

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 39 -2024

**AN ORDINANCE APPROVING AN 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 11th day of December, 2024, the Clark County Plan Commission passed Resolution 2024-23 (see the said Resolution 2024-23 attached hereto as **Exhibit “A”**) 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 Clark County Plan Commission Resolution 2024-23 dated December 11th, 2024, as attached hereto as **Exhibit “A”**, is hereby approved, and the County’s zoning maps are reclassified pursuant to the attached Resolution and subject to a Voluntary Zoning Commitment which shall be signed and recorded in the Clark County Recorder’s Office as set forth in the said Plan Commission Resolution’s conditions.

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 19th day of December, 2024.


Members voting "NO":

Bryan Glover, Commissioner

Connie Sellers, Commissioner

Jack Coffman, Commissioner

Members voting "YES":



Bryan Glover, Commissioner

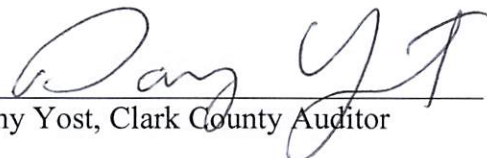
Absent

Connie Sellers, Commissioner



Jack Coffman, Commissioner

Attested by:



Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 2024-23

WHEREAS, the Clark County Plan Commission met on December 11, 2024, and heard the Docket No. 2024-27-PC, Stark Construction LLC, 2921 Sunset Trail, Charlestown IN a request for a zone map amendment from R2 to M2 for Parcel No. 10-03-15-600-021.000-003 and 10-03-15-600-124.000-003 and from AG to M2 for Part of Parcel 10-03-17-400-088.000-003;

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, B and C 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:

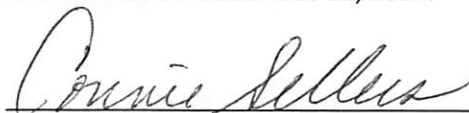
FAVORABLE RECOMMENDATION: The real estate described in Exhibit A should be reclassified from Ag and R2 to M2.

UNFAVORABLE RECOMMENDATION: The real estate described in Exhibit A should NOT be reclassified from Ag and R2 to M2.

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

CONDITIONS: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITH CONDITIONS TO INCLUDE: Recording of a written commitment which restricts use of the property in the same manner as the adjoining M2 property which was approved by Clark County Ordinance 33-2019.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on December 11, 2024.



Connie Sellers, President



Eric M. Wise Executive Director

