

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 11-2023

**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 10<sup>th</sup> day of May, 2023, the Clark County Plan Commission passed Resolution 6-2023, (see the said Resolution 6-2023 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 6-2023, dated May 10<sup>th</sup>, 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":*

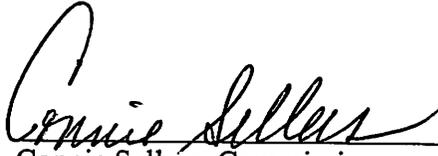
\_\_\_\_\_  
Bryan Glover, Commissioner

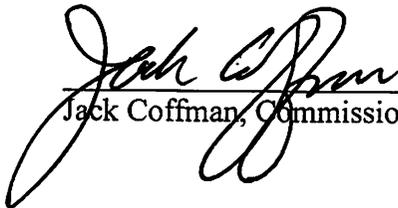
\_\_\_\_\_  
Connie Sellers, Commissioner

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

*Members voting "YES":*

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

  
\_\_\_\_\_  
Connie Sellers, Commissioner

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

*Attested by:*

  
\_\_\_\_\_  
Danny Yost, Clark County Auditor

**BY THE CLARK COUNTY PLAN COMMISSION**

**RESOLUTION 06-2023**

**WHEREAS**, the Clark County Plan Commission met on May 10, 2023, and heard the Docket No. 2023-07-PC, ASB Builders, 720 Rolling Creek Dr., Unit 106, New Albany, In. . to request a zone map amendment for a PUD for Hawthorn Glen, located in Charlestown, In. to remove the sidewalks in the rear of Lots # 1507, 1508, 1509, 1510, and 1511 along Melbourne Way. The lots will continue to have sidewalks along their frontage on Abington Way where the driveway fronts.

**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:

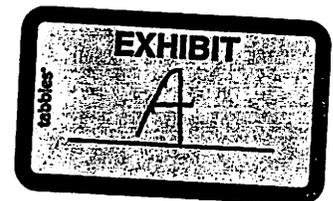
X  **FAVORABLE RECOMMENDATION:** The real estate described at Parcel 10-03-11-300-106.000-003 SHOULD be amended to remove the sidewalks in Section 15 for lots 1507, 1508, 1509, 1510, and 1511.

**UNFAVORABLE RECOMMENDATION:** The real estate described at Parcel #10-10-20-300-083.000-032 should NOT be amended to remove the sidewalks behind lots # 1507, 1508, 1509, 1510 and 1511.

**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:

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Dated this 10<sup>th</sup> Day of May, 2023

HG - 2023 06

Dated this 10<sup>th</sup> 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

\_\_\_\_\_  
Bart Meyer

Wally Estes  
Wally Estes

D. J. RUCKMAN  
David Ruckman

E. Morris  
Eric Morris

\_\_\_\_\_  
David Abbott

Erin Cassady  
Erin Cassady

Larry Brison  
Larry Brison

"Nay"

\_\_\_\_\_  
Connie Sellers, President

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Guy Guernsey

\_\_\_\_\_  
Bart Meyer

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Wally Estes

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David Ruckman

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Larry Brison