

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 13-2022

**AN ORDINANCE APPROVING AN AMENDMENT TO THE
CLARK COUNTY ZONING MAP ON AN UNFAVORABLE RECOMMENDATION
BY THE CLARK COUNTY PLAN COMMISSION**

WHEREAS, the Board of Commissioners of Clark County, Indiana (the "Board"), is the executive body of Clark County Government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

WHEREAS, the Board is also the legislative body of Clark County Government pursuant to the provisions of Ind. Code 36-1-2-9; and,

WHEREAS, the Clark County Plan Commission has advisory authority regarding zoning pursuant to Ind. Code 36-7-4, *et al*; and,

WHEREAS, on the 11th day of May, 2022, the Clark County Plan Commission passed Resolution 6-2022 (see the said Resolution 6-2022 attached hereto as **Exhibit "A"**) with an unfavorable recommendation to reclassify certain property on the County's zoning maps as identified in the said Resolution.

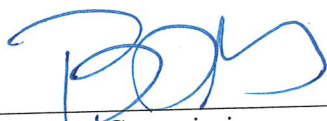
NOW, THEREFORE, BE IT ORDAINED by the Board of Clark County Commissioners as follows:

1. That the zoning request as set forth in Plan Commission Docket 2022-04-PC, as attached hereto, is hereby approved, and the County's zoning maps are reclassified pursuant to the attached Resolution.

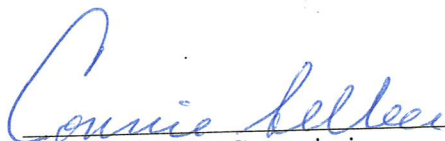
2. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

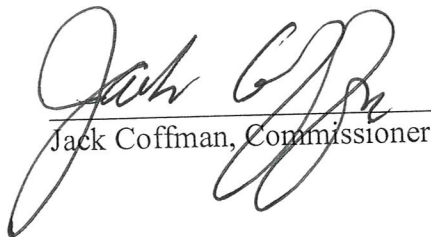
So Ordained this 21st day of July, 2022.

Members voting "NO":



Bryan Glover, Commissioner



Connie Sellers, Commissioner

Jack Coffman, Commissioner

Members voting "YES":

Bryan Glover, Commissioner

Connie Sellers, Commissioner

Jack Coffman, Commissioner

Attested by:



Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 6-2022

WHEREAS, the Clark County Plan Commission met on May 11, 2022, and heard the Petition of Renaissance Design Build, Inc. requesting a zone map amendment from R-2 to R-4 for a Multi-Family Residential at 4218 Perry Crossing Rd., Sellersburg,, In. 47172 (10-10-16-700-180.000-032).

WHEREAS, the Plan Commission heard the presentation of the Petitioner(s) and the objections, comments, remonstrations, and other relevant information presented by those in attendance at the hearing, if any:

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission as follows, after giving reasonable regard to the factors set forth in I.C. 36-7-4-603:

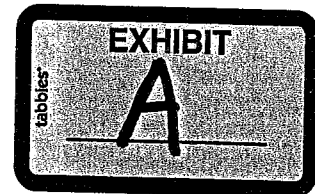
1. The Petition to rezone the real estate described in Exhibit A was heard after notice to interested persons was properly given in accordance with the ordinance and Indiana Law;
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting; and
3. The Plan Commission recommends to the Board of Commissioners of Clark County with a 8 - 0 vote as follows:

FAVORABLE RECOMMENDATION: The real estate described at Parcel No. 10-10-16-700-180.000-032 should be classified as R-2 to R4.

UNFAVORABLE RECOMMENDATION: The real estate described at Parcel No 10-10-16-700-180.000-032) should NOT be reclassified from R2 to R4.

NO RECOMMENDATION: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMEDNATION.


CONDITIONS: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITH CONDITIONS to include: Sewer must be installed in an R-4 Zone



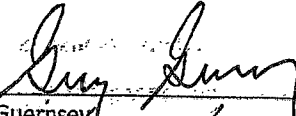
Dated this 11th day of May, 2022

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on April 13, 2022.

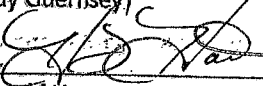
"Aye"



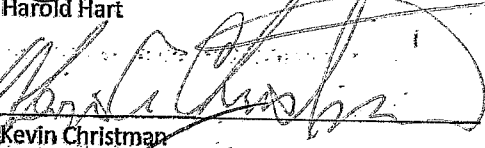
Connie Sellers



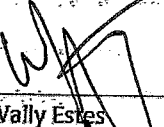
Guy Guernsey



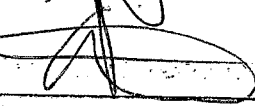
Harold Hart



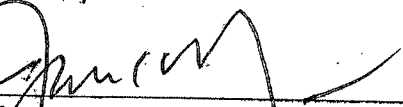
Kevin Christman



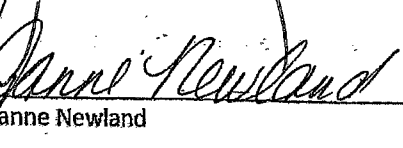
Wally Estes



Bart Meyer

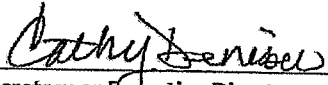


Eric Morris



Janne Newland

ATTEST:



Secretary or Executive Director

"Nay"

Connie Sellers

Guy Guernsey

Harold Hart

Kevin Christman

Wally Estes

Bart Meyer

Eric Morris

Janne Newland

Connie Sellers, President

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Clark County Plan Commission Staff Report: May 11, 2022

Docket 2022-04-PC:

Renaissance Design Build., Inc. requests a zone map amendment from R2 to R4 for a Multi-Family Residential at 4218 Perry Crossing Rd., Sellersburg, In. 47172 (10-10-16-700-180.000-032).

APPLICATION INFORMATION:

- The applicant has provided all materials for a complete application with the exception of:
 - Proof of Water & Sewer service
 - Revised preliminary site plan: The petition is for Re-zoning, however, the site plan would not conform with the UDO. Re-zoning does not approve the site plan. These issues can be addressed in Development plan approval.

- The application was sent to Checkpoint Agencies for review on 03/14/2022.
 - Todd Webb at the Health Dept. stated the applicant must go through the State for approval of lateral septic field.

STAFF COMMENTS AND RECOMMENDATION:

- Staff recommends consideration on the following:
 - The Clark County Comprehensive Plan identifies this parcel within a growth area.
 - The current character and conditions in this area is medium density residential, storage units and interstate.
 - The rezoning supports responsible development and growth in the county.
 - Sellersburg Water/Sewer states they are at capacity and cannot provide service
 - Applicant must apply for a Variance if they are approved for septic based on UDO

The area is not served by municipal sewer service and R4 requires municipal sewer. Staff only recommends approval if sewer service is provided.