

RESOLUTION 3-2011

**WHEREAS**, the Clark County Plan Commission (Plan Commission) met on May 11, 2011 and heard the petition of Brian Roe asking that the property known by its street address as 204 Killen Road, be reclassified from A-1 Agricultural Zone to B-2 Community & Roadside Business Zone; and

**WHEREAS**, the real estate for which the rezoning is being requested is more particularly described in Exhibit A, attached herewith and made a part hereof; and

**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; List of petitioners in favor of rezoning.

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 should be reclassified from A-1 Agricultural Zone to B-2 Community & Roadside Business Zone.

The real estate described in Exhibit A 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 17<sup>th</sup> day of May, 2011.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on May 11, 2011.

ATTEST:

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

## EXHIBIT A

### DESCRIPTION

A part of Survey Number 185 of the Illinois Grant, Union Township, Clark County, Indiana and beginning further described as follows:

Commencing at a 8"x6" stone marking the West corner of said Survey Number 185; thence North 52 degrees 20 minutes East, 1890.03 feet to a steel pin and cap; thence South 34 degrees 32 minutes 22 sections East, 310.47 feet to as steel pin and cap; thence South 34 degrees 44 minutes 10 seconds East, 129.47 feet to a steel T-post; thence South 67 degrees 12 minutes 22 seconds East, 168.89 feet to a one and half-inch pipe on the west right-of-way line of State Road Number 31; thence crossing said State Road, South 67 degrees 12 minutes 22 seconds East, 77.94 feet to a steel pin and cap; thence with the east right-of-way line of aforementioned State Road Number 31, South 08 degrees 28 minutes 10 seconds West, 401.29 feet to a steel pin and cap; thence 621.59 feet with a curve to the left having a radius of 3405.76 feet and a chord bearing South 03 degrees 06 minutes 07 seconds West, 620.72 feet to a steel pin and cap; thence 524.15 feet with a curve to the left having a radius of 3630.86 feet and a chord bearing South 05 degrees 38 minutes 42 seconds East, 523.69 feet to a steel pin and cap; thence leaving the aforementioned east right-of-way of State Road Number 31, South 02 degrees 58 minutes 12 seconds East, 342.22 feet to the intersection of said State Road and Killen road, thence with the centerline of said Killen Road North 74 degrees 37 minutes 26 seconds East, 205.44 feet to a nail and collar, The True Point of Beginning;

Thence along said centerline, North 63 degrees 34 minutes 27 seconds East, 245.00 feet; thence South 24 degrees 39 minutes 04 seconds East, 160.00 feet; thence North 65 degrees 20 minutes 56 seconds East, 80.00 feet; thence North 24 degrees 39 minutes 04 seconds West, 162.48 feet to the centerline of Killen Road; thence along said centerline for the next two calls:

1. North 63 degrees 34 minutes 27 seconds East, 10.30 feet;
2. North 64 degrees 26 minutes 54 seconds East, 184.67 feet;

Thence leaving said road, South 24 degrees 39 minutes 04 seconds East, 255.74 feet; thence South 65 degrees 20 minutes 56 seconds West, 563.65 feet; thence North 14 degrees 24 minutes 16 seconds West, 246.38 feet to the True Point of Beginning.

The above-described tract contains 2.809 acres, which is subject to all rights-of-ways and easements of record.

April 10, 2011

I do not oppose to Brian Roe rezoning his property, 204 Killen Road, Memphis, Indiana, from agriculture/residential to commercial.

Russell D. Scholt

Mal R. Kelly

Donna Johnson

Paul Busby

\_\_\_\_\_

\_\_\_\_\_

**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 MAY 26, 2011 on the petition of Brian Roe to reclassify the real estate described in Exhibit A from A-1 Agricultural Zone to B-2 Community & Roadside Business Zone; and the Plan Commission has adopted the foregoing resolution in which it makes its recommendations to the County Commissioner 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:

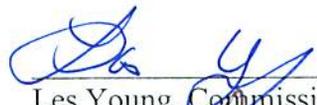
4 The real estate described in Exhibit A should be reclassified on the zoning maps from A-1 to B-2.

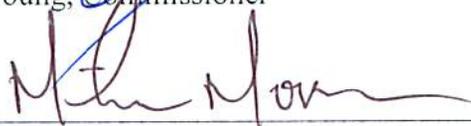
       The real estate described in Exhibit A SHOULD NOT be reclassified on the zoning maps.

Dated this 26<sup>th</sup> day of MAY, 2011.

Board of Commissioners of  
Clark County, Indiana

  
\_\_\_\_\_  
Edward Meyer, President

  
\_\_\_\_\_  
Les Young, Commissioner

  
\_\_\_\_\_  
Mike Moore, Commissioner

ATTEST:

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

Name Brian Lee

Petition No. 3-2011

The Clark County Plan Commission does hereby recommend approval, denial or no recommendation of said petition on this 11<sup>th</sup> day of May, 2011, by a 6-0 vote.

MEMBER	APPROVED	DENIED	NO RECOMMENDATION	ABSTAIN
<u>David J. Trotter</u> David Trotter, County Ag Agent	X	_____	_____	_____
_____ John Uhl	_____	_____	_____	_____
_____ Ashlea Meyer	_____	_____	_____	_____
<u>Paul E. Coffman</u> Paul Coffman	X	_____	_____	_____
<u>Brian Lenfert</u> Brian Lenfert, County Council	X	_____	_____	_____
<u>David Blankenbeker</u> David Blankenbeker, County Surveyor	_____	_____	_____	_____
<u>Edward Meyer</u> Edward Meyer, Co. Commissioner	X	_____	_____	_____
_____ Dave Porter	_____	_____	_____	_____
<u>Rick Wardlaw</u> Rick Wardlaw	X	_____	_____	_____