

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 20 -2015

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

**WHEREAS**, this Board of Commissioners of Clark County, Indiana (this “Board”), is the executive body of Clark County government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

**WHEREAS**, this 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**, the Clark County Plan Commission has passed Resolution 6-2015, (see Resolution 6-2015 attached hereto as Exhibit “A”) to reclassify the property subject to that Resolution.

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

1. That the Clark County Plan Commission Resolution 6-2015, as attached hereto, is approved.
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 27TH day of August, 2015.


*Members voting "NO":*

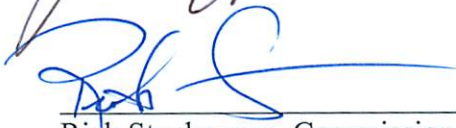
\_\_\_\_\_  
Jack Coffman, Commissioner

\_\_\_\_\_  
Rick Stephenson, Commissioner

\_\_\_\_\_  
Bryan Glover, Commissioner

*Members voting "YES":*

  
\_\_\_\_\_  
Jack Coffman, Commissioner

  
\_\_\_\_\_  
Rick Stephenson, Commissioner

*Absent*  
\_\_\_\_\_  
Bryan Glover, Commissioner

*Attested by:*

  
\_\_\_\_\_  
R. Monty Snelling, Clark County Auditor

BY THE CLARK COUNTY  
PLAN COMMISSION

RESOLUTION 6-2015

**WHEREAS**, the Clark County Plan Commission met on August 12th, 2015 and heard the petition of Klein Development LLC, asking that the property in Exhibit A known by an unaddressed parcel of land on Crone Road, Memphis, Indiana be reclassified from M-1 Light Industrial to R-1 Single-Family Residential on Crone Road, Charlestown, Indiana.

**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:

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; and
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting.
3. The Plan Commission recommends to the Board of Commissioners of Clark County as follows:

(Check One)

The real estate described in Exhibit A, Crone Rd., Memphis, Indiana should be reclassified from M-1 Light Industrial to R-1 Single-Family Residential.

The real estate described in Exhibit A, Crone Rd., Memphis, Indiana should NOT be reclassified from \_\_\_\_\_ to \_\_\_\_\_.

The Plan Commission was unable to reach consensus as required by law, and therefore sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMENDATION.

Dated this 21st day of August.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on August 12th, 2015.

ATTEST:

  
\_\_\_\_\_  
Secretary or Executive Director

ACTION TAKEN BY BOARD OF COMMISSIONERS  
OF CLARK COUNTY, INDIANA

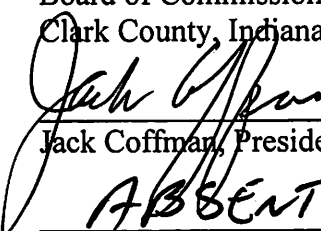
This matter having come before the Board of Commissioners of Clark County, Indiana (County Commissioners) on \_\_\_\_\_ the petition of Klein Development LLC, to reclassify the real estate in Exhibit A, Crone Rd., Memphis, Indiana from M-1 Light Industrial to R-1 Single-Family Residential; and the Plan Commission has adopted the forgoing resolution in which it makes its recommendations to the County Commissioners and the County Commissioners having read the recommendation, having reviewed all available evidence, having considered the county's comprehensive plan, having balanced the competing interests of those in the area affected, if any, now, therefore, determines as follows:

\_\_\_\_\_ The real estate at Crone Road., Memphis, Indiana described in Exhibit A should be reclassified on the zoning maps from M-1 Light Industrial to R-1 Single-Family Residential.

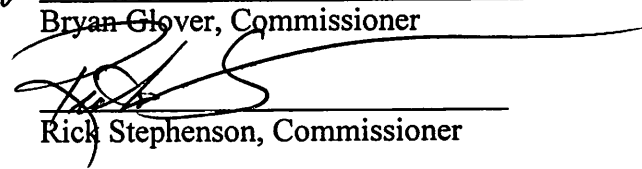
\_\_\_\_\_ The real estate at Crone Rd., Memphis, Indiana in Exhibit A SHOULD NOT be reclassified on the zoning maps.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Board of Commissioners of  
Clark County, Indiana

  
\_\_\_\_\_  
Jack Coffman, President

**ABSENT**  
\_\_\_\_\_  
Bryan Glover, Commissioner

  
\_\_\_\_\_  
Rick Stephenson, Commissioner

Attest:

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R. Monty Snelling, Clark County Auditor

**CERTIFICATION TO COMMISSIONERS ON APPLICATION  
FOR REZONING**

APPLICANT NAME: Klein Development PETITION NO.: 2015-13-PC  
 REAL ESTATE DESCRIPTION: DESCRIBED ON EXHIBIT "A" ATTACHED.

The Clark County Plan Commission certifies that the above application for rezoning by the above named applicant regarding the real estate described in Exhibit "A" attached was duly heard and decided.

The Clark County Plan Commission's recommendation on the petition to rezone the property from a M-1 zone to a R-1 zone is (favorable, unfavorable, no recommendation).

Recorded Commitment Required YES  No  If Yes, Requirements attached.

**Clark County Plan Commission**

Member	Voting for	Voting Against	Abstain
<u>R. Wardlaw</u> RICK WARDLAW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>D. Callahan</u> DAN CALLAHAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Michael Killen</u> MICHAEL KILLEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>John Uhl</u> JOHN UHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Absent</u> BARBARA BRATHCER-HAAS	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Absent</u> SIMON KAFARI	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Absent</u> DAVID BLANKENBEKER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Jack Coffman</u> JACK COFFMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Martina Webster</u> MARTINA WEBSTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest:  
Michael Tackett  
 Michael Tackett  
 Executive Director

PAUL PRIMAVERA & ASSOCIATES  
Registered Engineers and Land Surveyors

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Exhibit     

A

KLEIN DEVELOPMENT CO., INC.  
ZONE CHANGE FROM M-1 TO R-1

The following is a legal description prepared this 19<sup>th</sup> day of January, 2015, of real property being a part of Survey #202 of the Illinois Grant, Union Township, Clark County, Indiana, more particularly described as follows:

Commencing at the North corner of said Survey #202; thence along the Northwest line of said Survey #202 South 55° 19' 36" West 299.03 feet to the point of beginning; thence South 34° 49' 15" East 726.00 feet; thence North 55° 10' 37" East 52.12 feet; thence along a non-tangent curve concave northeasterly (said curve having a radius of 8864.38 feet, a chord bearing South 08° 43' 14" East, and a chord length of 238.84 feet) a distance of 238.85 feet; thence South 09° 29' 33" East 1650.76 feet; thence South 29° 28' 40" West 127.22 feet; thence along a non-tangent curve concave northwesterly (said curve having a radius of 8244.38 feet, a chord bearing South 09° 05' 06" East, and a chord length of 141.45 feet) a distance of 141.45 feet to the lines of Kingsland Fields Subdivision; thence along the lines of said subdivision as follows: North 35° 34' 10" West 163.71 feet; thence North 60° 30' 59" West 309.45 feet; thence North 36° 29' 30" West 450.06 feet; thence North 54° 25' 50" East 15.00 feet; thence North 34° 42' 55" West 188.02 feet; thence South 55° 17' 05" West 11.78 feet; thence North 34° 42' 55" West 130.00 feet; thence South 55° 17' 05" West 231.19 feet; thence leaving the lines of said subdivision North 34° 22' 39" West 1407.47 feet to the Northwest line of said Survey #202; thence along said Northwest line North 55° 19' 36" East 1301.14 feet to the point of beginning, containing 53.514 Acres, more or less.

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