

ORDINANCE NO. 2020-04

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

Zoning Map Amendments
PC19-043-ZA

WHEREAS, the Petitioner, Town of Whitestown, filed its Zoning Amendment Application before the Whitestown Plan Commission seeking to rezone approximately 41 acres, more or less, in the Town of Whitestown, Indiana, **from the AG (Agriculture) Zoning Classification to the R-3 (Medium-Density Single-Family Residential) 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 Braun Property Development.

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 R-3 (Medium-Density Single-Family Residential) 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 NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN, WORTH TOWNSHIP, BOONE COUNTY INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A MAG NAIL FOUND AND MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE ALONG THE EAST LINE OF SAID QUARTER SECTION NORTH 00 DEGREES 28 MINUTES 16 SECONDS WEST (INDIANA STATE PLANE BEARING WEST MEASURED THIS SURVEY) 296.87 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 22 MINUTES 13 SECONDS WEST 1321.41 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE ALONG SAID WEST LINE SOUTH 00 DEGREES 33 MINUTES 20 SECONDS EAST 296.88 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID SOUTH LINE SOUTH 88 DEGREES 22 MINUTES 16 SECONDS WEST 34.99 FEET; THENCE NORTH 55 DEGREES 30 MINUTES 08 SECONDS WEST 503.45 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 26 SECONDS WEST 322.43 FEET TO THE SOUTH LINE OF ALLENS ACRES SUBDIVISION, THE PLAT OF WHICH IS RECORDED IN BOOK 4, PAGE 163 IN THE OFFICE OF THE RECORDER OF BOONE COUNTY; THENCE ALONG THE SOUTH LINE OF SAID PLAT NORTH 88 DEGREES 28 MINUTES 19 SECONDS EAST 447.19 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER OF SECTION 18 THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 33 MINUTES 20 SECONDS WEST 567.44 FEET; THENCE NORTH 88 DEGREES 09 MINUTES 44 SECONDS EAST 1322.84 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 28 MINUTES 16 SECONDS EAST 893.90 FEET TO THE POINT OF BEGINNING; CONTAINING 32.00 ACRES, MORE OR LESS.

A PART OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN, WORTH TOWNSHIP, BOONE COUNTY INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG NAIL FOUND AND MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE ALONG THE SOUTH LINE OF SAID QUARTER SECTION SOUTH 88 DEGREES 22 MINUTES 11 SECONDS WEST 1320.99 FEET TO THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 33 MINUTES 20 SECONDS WEST 296.88 FEET; THENCE NORTH 88 DEGREES 22 MINUTES 13 SECONDS EAST 1321.42 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 28 MINUTES 16 SECONDS EAST 296.87 FEET TO THE POINT OF BEGINNING; CONTAINING 9.00 ACRES, MORE OR LESS.