

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 10-2023

**AN ORDINANCE APPROVING A PUD AMENDMENT TO THE
CLARK COUNTY ZONING MAP ON 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 10th day of May, 2023, the Clark County Plan Commission passed Resolution 4-2023, (see the said Resolution 4-2023 attached hereto as **Exhibit “A”**) to amend the PUD zone map for 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 Clark County Plan Commission Resolution 4-2023, dated May 10th, 2023, as attached hereto, is hereby approved, and the County’s PUD zone map is amended pursuant to the attached Resolution.

1. 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 25 day of May, 2023.


Members voting "NO":

Bryan Glover, Commissioner

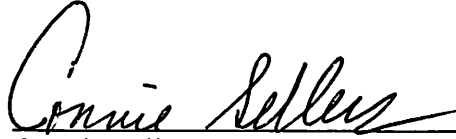
Connie Sellers, Commissioner

Jack Coffman, Commissioner

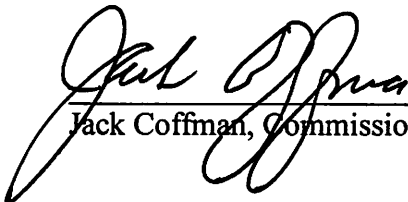
Members voting "YES":



Bryan Glover, Commissioner




Connie Sellers, Commissioner



Jack Coffman, Commissioner

Attested by:



Danny Yost, Clark County Auditor

HG

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 04-2023

WHEREAS, the Clark County Plan Commission met on May 10, 2023, and heard the Docket No. 2023-006-PC, Discovery Builders, 4206 Charlestown Rd;, New Albany, In. to request a zone map amendment for a PUD for Hawthorn Glen, located in Charlestown, In., Parcel No. 10-03-11-300-106.000-003 for the purpose of reducing the setbacks on four lots.

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 6-
0 vote as follows:

FAVORABLE RECOMMENDATION: The real estate described at Parcel No, 10-03-11-300-106.000-003, Hawthorn Glen PUD SHOULD be amended to reduce the setbacks in Section 15 for lots 1522, 1523, 1524, and 1525..

UNFAVORABLE RECOMMENDATION: The real estate described at Parcel #10-03-11-300-106.000-003 Hawthorn Glen PUD Section 15, SHOULD NOT be amended to reduce the setbacks in Section 15 for lots 1522, 1523, 1524 and 1525.

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

CONDITIONS: The Plan Commission send the rezoning petition to the Clark County Commissioners WITH CONDITIONS TO INCLUDE:



Dated this 10th Day of May, 2023

Dated this 10th day of May, 2023

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on May 10, 2023

"Aye"

Connie Sellers
Connie Sellers, President

Guy Guernsey
Guy Guernsey

Bart Meyer
Bart Meyer

Wally Estes
Wally Estes

D. J. RUCKMAN
David Ruckman

Eric Morris
Eric Morris

David Abbott
David Abbott

Erin Cassady
Erin Cassady

Larry Brison
Larry Brison

"Nay"

Connie Sellers, President

Guy Guernsey

Bart Meyer

Wally Estes

David Ruckman

Eric Morris

David Abbott

Erin Cassady

Larry Brison