

ORDINANCE NO. 2021-28

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

Zoning Map Amendments
PC21-028-ZA

WHEREAS, the Petitioner, Kite Harris Property Group, LLC. by Matthew M. Price, filed its Zoning Amendment Application before the Whitestown Plan Commission seeking to rezone approximately 4.5 acres, more or less, in the Town of Whitestown, Indiana, **from the R-2 (Low Density Single-family and Two-family Residential) Zoning Classification to the PUD (Planned Unit Development- Bridle Oaks) 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 5-0 vote, on July 12, 2021; and

WHEREAS, the Whitestown Plan Commission certified favorable recommendation to the Whitestown Town Council on August 11, 2021; 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 Kite Harris Property Group, LLC. by Matthew M. Price on behalf of Tammy Nowakowski, Owner.
- Section 2.** That the Applicant seeks to have the described property attached hereto as Exhibit A, which is currently located in the R-2 (Low Density Single-family and Two-family Residential) Zoning Classification, rezoned to the PUD (Planned Unit Development- Bridle Oaks) 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 the amendment to the zoning map with respect to the Property, such that the Property is rezoned to PUD (Planned Unit Development- Bridle Oaks) Zoning Classification.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

ALL OF WHICH IS ADOPTED this ____ day of _____, 2021, by the Town Council of the Town of Whitestown, Indiana.

TOWN COUNCIL OF WHITESTOWN, INDIANA.

Clinton Bohm, President

Rob Worl

Eric Miller, Vice President

Jeff Wishek

Susan Austin

ATTEST:

Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Brittany Garriott, Town Planner

Exhibit A

Legal Description

A part of the Northwest Quarter of the Southeast Quarter of Section 19, Township 18 North, Range 2 East, Worth Township, Boone County, Indiana, more fully described by:

Commencing at the Northwest corner of the Southeast Quarter of said Section 19; thence South 00 degrees 07 minutes 28 seconds West, along the quarter section line and the approximate centerline of County Road 650 East, a distance of 785.57 feet to the point of beginning; thence South 89 degrees 50 minutes 44 seconds East, a distance of 307.16 feet; thence South 05 degrees 48 minutes 42 seconds East, a distance of 32.75 feet; thence North 88 degrees 43 minutes 42 seconds East, a distance of 123.11 feet; thence South 00 degrees 28 minutes 24 seconds East, along an existing fence line, a distance of 493.41 feet; thence South 88 degrees 41 minutes 57 seconds West, along the South line of the Northwest Quarter of the Southeast Quarter of said Section 19, a distance of 206.41 feet; thence North 00 degrees 07 minutes 28 seconds East, along the East described line of the Owens property, as recorded by Deed Record 187, page 921, a distance of 125.00 feet; thence South 88 degrees 41 minutes 57 seconds West, along the North described line of said Owens property, a distance of 232.50 feet; thence North 00 degrees 07 minutes 28 seconds East, along the quarter section line the approximate centerline of County Road 650 East, a distance of 409.03 feet to the Point of Beginning, containing 4.5345 acres, more or less and subject to all highways, rights of way and easements.