

ORDINANCE NO. 2020-03

**AN ORDINANCE AMENDING ZONING MAPS WITHIN THE ZONING ORDINANCE
OF THE TOWN OF WHITESTOWN, INDIANA**

Zoning Map Amendments
PC19-042-ZA

WHEREAS, the Petitioner, Town of Whitestown, filed its Zoning Amendment Application before the Whitestown Plan Commission seeking to rezone approximately 3.09 acres, more or less, in the Town of Whitestown, Indiana, **from the AG (Agriculture) Zoning Classification to the I-2 (General Industrial) Zoning Classification**; and

WHEREAS, pursuant to Indiana Code § 36-7-4-608, the Whitestown Plan Commission conducted the required public hearing and determined favorable recommendation, by a 7-0 vote, on January 13, 2020; and

WHEREAS, the Whitestown Plan Commission certified favorable recommendation to the Whitestown Town Council on January 13, 2020; and

WHEREAS, pursuant to Indiana Code § 36-7-4-608, the Town Council of the Town of Whitestown, having considered the application and the recommendation of the Whitestown Plan Commission, now adopts the proposal and approves the requested rezoning amendment.

IT IS THEREFORE CONSIDERED, ORDAINED, AND ADOPTED as follows:

Section 1. That the Applicant is Site Works LLC.

Section 2. That the Applicant seeks to have the following described property attached hereto as Exhibit A, which is currently located in the AG (Agriculture) Zoning Classification to the I-2 (General Industrial) Zoning Classification;

Section 3. That the Town Council of Whitestown has paid reasonable regard to the comprehensive plan; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth.

Section 4. That the Town Council hereby adopts/rejects the proposal of the Whitestown Plan Commission as certified, and hereby adopts/rejects. The Proposed Zoning Amendment.

Section 5. This Ordinance shall be in full force and effect from and after its passage and upon presentation of proof by Petitioner to the Town that this Ordinance and the Commitments have been recorded.

ALL OF WHICH IS ADOPTED this _____ day of _____, 2020, by the Town Council of the Town of Whitestown, Indiana.

TOWN COUNCIL OF WHITESTOWN, INDIANA.

Clinton Bohm, President

Rob Worl

Susan Austin, Vice President

Jeff Wishek

Eric Miller

ATTEST:

Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Brittany Garriott, Town Planner

Exhibit A

Legal Description

A part of the South Half of the Southwest Quarter of the Northwest Quarter of Section 26, Township 18 North, Range 1 East of the Second Principal Meridian in Boone County, Indiana and being more particularly described as follows, to-wit:

Beginning on the West line of said tract 137.03 feet North of the Southwest corner thereof, thence deflecting right $81^{\circ} 47'$ measure Easterly along an existing fence line 470.62 feet to the center line of a county road (formerly U.S. Highway 52 and formerly the Lafayette and Indianapolis Gravel Road); thence deflecting left $123^{\circ} 52'$ measure Northwesterly along the center of said county road 619.92 feet to the North line of the South Half of the Southwest Quarter of the Northwest Quarter of said Section 26; thence West on said North line 50.02 feet to the West line of said Half Quarter Quarter Section; thence South on said West line 526.61 feet to the place of beginning, containing 3.090 acres, more or less.

The above description also being described in a Survey, Midwest Surveying, LLC, Project 2019-032, prepared November 15, 2019, by James R. Francisco, Registered Land Surveyor, No. 21000240, as follows:

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 1 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WORTH TOWNSHIP, BOONE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE NORTH 00 DEGREES 11 MINUTES 36 SECONDS EAST (ASSUMED BEARING FROM PERRY INDUSTRIAL PARK, SECTION 1) ON AND ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 136.74 FEET TO A POINT 0.08 FEET WEST OF A CAPPED REBAR, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION AND ALSO BEING A POINT SOUTH 00 DEGREES 11 MINUTES 36 SECONDS WEST OF THE NORTHWEST CORNER OF SAID SECTION A DISTANCE OF 2512.70 FEET; THENCE CONTINUING NORTH 00 DEGREES 11 MINUTES 36 SECONDS EAST ON AND ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 525.39 FEET; THENCE NORTH 89 DEGREES 10 MINUTES 24 SECONDS EAST A DISTANCE OF 52.70 FEET TO THE CENTER LINE OF THE RIGHT-OF-WAY FOR FORMER U.S. ROUTE 52, NOW INDIANAPOLIS ROAD; THENCE SOUTH 41 DEGREES 30 MINUTES 52 SECONDS EAST ON AND ALONG THE RIGHT-OF-WAY CENTER LINE A DISTANCE OF 617.38 FEET; THENCE SOUTH 82 DEGREES 09 MINUTES 30 SECONDS WEST ALONG A FENCE LINE A DISTANCE OF 468.05 FEET TO THE POINT OF BEGINNING, CONTAINING 3.078 ACRES, MORE OR LESS.
