

ORIGINAL

ORDINANCE NO. 2018-25

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

Zoning Map Amendments
PC17-037-ZA

WHEREAS, the Petitioner, 2PL LLC, filed its Zoning Amendment Application before the Whitestown Plan Commission seeking to rezone approximately 75.92 acres, more or less, in the Town of Whitestown, Indiana, **from the AG (Agriculture) Zoning Classification to the I-1 (Light Industry) Zoning Classification**; and

WHEREAS, pursuant to Indiana Code § 36-7-4-608, the Whitestown Plan Commission conducted the required public hearing and determined its favorable recommendation, by a 5-0 vote, on September 10, 2018; and

WHEREAS, the Whitestown Plan Commission certified its favorable recommendation to the Whitestown Town Council on September 10, 2018; 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. The Applicant is 2PL LLC.

Section 2. The Applicant seeks to have the property described in Exhibit A, attached hereto and incorporated herein ("Property"), which is currently located in the AG (Agriculture) Zoning Classification, rezoned to the I-1 (Light Industry) Zoning Classification.

Section 3. As a condition of granting the requested rezone of the Property, the Written Commitments Concerning the Use or Development of Real Estate Made in Connection with a Zone Map Chang, attached hereto as Exhibit B and incorporated herein ("Commitments"), is made part of this Ordinance.

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Section 4. 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 5. The Town Council hereby adopts the amendment to the zoning map with respect to the Property, as certified by the Whitestown Plan Commission, such that the Property is rezoned to the I-1 (Light Industry) Zoning Classification with the Commitments.

Section 6. 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 any applicable Commitments have been recorded.

ALL OF WHICH IS ADOPTED this 1st day of October, 2018, by the Town Council of the Town of Whitestown, Indiana.

TOWN COUNCIL OF WHITESTOWN, INDIANA.


Eric Miller, President


Susan Austin


Clinton Bohm, Vice President


Jeff Wishek


Kevin Russell

ATTEST:


Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Brittany Garriott, Town Planner

Exhibit A

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Legal Description

A part of the Southwest Quarter of Section 27, Township 18 North, Range 1 East, Perry Township, Boone County, Indiana, more fully described as follows: Beginning at the Southwest corner of the Southwest Quarter of Section 27, Township 18 North, Range 1 East; thence along the approximate center line of County Road 300 East and the Section line, North 00 degrees 00 minutes 00 seconds West 884.51 feet; thence along the South described line of the Matthew E. Royal and Amy L. Royal Property recorded as Instrument #0403238, Boone County Recorder's Office, South 90 degrees 00 minutes 00 seconds East 290.00 feet; thence along the East described line of said Royal Property, North 00 degrees 00 minutes 00 seconds West 751.03 feet; thence along the North described line of said Royal Property, North 90 degrees 00 minutes 00 seconds West 290.00 feet; thence continuing along the approximate center line of said County Road 300 East and the Section line, North 00 degrees 00 minutes 00 seconds West 1019.45 feet; thence along the South described line of the Gerald Padgett and Jeanette T. Padgett Property recorded as Instrument #0103379 (one-half interest) and Instrument #0103380 (one-half interest), North 89 degrees 23 minutes 20 seconds East 1331.62 feet; thence along the West described line of the Wallace O. Lee, Jr. and Joan G. Lee Property recorded as Instrument #0410902 and the Quarter Quarter Section line, South 00 degrees 04 minutes 51 seconds West 2657.02 feet; thence along part of the North described line of the Aaron w. Everett Family Farm, Inc. Property recorded in Deed Record 236, Page 447, and Deed Record 236, Page 448, South 89 degrees 28 minutes 28 seconds West 423.85 feet; thence North 00 degrees 31 minutes 32 seconds West 26.00 feet; thence parallel with said Aaron W. Everett Family Farm, Inc. Property, South 89 degrees 28 minutes 28 seconds West 250.00 feet; thence South 00 degrees 31 minutes 32 seconds East 26.00 feet; thence along part of the North described line of the Marsha Baker Hart and Gregory H. Hart Property recorded as Instrument #9707669 and the Section line, South 89 degrees 28 minutes 28 seconds West 654.00 feet to the Point of Beginning, containing 75.9249 acres, more or less.

NOTE: Acreage in the legal description of the subject real estate solely for the purpose of identifying and describing the insured land and this search should not be construed as insuring the quantity of land as set forth in said description.

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Exhibit B

Written Commitments Concerning the Use or Development of Real Estate Made in Connection with a Zone Map Change

1. Developer will provide a landscape berm of eight (8) feet to provide buffering along the north, west, and south end of the property.
 2. No access will be granted for this development off of C.R. 300 East
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