

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 18 -2016

**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 6-2016, (see Resolution 6-2016 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 6-2016, 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 22nd day of Sept., 2016.

Members voting "NO":

Jack Coffman, Commissioner

Rick Stephenson, Commissioner

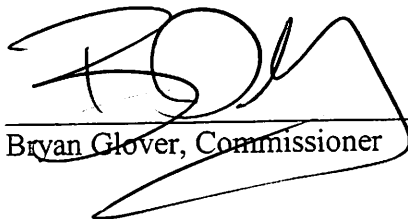
Bryan Glover, Commissioner

Members voting "YES":



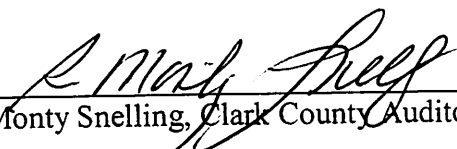
Jack Coffman, Commissioner

Rick Stephenson, Commissioner



Bryan Glover, Commissioner

Attested by:



R. Monty Snelling, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 6 - 2016

WHEREAS, the Clark County Plan Commission met on September 14, 2016, and heard the Petition of James Matthews, asking the property known known by its street address/parcel no. as 208 Pierce Road, New Washington, Indiana, be reclassified from B-3 General Business Zone to R-1 Single-Family Residential Zone for a sale of residential home at 208 Pierce Road, New Washington, Indiana; 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;

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:

X The real estate described at 208 Pierce Road, New Washington, Indiana should be reclassified from B-3 General Business Zone to R-1 Single-Family Residential Zone

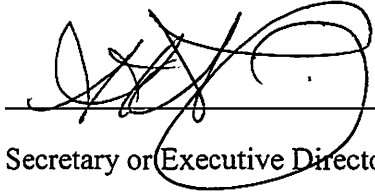
 The real estate described at _____, Indiana should NOT be reclassified from _____ to _____.

 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 14th day of September, 2016.

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on September 14, 2016.

ATTEST:



Secretary or Executive Director

CERTIFICATION TO COMMISSIONERS ON APPLICATION FOR REZONING

APPLICANT NAME: James Matthews PETITION NO.: 2016-16-PC

REAL ESTATE DESCRIPTION: DESCRIBED ON EXHIBIT "A" ATTACHED.


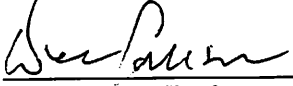





The Clark County Plan Commission certifies the above application for rezoning by the above-named applicant regarding the real estate described in Exhibit "A" attached was duly heard and decided.

The Clark County Plan Commission's recommendation on the petition to rezone the property from a R-3 zone to a R-1 zone is:

FAVORABLE UNFAVORABLE NO RECOMMENDATION

Recorded Commitment Required YES NO (If YES, requirements attached.)

Clark County Plan Commission

<u>Member</u>	<u>Voting FOR</u>	<u>Voting AGAINST</u>	<u>Abstain</u>
 DAVID BLANKENBEKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 DAN CALLAHAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 JACK COFFMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 WALL ESTES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 SIMON KAFARI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KELLI KHURI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 MICHAEL KILLEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOHN UHL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 KENT WITTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Stacia Franklin, Interim Executive Director

Clark County, IN

Property Assessment Detail Report
Parcel Number: 10-12-00-500-107.000-034
39°North- 855.GIS.3939



Parcel Information

Parcel Number: 10-12-00-500-107.000-034
Alt Parcel Number: 12-00004-028-0
Property Address: 208 PIERCE RD
NEW WASHINGTON, IN
Neighborhood: washington twp base res - 034
Property Class: 1 Family Dwell - Platted Lot
Owner Name: MATTHEWS JAMES N & MIRIAM J
Owner Address: 208 PIERCE RD
NEW WASHINGTON, IN 47162
Legal Description: SEC. 5-1N-9E 1A

Taxing District

Township: WASHINGTON TOWNSHIP
Corporation: GREATER CLARK COUNTY

Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
9Rr	1.0	

B-3

Exhibit A

VIRGIL E. BOLLY
Attorney at Law
P.O. Box 72
204 E. Utica Street
Sellersburg, IN 47172

10443

+ WARRANTY DEED +

THIS INDENTURE WITNESSETH, that MELVIN ISAAC and INEZ ISAAC,
husband and wife, of Clark County, Indiana,

CONVEY AND WARRANT

unto JAMES MATTHEWS and MIRIAM MATTHEWS, husband and wife, of New
Washington, Clark County, Indiana, for and in consideration of the sum
of One Dollar (\$1.00) and other good and valuable consideration,
receipt whereof is hereby acknowledged, the following described real
estate in the County of Clark and State of Indiana, to-wit:

Being a part of the northeast quarter of the northwest
quarter of Section 5, Township 1 North, Range 9 East,
Washington Township, Clark County, Indiana, more
particularly described as follows: Commencing at a brass
pin in the State Highway #62 right-of-way marking the
northeast corner of the northwest quarter of said Section 5
and running N. 89 deg. 08' 47" W. (assumed from previous
survey) along the line dividing Section 32, T-2-N, R-9-E,
and Section 5, T-1-N, R-9-E, a distance of 66.00 feet to a
steel T-bar on the west right-of-way of S. R. #62; thence
running S. 00 deg. 24' 00" E. with said highway right-of-way
a distance of 810.00 feet to a steel T-bar; thence running
N. 89 deg. 08' 47" W. a distance of 150.0 feet to a 1" steel
pipe; thence running N. 00 deg. 24' 00" W. a distance of
140.00 feet to a 1" iron pipe, THE TRUE PLACE OF BEGINNING
of the tract herein described; thence running S. 89 deg. 02'

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 September 22, 2016 the petition of James Matthews to reclassify the real estate at 208 Pierce Road, New Washington, Indiana, from B-3 General Business Zone to R-1 Single-Family Residential Zone;

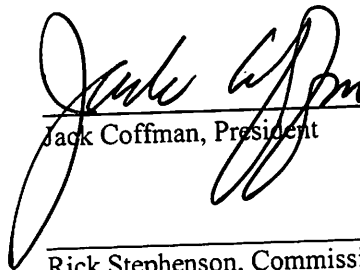
And the Plan Commission has adopted the foregoing resolution in which it makes its recommendations to the County Commissioners and the County Commissioners having read the recommendation, having reviewed all available evidence, having considered the county's comprehensive plan, having balanced the competing interests of those in the area affected, if any, now, therefore, determines as follows:

The real estate at 208 Pierce Road, New Washington, Indiana, should be reclassified on the zoning maps.

The real estate at _____, Indiana, SHOULD NOT be reclassified on the zoning maps.

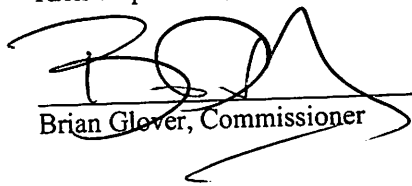
Dated this 22nd day of September, 2016.

Board of Commissioners of Clark County, Indiana



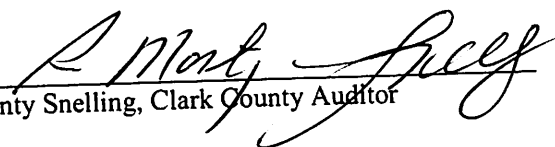
Jack Coffman, President

Rick Stephenson, Commissioner



Brian Glover, Commissioner

ATTEST:



Monty Snelling, Clark County Auditor