

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 17 -2022

[Did Not Pass]

AN ORDINANCE APPROVING AN AMENDMENT TO THE  
CLARK COUNTY ZONING MAP WITHOUT A 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 August, 2022, the Clark County Plan Commission passed Resolution 8-2022 (Plan Commission Docket 2022-13-PC) (see the said Resolution 8-2022 attached hereto as **Exhibit “A”**) without a recommendation 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 zoning request as set forth in Plan Commission Docket 2022-13-PC, as attached hereto, is hereby approved, and the County’s zoning maps are reclassified pursuant to the attached Resolution and subject to the Conditions and Commitments set forth therein.

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 29<sup>th</sup> day of September, 2022.

Members voting "NO":

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

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

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

Members voting "YES":

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

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

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

Attested by:

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

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 8-2022

WHEREAS, the Clark County Plan Commission met on August 10, 2022, and heard the Petition of requesting a zone map change from B1/R2 to R-4, multi family, Parcel # 10-09-08-800-112.000-030, for ., Hwy 311, currently owned by the Brummett Family Properties, Clarksville, In. 47172.

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 \_\_\_ - \_\_\_ vote as follows:

\_\_\_ FAVORABLE RECOMMENDATION: The real estate described at Parcel 10-09-08-800-112.000-030

\_\_\_ UNFAVORABLE RECOMMENDATION: The real estate described at Parcel No 10-09-08-800-112.000-030 should NOT be amended.

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

\_\_\_ CONDITIONS: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITH CONDITIONS to include: \_\_\_\_\_

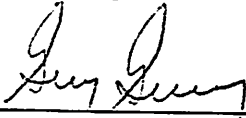


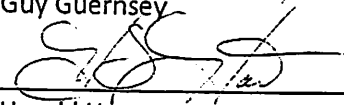
Dated this 10<sup>th</sup> day of August, 2022

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on August 10, 2022.

"Aye"


  
\_\_\_\_\_  
Connie Sellers

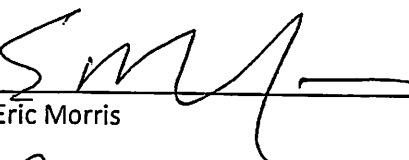
  
\_\_\_\_\_  
Guy Guernsey


  
\_\_\_\_\_  
Harold Hart

\_\_\_\_\_  
Kevin Christman

\_\_\_\_\_  
Wally Estes

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

  
\_\_\_\_\_  
Eric Morris

  
\_\_\_\_\_  
Janne Newland

ATTEST:

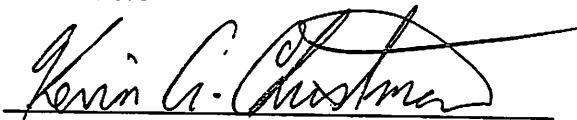
  
\_\_\_\_\_  
Secretary or Executive Director

"Nay"

\_\_\_\_\_  
Connie Sellers

\_\_\_\_\_  
Guy Guernsey

\_\_\_\_\_  
Harold Hart

  
\_\_\_\_\_  
Kevin Christman

\_\_\_\_\_  
Wally Estes

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

\_\_\_\_\_  
Eric Morris

\_\_\_\_\_  
Janne Newland

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

# PC Form 1: Application Form

For Office Use Only	
Petition #	
Fee	\$400.00 + 30 signs
Filing Date	7/8/22
Hearing Date	8/10/22
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Checkpoint Agencies Review
<input type="checkbox"/> Favorable	<input type="checkbox"/> Unfavorable <input type="checkbox"/> No Rec.
<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/ commitments/conditions
<input type="checkbox"/> Denied	

This application is being submitted for (check all that apply):

- Minor Residential Subdivision
- Primary Plat
- Secondary Plat
- Development Plan
- Zone Map Change
- PUD District

## APPLICANT INFORMATION

Full Legal Name: Denton Floyd Real Estate, LLC

Street Address: 509 Spring Street

City, State, Zip: Jeffersonville, IN, 47130

Applicant is (choose one): Corporation  LLC Partnership Individual(s) Other (specify)

Primary Contact Person	Name: Clayton Pace	Phone: 5023764591	Email: cpace@dentonfloyd.com
Surveyor/Engineer	Name: Heritage	Phone: 502-939-9567	Email: shannah@heritageeng.com

Will the Project Use A Temporary Work Trailer:  Yes No

## PROPERTY OWNER INFORMATION

Full Legal Name: Brummett Family Properties Llc

Street Address: 1718 Gutford Rd

City, State, Zip: Clarksville, IN, 47129

Phone: 502-639-8103

Email: jpbtraveler@twc.com

Property Owner is (choose one): Corporation  LLC Partnership Individual(s) Other (specify)

## PROPERTY INFORMATION

10-digit Parcel Number: 10-09-08-800-112.000-030

Property Address (Actual/approximate address or location from major streets): HIGHWAY 311

County Road Serving Property: Hwy 311

Township: Clark County

Subdivision Name (if applicable): NA

Lot Number(s) (if applicable):

Total Acreage: 18.56

Property Located in Floodway or Floodplain: Yes  No

Development will be served by: Septic  Sewer (specify provider: Town of )

Current Zoning of Subject Property: B1 & R2

Current Use of Subject Property: Vacant Land

Proposed Zoning: Clark County R-4

Proposed Land Use: multifamily

## CONSENT OF PROPERTY OWNER(S): Complete if the applicant is different from the property owner

I (we), Dale Brummett, Sr., after being first duly sworn, depose and say that I/we and the owner(s) of the real estate located the above address; that I/we have read and examined the Application, and are familiar with its contents; that I/we have no objection to and consent to such request as set forth in the application; and that such request being made by the applicant (  is ) (  is not ) a condition to the sale or lease of the above referenced property.

Property Owner(s): Dale Brummett, Sr.


Printed Name(s): Dale Brummett, Sr.

Date: 7/7/22

Notary Public's Name (printed): Miranda J. Baugh

My Commission Expires:

State/County of Residence:



Signature of Notary: Miranda J. Baugh

Subscribed and sworn to before me this July day of 2022

SHAHANA REESE  
Notary Public - State at Large  
KENTUCKY Notary ID # 610867  
My Commission Expires 10-19-2022

NOTARIZATION: The above information and attached exhibits, Clark County knowledge and belief, are true and correct.

Signature of Applicant: [Signature] P.O.S. DEV.

Date: 07/08/22

Notary Public's Name (printed): Shahana Reese

My Commission Expires: 10/19/22

State/County of Residence: Jefferson

Signature of Notary: [Signature]

Subscribed and sworn to before me this 8 day of July, 20 22.