Accessory Buildings should use exterior materials similar to the Principal Building.
- iv. Covered walkways attaching the garage to the Principal Building are allowed.
- j. Lighting and Fencing. See also *Chapter 33: Commercial Development Landscape Ordinance, Old Town Section.*
  - i. A paved walkway from the porch or front door to the front sidewalk is required.
  - ii. Exterior lighting is restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
  - iii. Fences greater than thirty-six (36) inches tall are not allowed in the Front Yard of the property.
  - iv. Chain link material is prohibited forward of the Front Line of the Principal Building.
  - v. Commercial dumpsters and trash receptacles must be screened from view at all times.
- k. Signs. Signage, where allowed, shall abide by *Chapter 25.07: Sign Ordinance.*
- l. Parking and Driveways.
  - i. Paving shall be defined as any existing material used in the driveway.
  - ii. Parking is not allowed in the Front Yard of any property, except on a driveway leading to the garage nor on any unpaved area of the property.
  - iii. Driveways leading to the garage may not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
    - (a) up to eighteen (18) feet wide if oriented toward a Front Yard, or
    - (b) the width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
  - iv. Parking spaces required to be provided under the Zoning Ordinance may be reduced by up to fifty percent (50%) in order to accommodate difficult site conditions such as limited access, small lots, and/or existing mature trees.
  - v. New curb cuts on Range Line Road will not be permitted unless there is no alternative access from a side street.
- m. Permitted Uses. In addition to those uses allowed in the underlying zoning district, retail uses will be allowed in the Historic Range Line Road Sub-Area.

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## B. Main Street District Sub-Area.

Main Street west of Range Line Road is a relatively intact example of street front retail. The emphasis is on encouraging new construction and renovations that conform to the desired character and prohibiting changes that do not conform to the existing character.

This Sub-Area will be focal point of pedestrian commercial activity in the Old Town District. All new construction, and alterations and additions to new buildings, will follow these guidelines:

1. Use. The underlying zoning in this district will prevail regarding permitted land uses, with the following exceptions:
    - a. Only those uses allowed in B-1/Business districts will be allowed on the ground floor in areas that are designated as I-1/Industrial districts;
    - b. No drive-through or drive-up facilities are allowed for any use, including automotive, banking, or food sales.
    - c. Multi-family residential uses will be specifically allowed and encouraged on the upper floors of all buildings.
  2. Building mass.
    - a. New buildings and renovations shall follow the general massing of a “Main Street” commercial block, *i.e.*, a rectangular building with a flat or slightly sloped roof, oriented perpendicular to the street.
    - b. Building height is limited to three (3) floors.
    - c. The first floor and all other floors will have a coordinated composition, which will usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floor.
  3. Materials.
    - a. The first floor and upper floors may be composed of different materials. The façade of the upper floors on any building that faces a public street may be constructed of wood siding, brick, stucco, or other masonry units, and trimmed in stone, contrasting brick, wood, or pre-cast concrete.
    - b. The first floor of a new or renovated building must be composed of storefronts, which may be inserted into a masonry, wood, stone or concrete panel frame which is coordinated with the upper floor. Storefronts will be a lightweight material such as aluminum, glass, wood, tile, and panelized composites.
    - c. The materials in the rear of the building must be coordinated with the front façade, although they may be different.
    - d. On the front façade, at least sixty percent (60%) of the total area of the first floor (up to the line of the second floor) must be transparent vision glass.
    - e. Front and side façades of buildings located on corner lots shall be of the same materials and similarly detailed.
    - f. Exterior walks, steps, ramps and paving must be masonry or stone pavers, or poured or pre-cast concrete except that concrete pavers are not allowed.
  4. Windows, Doors.
    - a. A separate entrance facing a public street shall be provided to the upper floors of a building if the use differs from the one on the ground floor.
    - b. Each floor shall have windows.
  5. Roof. Roofs must have a pitch of less than three to twelve (3:12) and will not be a substantially visible part of the building.
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6. Alterations and Additions. Existing buildings may be substantially modified to conform to these guidelines, except for designated historic structures.
7. Details.
  - a. Cornices and other details of existing buildings may not be removed.
  - b. The façade should have a flat front, with relief provided by minor bays, windows and window trim, storefronts, recessed doors, and features such as special brick coursing, pilasters and lintels.
  - c. All new buildings will have an articulated cornice at the top of the façade wall.
8. Setbacks.
  - a. Front Setback. The buildings must sit on the front property line except for minor recesses for entrances and outdoor seating/dining.
  - b. Side setback. There are no minimum side setbacks; however, mid-block pedestrian access to rear parking must be a minimum of six (6) feet wide.
9. Entrances.
  - a. The principal entrance to all retail areas must face the public street.
  - b. Additional entrances may face the side of the building.
  - c. No rear entrances are allowed except for residential or office uses, emergency exits, employees, loading and trash removal.
10. Storefronts. Storefronts shall be internally illuminated with spots or other incandescent lighting, so as to display prominently and attractively the business or its products; however, digital moving graphics may not be part of the display. Exterior lighting may be affixed to the building.
11. Permanent Signs, Awnings and Murals.
  - a. Signs may be painted on the sides of buildings (see *Subsection 11(d)* below). All such signs will be included in the calculations for maximum sign area.
  - b. Retractable or fixed fabric awnings are allowed, but these must fit within the storefront glass area and may not obscure details of the building. Awnings may only be supported with building-mounted hardware.
  - c. Individual tenants should strive for a unique graphic image, rather than be required to conform to a single graphic style for the whole building.
  - d. Graphics painted on the sides of buildings that are essentially commercial in character or describe activities in the adjacent building will be considered “signs”. Graphics painted on the sides of buildings are otherwise allowed but must be reviewed for conformance with this regulation.
12. Parking and Loading Requirements.
  - a. Parking lots shall be located in the rear of the building only.
  - b. Parking shall be provided at the ratio of one space for every one thousand two hundred (1200) square feet of gross area in the building. Where the total lot area is less than three thousand (3000) square feet, the owner shall be exempt from parking requirements.
  - c. On-street parking may not be used to fulfill parking requirements; however, a reasonable share of a public lot may be assumed to fulfill these requirements.
  - d. Parking may be provided on-site or in a convenient remote lot not more than four hundred (400) feet from the property.
  - e. Parking requirements may be reduced if businesses with substantially different peak hour requirements agree to share parking. A petition must be filed with the application indicating the terms of agreement of parties to a shared parking arrangement.

- f. No new curb cuts are allowed on Main Street, and no parking lots or loading areas may front on Main Street.
- g. Screened loading and trash areas shall be provided for all businesses at the rear of the building. Doors to trash are enclosures must be kept closed at all times except while employees are emptying trash or dumpsters are being removed.

### C. Character Sub-Area.

Character Sub-Areas consist of the bulk of the residential areas in the Old Town district both east and west of Range Line Road, and both residential and commercial properties facing Range Line Road in the north end of the District. There are many different styles of architecture in this area; however, the consistency and character of the neighborhood is worth protecting. The intent of these guidelines is to preserve the character of the neighborhood by preserving certain buildings and siting characteristics.

#### 1. Renovations and Additions to Existing Buildings.

The following guidelines shall be applicable to all exterior renovations and additions to existing buildings in the Character Sub-Area, regardless of whether the building is designated a Character or Non-character building.

- a. Lot Dimensions and Coverages.
  - i. Existing lot dimensions as originally platted shall be acceptable.
  - ii. Minimum lot width.
    - (a) Single-family Residential: Fifty (50) feet.
    - (b) All Other Uses: Sixty (60) feet.
  - iii. Maximum Lot Coverage.
    - (a) Single-family Residential: Forty-five (45%) of the area of the Lot.
    - (b) All Other Uses: Seventy percent (70%) of the area of the Lot.
  - iv. No lot may be created by Subdivision or by joining which results in a width of greater than ninety (90) feet.
- b. Setbacks.
  - i. Additions, except for open-air porches, may not be added to the front of the building except where the building is set back more than twenty (20) feet from the Setback line of its nearest two neighbors (See *Figure 2b*).
  - ii. A Corner Lot for a residential use is presumed to have a Front Yard Setback on both streets that it faces. For a non-residential use, the Front Yard shall be Range Line Road (if the property is located on Range Line Road) or the street with the greatest traffic.
  - iii. Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
- c. Materials.
  - i. Additions and alterations to the exterior must be clad in wood, brick or lap, shake or shingle style cement board.
  - ii. Materials of additions and alterations should be consistent with the materials in the Principal Building.
- d. Roof. Alterations that reduce the roof pitch of an existing building more than five degrees (5°) are not allowed. Additions may have a shed, gable, or hip roof. Porch additions may have a flat roof.

- e. Garages.
- i. All new garages must be either:
    - (a) Detached buildings that are sited at least five (5) feet behind the Principal Building, or
    - (b) Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the primary front line of the Principal Building. New attached garages on Corner Lots should be oriented to the side street, rather than to Range Line Road.
  - ii. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots.
  - iii. New detached or attached garages and other Accessory Buildings should use exterior materials similar to the Principal Building.
  - iv. Covered walkways attaching the garage to the Principal Building are allowed.
- f. Lighting and Fencing. See also *Chapter 33: Commercial Development Landscape Ordinance, Old Town Section.*
- i. A paved walkway from the porch or front door to the front sidewalk is required.
  - ii. Exterior lighting is restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
  - iii. Fences greater than thirty-six (36) inches tall are not allowed forward of the Front Line of the Principal Building.
  - iv. Vinyl covered chain-link material is allowed in the Front Yard except on those properties which front on Range Line Road. For properties fronting on Range Line Road, chain-link material is prohibited forward of the Front Line of the Principal Building.
  - v. Dumpsters and trash receptacle must be screened from view.
- g. Signs. Signage, where allowed, shall abide by *Chapter 25.07: Sign Ordinance.*
- h. Parking and Driveways.
- i. Paving shall be defined as any existing material used in the driveway.
  - ii. Parking is not allowed in the Front Yard of any property, except on a driveway leading to the garage and is not allowed on any unpaved portion of the property.
  - iii. Driveways leading to the garage may not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
    - (a) up to eighteen (18) feet wide if oriented toward a Front Yard, or
    - (b) the width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
  - iv. Parking spaces required to be provided under the Zoning Ordinance may be reduced by up to fifty percent (50%) in order to accommodate difficult site conditions such as limited access, small lots and/or existing mature trees.
  - v. New curb cuts on Range Line Road will not be permitted unless there is no alternative access from a side street.

2. **Additional Guidelines for Alterations & Additions to Character Buildings in Character Sub-Area.**

Alterations or additions to existing, Character buildings in the Character Sub-Area shall be guided by the following guidelines. Nothing in these guidelines shall require a change to a part of the building that is not otherwise affected by the proposed alteration or addition.

- a. **Materials.**
- i. All sides of the Principal and Accessory Buildings must be clad in wood, brick or lap, shake or shingle style cement board.
  - ii. Windows and trim must be framed in wood or vinyl-clad wood.
  - iii. Clear finish or brush finish aluminum storm windows or doors are not allowed.
  - iv. Chimneys are to be brick.
  - v. Exterior guardrails, handrails and other stair details may be wood or wrought iron.
  - vi. Roofs are to be asphalt, wood or slate shingles.
  - vii. Foundations must be split-face block, stone veneer or poured-in-place concrete.
- b. Where previous alterations have introduced inconsistent materials (simulated stone, brick, metal, *etc.*) to a wood-clapboard house, a new addition or alteration that affects this part of the structure will require removal of the inconsistent material.
- c. **Windows, Doors.**
- i. Vertical, rectangular double-hung or casement windows are required. These may be used in multiple sets to create larger expanses of window area.
  - ii. Plate-glass picture windows, strip windows and arched windows are not allowed on the front façade.
  - iii. Special windows are allowed (*ovals, hexagon, etc.*) as accents.
  - iv. Existing windows may be moved or replaced with windows that are similar to the original building windows.
  - v. If a window is covered over or removed, the material on the exterior must match the pre-existing siding.
- d. **Roof.** Roofs shall be gabled, multi-gabled, or hipped, with a minimum pitch of eight to twelve (8:12). Porch roofs may be flat or pitched.
- e. **Porches.**
- i. Removal of existing porches is prohibited, unless the porch is being upgraded or replaced in a manner consistent with these guidelines.
  - ii. Existing porches shall only be enclosed with transparent glass windows.
  - iii. Uncovered decks are not allowed if forward of the Front Line of the Principal Building.
- f. **Building Height.** Additions to the existing building may not exceed the height of the tallest dimension of the nearest Character buildings by more than seven (7) feet. If there are no Character buildings in the same block, or across the street, then the maximum height shall be thirty (30) feet to the midpoint of the cornice and ridgeline.

### 3. New Construction.

The following guidelines apply to all new buildings built within the boundaries of the Character Sub-Area.

- a. Building Mass.
  - i. Buildings are to be oriented parallel and perpendicular to the street.
  - ii. Buildings will generally be longer than they are wide, with the narrow dimension facing the street. Building widths may not exceed forty-five (45) feet, except where the lot is greater than eighty (80) feet in width, in which case the building may be up to fifty-five (55) feet wide.
- b. Setbacks.
  - i. New buildings must follow the dominant or average front yard Setback dimension of existing buildings on the same block and on the same side of the street, with a variation of up to three (3) feet allowed (See *Figure 2a*).
  - ii. Additions, except for open-air porches, may not be added to the front of the building except where the building is set back more than twenty (20) feet from the Setback line of its nearest two neighbors (See *Figure 2b*).
  - iii. A Corner Lot for a residential use is presumed to have a Front Yard Setback on both streets that it faces. For a non-residential use, the Front Yard shall be Range Line Road (if the property is located on Range Line Road) or the street with the greatest traffic.
  - iv. Side and Rear Yard Setbacks shall be a minimum of five (5) feet from the property line.
- c. Lot Dimensions and Coverage.
  - i. Existing lot dimensions as originally platted shall be acceptable.
  - ii. Minimum lot width.
    - (a) Single-family Residential: Fifty (50) feet.
    - (b) All Other Uses: Sixty (60) feet.
  - iii. Maximum Lot Coverage.
    - (a) Single-family Residential: Forty-five (45%) of the area of the Lot.
    - (b) All Other Uses: Seventy percent (70%) of the area of the Lot.
  - iv. No lot may be created by Subdivision or by joining which results in a width of greater than ninety (90) feet.
- d. Garages.
  - i. All new garages must be either:
    - (a) Detached buildings that are sited at least five (5) feet behind the Principal Building, or
    - (b) Attached to the Principal Building so that the front face of the garage is at least fifteen (15) feet further from the Front Lot Line than the primary front line of the Principal Building. New attached garages on Corner Lots should be oriented to the side street, rather than to Range Line Road.
  - ii. Detached or attached three-car garages shall only be permitted where the overhead doors are oriented away from a Front Yard or facing an alley. They may also be located behind the Principal Building on non-Corner Lots.
  - iii. New detached or attached garages and other Accessory Buildings should use exterior materials similar to the Principal Building.



- iv. Covered walkways attaching the garage to the Principal Building are allowed.
- e. Lighting and Fencing. See also *Chapter 33: Commercial Development Landscape Ordinance, Old Town Section.*
  - i. A paved walkway from the porch or front door to the front sidewalk is required.
  - ii. Exterior lighting is restricted to lamps mounted on the building, seven-foot (7') maximum-height pole-mounted decorative lights, and low-wattage landscape lighting.
  - iii. Fences greater than thirty-six (36) inches tall are not allowed forward of the Front Line of the Principal Building.
  - iv. Vinyl covered chain-link material is allowed in the Front Yard except on those properties which front on Range Line Road. For properties fronting on Range Line Road, chain-link material is prohibited forward of the Front Line of the Principal Building.
  - v. Commercial dumpsters and trash receptacle must be screened from view at all times.
- f. Parking and Driveways.
  - i. Paving shall be defined as any existing material used in the driveway.
  - ii. Parking is not allowed in the Front Yard of any property, except on a driveway leading to the garage.
  - iii. Driveways leading to the garage may not be wider than twelve (12) feet, except within thirty (30) feet of the front of the garage, where the driveway may be:
    - (a) up to eighteen (18) feet wide if oriented toward a Front Yard, or
    - (b) the width of the garage if located behind the Principal Building (non-Corner Lots) or accessed by an alley.
  - iv. Parking spaces required to be provided under the Zoning Ordinance may be reduced by up to fifty percent (50%) in order to accommodate difficult site conditions such as limited access, small lots and/or existing mature trees.
  - v. New curb cuts on Range Line Road will not be permitted unless there is no alternative access from a side street.
- g. Materials.
  - i. All sides of the Principal and Accessory Buildings must be clad in wood, brick, stone or lap, shake or shingle style cement board. The same material must be used on all sides of the building.
  - ii. New garages and other Accessory Buildings shall use exterior materials similar to the Principal Building.
  - iii. Windows and trim must be framed in wood or vinyl-clad wood.
  - iv. Visible aluminum storm windows or doors are not allowed.
  - v. Chimneys are to be brick.
  - vi. Exterior guardrails, handrails and other stair details may be wood or wrought iron.
  - vii. Roofs are to be asphalt, wood or slate shingles.
  - viii. Foundations must be split-face block, stone veneer or poured-in-place concrete.
- h. Windows, Doors.
  - i. Vertical, rectangular double-hung or casement windows are required. These may be used in multiple sets to create larger expanses of window area.
  - ii. Plate-glass picture windows, strip windows and arched windows are not allowed on the front façade.

- iii. Special windows are allowed (ovals, hexagon, *etc.*) as accents.
- i. Roof.
  - i. The roof of the Principal Building and Accessory Buildings shall be gabled, multi-gabled, or hipped, with a minimum pitch of eight to twelve (8:12).
  - ii. A roof over a porch or bay window may be flat or pitched.
- j. Porches.
  - i. Covered porches facing the street on the first or upper floor of the structure are strongly encouraged but not required.
  - ii. Uncovered decks are not allowed in the front yard.
- k. Building Height.
  - i. Minimum: Thirteen (13) feet to the midpoint of the cornice and the ridgeline.
  - ii. Maximum: Thirty (30) feet to the midpoint of the cornice and the ridgeline, except as provided in *k(iii)*.
  - iii. Buildings may not exceed the height of the tallest dimension of the nearest two Character Buildings by more than seven (7) feet. If there are no Character buildings in the same block, or across the street, the *Subsection k(ii)* shall apply.

## **23D.04 Submittal Process/Application Procedure.<sup>4</sup>**

### **A. Consultation with Director and Application.**

Applicants shall meet with the Director to review the zoning classification of their site, review the regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property. The Director shall aid and advise the applicant in preparing his application and supporting documents as necessary.

- 1. The applicant shall submit:
  - a. two (2) copies of the written Site Plan and Design Review application form,
  - b. two (2) copies of the Existing Features & Site Analysis Plan including adjacent zoning and land use,
  - c. two (2) copies of the proposed Site Plan and Drainage Plan, and/or
  - d. two (2) copies of the required information on architectural design, landscaping, parking, signage, lighting and access, as well as
  - e. all necessary supporting documents and materials.
  - f. the above items (a) through (e) must be submitted in digital format.
- 2. Site Plan & Design Review (SDR) approval is not required where Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) approval is required.

### **B. Review.**

Review of the Application and Supporting Documents and Materials by the Director; following the receipt of the written application and required supporting information by the Director, the Director shall review the materials for the sole purpose of determining whether the application is complete and in technical compliance with all applicable ordinances, laws and regulations.

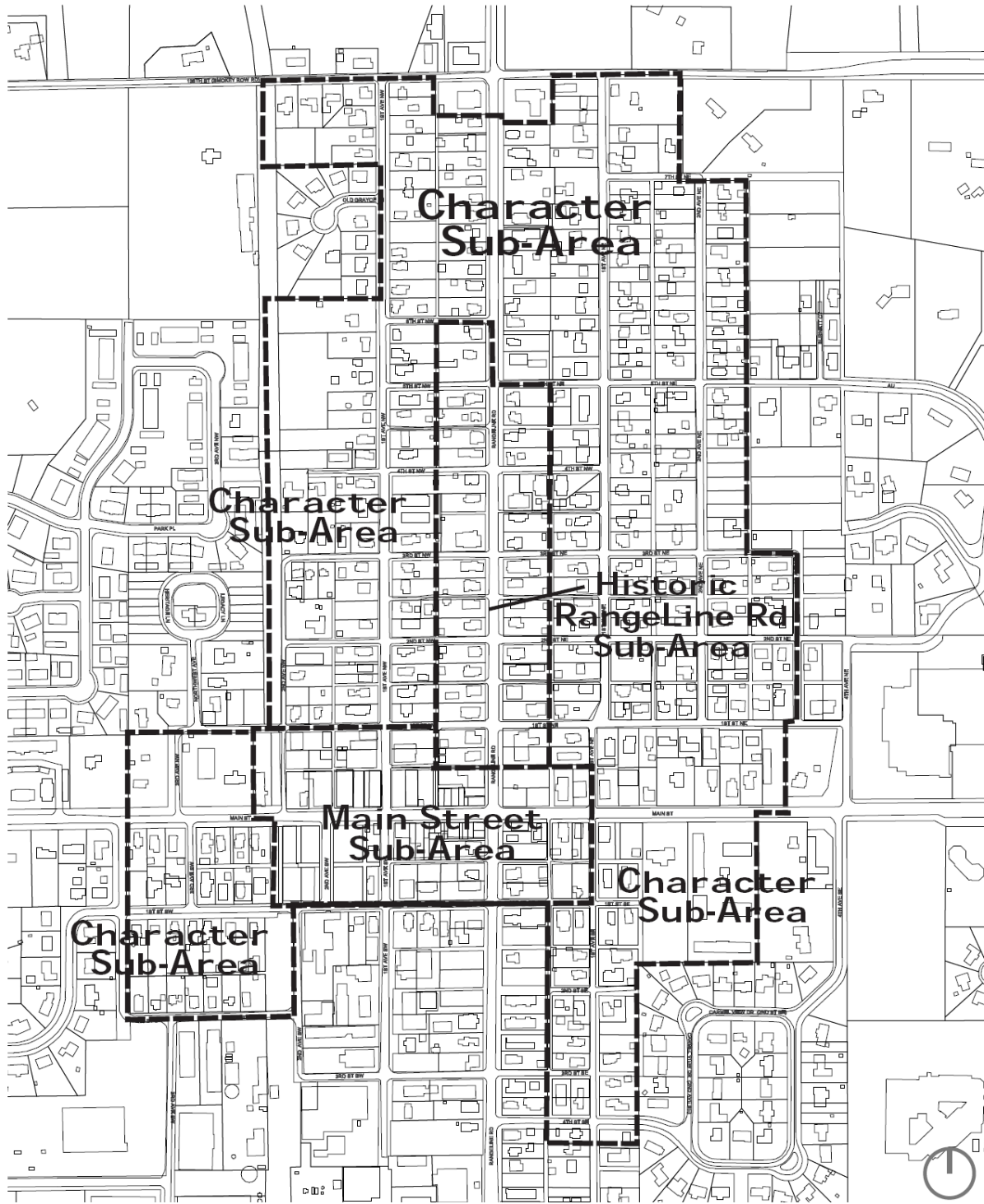
If the materials submitted by the applicant are not complete or do not comply with the necessary legal requirements, the Director shall inform the applicant of the deficiencies in said materials.

<sup>4</sup> Section 23D.04 amended per Ordinance No. Z-453-04, §er; Z-607-15.

1. Unless and until the Director formally accepts the application as complete and in legal compliance, it shall not be considered as formally filed for the purpose of proceeding to succeeding steps toward approval as hereinafter set forth.
2. Within ten (10) days of the formal acceptance of the application by the Director, he shall formally approve, deny, or request additional information about the petition.

C. Approval or Denial of the Application by the Commission.

1. An approved Site Plan and Design Review petition shall be valid for two (2) years from the date of approval. If construction of the building(s) has (have) not started at the end of the two-year period, the Site Plan and Design Review request must be re-submitted to the Director.
2. If an approved Site Plan and Design Review petition is (are) substantially altered, re-submittal to the Director for approval is required.
3. If the petition is denied by the Director, the Director shall provide the applicant with a copy of said reasons, if requested.
4. The applicant may appeal the decision of the Director, as specified in *Chapter 30*.



**Carmel Old Town**  
 Sub-area Boundaries (Figure 1)

Carmel, Indiana

Scheer & Scheer, inc  
 ARCHITECTURE • PLANNING • URBAN DESIGN

Revised FEB 2002  
 200 0 200

Figure 2a

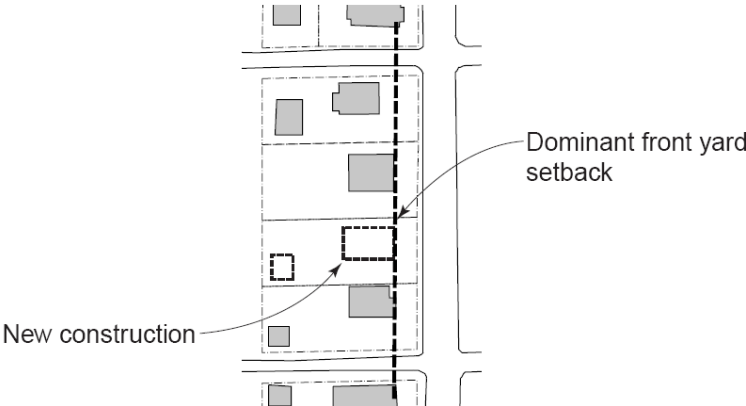
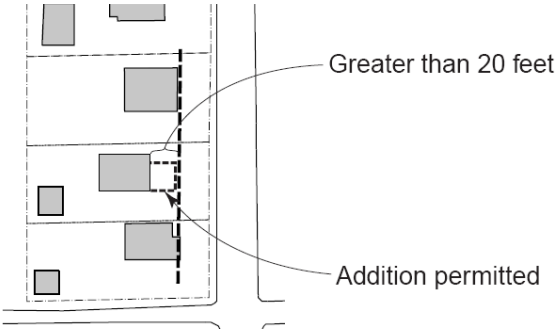
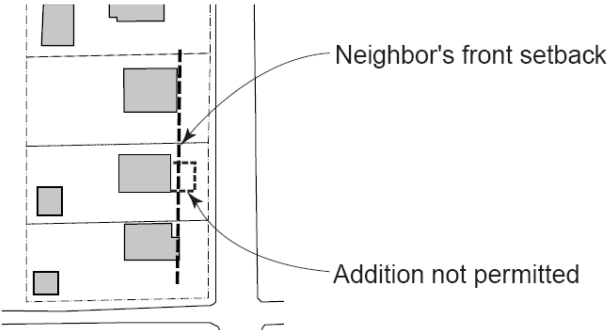
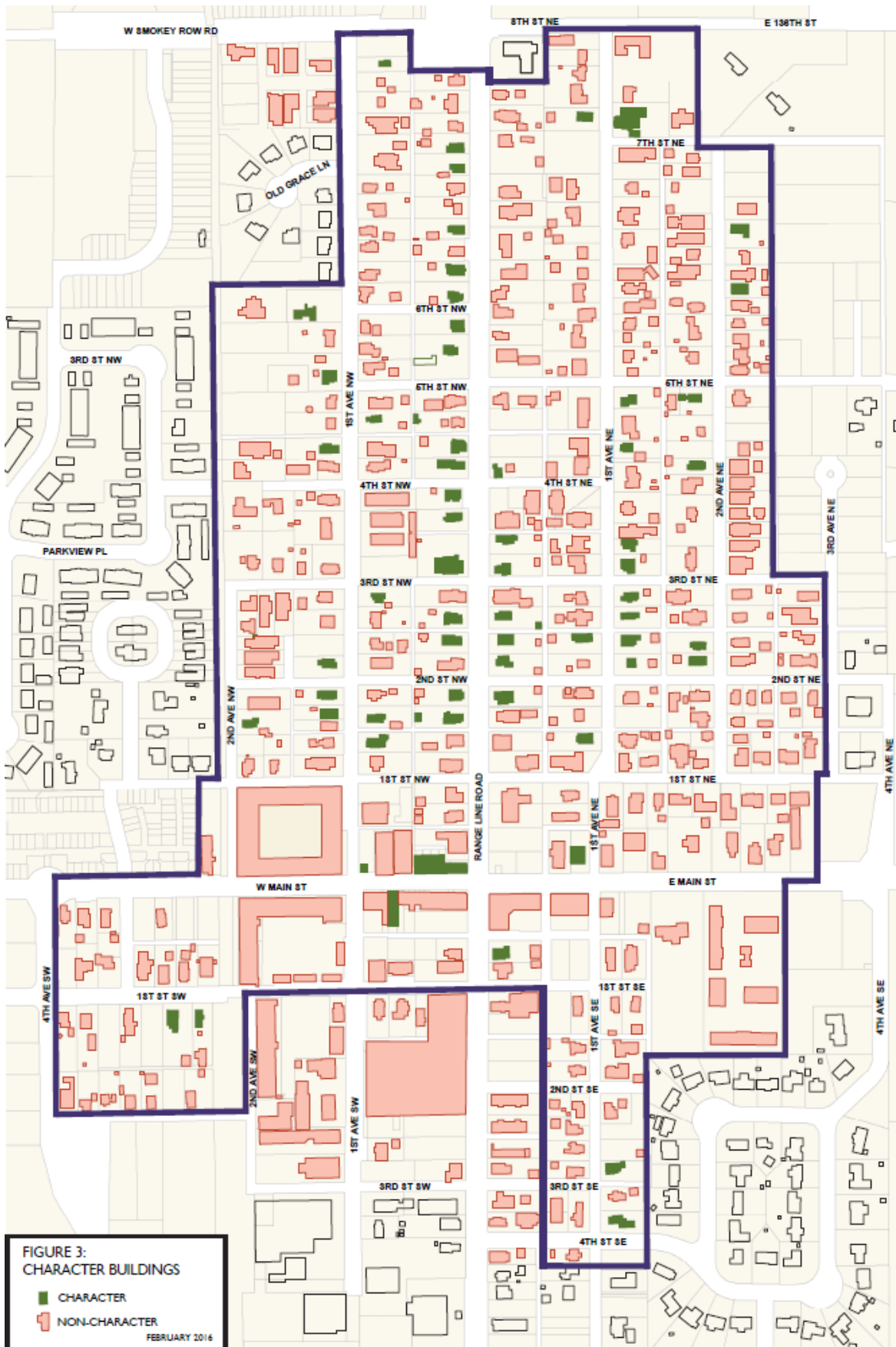


Figure 2b





Chapter 23D: Old Town District Overlay Zone  
23D-22  
as adopted per Z-374-02; last amended per Z-607-15  
Winter 2016 v1

**CHAPTER 23D: OLD TOWN DISTRICT OVERLAY ZONE  
AMENDMENT LOG**

<b>Ordinance No.</b>	<b>Docket No.</b>	<b>Council Approval</b>	<b>Effective Date</b>	<b>Sections Affected</b>
Z-374-02	96-01a OA	April 1, 2002	April 1, 2002	ZO Ch 23D Spring 2002 v1
Z-453-04	150-02 OA	August 16, 2004	August 16, 2004	23D.03; 23D.04 Summer 2004 v1
Z-523-08	08080003 OA	December 15, 2008	December 19, 2008	23D.02(B)(5) Winter 2009 v1
Z-545-10 As Amended	10080017 OA	November 1, 2010	November 16, 2010	23D.02(B)(5) Autumn 2010 v1
Z-552-11	11070011 OA	November 7, 2011	November 7, 2011	23D.02(B)(5) Autumn 2011 v1
Z-560-12	12070020 OA	October 1, 2012	October 1, 2012	23D.02(B)(5) Autumn 2012 v1
Z-561-12 As Amended	11090004 OA	November 5, 2012	November 20, 2012	23D.03 Autumn 2012 v1
Z-577-13 As Amended	13030009 OA	October 7, 2013	October 15, 2013	23D.03 Autumn 2013 v1
Z-580-13	13080010 OA	November 4, 2013	November 4, 2013	23D.02(B)(5) Autumn 2013 v1
Z-597-14	14090013 OA	November 3, 2014	November 3, 2014	23D.02(B)(5) Autumn 2014 v1
Z-607-15 As Amended	15060019 OA	March 7, 2016	March 7, 2016	23D.02; 23D.02(B)(5); 23D.03; 23D.04; Figure 3 Winter 2016 v1