

ORDINANCE NO. 2021-33

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

Zoning Map Amendments
PC20-053-ZA

WHEREAS, the Petitioner, Becknell Industrial, LLC. by Blair Carmosino, filed its Zoning Amendment Application before the Whitestown Plan Commission seeking to rezone approximately 68.9 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 favorable recommendation, by a 6-0 vote, on September 13, 2021; and

WHEREAS, the Whitestown Plan Commission certified favorable recommendation to the Whitestown Town Council on October 6, 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.

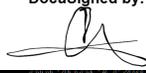
IT IS THEREFORE CONSIDERED, ORDAINED, AND ADOPTED as follows:

- Section 1.** That the Applicant is Becknell Industrial, LLC. by Blair Carmosino on behalf of H&H Holdings, LLC, Owner; Darrell and Valerie Crowe, Owner; Betty Giles, Owner; Brian and Kristine Green, Owner; Brian and Jennifer Smith, Owner; and James and Nancy Becker, Owner.
- Section 2.** That the Applicant seeks to have the described property attached hereto as Exhibit A, which is currently located in the AG (Agriculture) Zoning Classification to the I-1 (Light Industry) 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 I-1 (Light Industry) Zoning Classification.

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 13th day of October, 2021, by the Town Council of the Town of Whitestown, Indiana.

TOWN COUNCIL OF WHITESTOWN, INDIANA.

DocuSigned by:


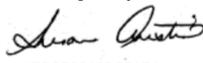
Clinton Bohm, President

Rob Worl

Eric Miller, Vice President

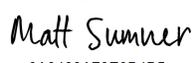
DocuSigned by:


Jeff Wishek

DocuSigned by:


Susan Austin

ATTEST:

DocuSigned by:


Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Brittany Garriott, Town Planner

Exhibit A

Legal Description

Located in Boone County, State of Indiana and more particularly described as follows:

A part of the northeast quarter of Section 2, Township 17 North, Range 1 East, containing 40.5 acres, more or less, located in Perry Township, Boone County, Indiana.

Also, the west half of the west half of the northwest quarter of Section 1, Township 17, North, Range 1 East containing 40 acres, more or less.

Also, the south half of the southeast quarter of the northeast quarter of Section 2, Township 17 North, Range 1 East, containing 20 acres, more or less.

EXCEPT: legal description set out in "Exhibit A" attached hereto and made a part of hereof.

Exhibit A

Part of the West Half of the West Half of the Northwest Quarter of Section 1 and part of the East Half of the Northeast Quarter of Section 2, Township 17 North, Range 1 East of the Second Principal Meridian, Boone County, Indiana described as follows:

Beginning at the southeast corner of the Northeast Quarter of Section 2 marked by a M.A.G. nail with washer (assumed bearing); thence North 89 degrees 58 minutes 30 seconds West along the south line of said Quarter Section a distance of 184.68 feet to the centerline of the Etter Legal Drain marked by a M.A.G. nail with washer, the following thirteen courses are generally along the centerline of said drain, (1) North 21 degrees 13 minutes 30 seconds East a distance of 54.01 feet; (2) North 30 degrees 03 minutes 23 seconds East a distance of 105.05 feet; (3) North 36 degrees 27 minutes 07 seconds East a distance of 284.66 feet; (4) North 13 degrees 16 minutes 40 seconds East a distance of 138.32 feet; (5) North 00 degrees 06 minutes 20 seconds West a distance of 117.12 feet; (6) North 06 degrees 03 minutes 56 seconds East a distance of 190.50 feet; (7) North 05 degrees 14 minutes 03 seconds East a distance of 176.55 feet; (8) North 37 degrees 27 minutes 47 seconds East a distance of 161.58 feet; (9) North 14 degrees 00 minutes 55 seconds East a distance of 167.29 feet; (10) North 00 degrees 19 minutes 54 seconds East a distance of 273.48 feet; (11) North 13 degrees 07 minutes 35 seconds West a distance of 114.30 feet; (12) North 25 degrees 58 minutes 09 seconds West a distance of 340.15 feet; (13) North 26 degrees 43 minutes 58 seconds West a distance of 238.26 feet to the west line of the Northwest Quarter of said Section 1 marked by a 5/8 inch rebar with a yellow cap stamped "Schneider Firm #0001"; thence North 00 degrees 27 minutes 16 seconds West along said west line a distance of 574.48 feet to the northwest corner of said Quarter Section; thence North 88 degrees 48 minutes 36 seconds East along the north line of said Quarter Section a distance of 663.08 feet to the east line of the West Half of the West Half of said Northwest Quarter Section; thence South 00 degrees 27 minutes 22 seconds East along said east line a distance of 2748.74 feet to the southeast corner of the West Half of West Half of said Northwest Quarter Section; thence South 88 degrees 12 minutes 04 seconds West along the south line of said Quarter Section a distance of 663.29 feet to the Point of Beginning, containing 35.69 Acres more or less.

Legal Description

6205 S CR 475 E

A part of the Northeast Quarter of Section 2, Township 17 North, Range 1 East, situated in Perry Township, Boone County, Indiana, and being more particularly described as follows, to-wit:

From a railroad rail (on end) at the southeast corner of the aforesaid northeast quarter, proceed thence north 0 degrees 27 minutes 12 seconds west (the bearing computed from a compass observation) along the section line, for a distance of 691.36 feet; thence south 89 degrees 46 minutes 12 seconds west for a distance of 1104.91 feet; thence north 0 degrees 16 minutes

31 seconds west for a distance of 885.00 feet to the point of beginning. From said point of beginning, proceed thence south 89 degrees 46 minutes 12 seconds west for a distance of 225.00 feet, thence north 0 degrees 16 minutes 31 seconds west for a distance of 100 feet; thence north 89 degrees 46 minutes 12 seconds east for a distance of 225.00 feet; thence south 0 degrees

16 minutes 31 seconds east for a distance of 100.00 feet to the point of beginning. (FOR REF. ONLY: Contains .5166 acres, more or less.)

Legal Description

6285 S CR 475 E

A part of the Northeast Quarter of Section 2, Township 17 North, Range 1 East, situated in Perry Township, Boone County, Indiana, and more particularly described as follows: From a railroad rail (on end) at the Southeast corner of the a fore said Northeast Quarter, proceed North 00 degrees 27 minutes 12 seconds West (the bearing computed from a compass observation) along the section line, 691.36 feet; thence South 89 degrees 46 minutes 12 seconds West, 1104.91 feet; thence North 00 degrees 16 minutes 31 seconds West, 325.00 feet to the point of beginning. From said point of beginning proceed thence south 89 degrees 46 minutes 12 seconds West, 225.00 feet; thence North 00 degrees 16 minutes 21 seconds West, along the centerline of County Road 200.00 feet (said centerline not being the quarter section line); thence North 89 degrees 46 minutes 12 seconds East, 225.00 feet, thence South 00 degrees 16 minutes 31 seconds East, 200.00 feet to the point of beginning.

Legal Description

6325 S CR 475 E

A part of the northeast quarter of Section 2, Township 17 North, Range 1 East, situated in Perry Township, Boone County, Indiana, and being more particularly described as follows, to-wit: From a railroad rail (on end) at the southeast corner of the aforesaid northeast quarter, proceed thence north 0 degrees 27 minutes 12 seconds west (the bearing computed from a compass observation) along the section line, for a distance of 691.36 feet; thence south 89 degrees 46 minutes 12 seconds west for a distance of 1104.91 feet; thence north 0 degrees 16 minutes 31 seconds west for a distance of 200.00 feet to the point of beginning. From said point of beginning, proceed thence south 89 degrees 46 minutes 12 seconds west for a distance of 225.00 feet; thence north 0 degrees 16 minutes 31 seconds west, along the centerline of a county road, for a distance of 125.00 feet (said centerline not being the quarter-quarter section line); thence north 89 degrees 46 minutes 12 seconds east for a distance of 225.00 feet; thence south 0 degrees 16 minutes 31 seconds east for a distance of 125.00 feet to the point of beginning, containing .64 acres, more or less.

Legal Description

6355 S CR 475 E

A part of the northeast quarter of Section 2, Township 17 North, Range 1 East, situated in Perry Township, Boone County, Indiana, and being more particularly described as follows: From a railroad rail, on end, at the southeast corner of the aforesaid northeast quarter, proceed thence north 0 degrees 27 minutes 12 seconds west (the bearing computed from a compass observation) along the section line for a distance of 691.36 feet; thence south 89 degrees 46 minutes 12 seconds west for a distance of 1104.91 feet to the point of beginning. From said point of beginning, continue thence south 89 degrees 46 minutes 12 seconds west 225.00 feet; thence north 0 degrees 16 minutes 31 seconds west along the centerline of a county highway 200.00 feet (said centerline not being the quarter quarter section line); thence north 89 degrees 46 minutes 12 seconds east 225.00 feet; thence south 0 degrees 16 minutes 31 seconds east 200.00 feet to the point of beginning, containing 1.0391 acres, more or less.

Legal Description

6255 S CR 475 E

A part of the northeast quarter of Section 2, Township 17 North, Range 1 east situated in Perry Township, Boone County, Indiana, particularly described as follows; From the southeast corner of the aforesaid northeast quarter, proceed thence north 0 degrees 27 minutes 12 seconds West (the bearing assumed from a compass observation), along the section line, 691.36 feet; thence south 89 degrees 46 minutes 12 second West 1,104.91 feet; thence north 0 degrees 16 minutes 31 seconds West 525.00 feet to the point of beginning. From said point of beginning, proceed thence south 89 degrees 46 minutes 12 seconds West, 225.00 feet; thence north 0 degrees 16 minutes 31 seconds West, 260.00 feet; thence north 89 degrees 46 minutes 12 seconds East, 225.00, thence south 0 degrees 16 minutes 31 seconds East, 260.00 feet to the point of beginning.

Except 100 feet of equal width off of the entire north side of the above described real estate.

Containing .83 acres more or less. Acreage is provided solely to comply with the provisions of IC 6-1.1-22-2(a) and is not to be constructed as part of the legal description or as insuring the quantity of land as set forth in the legal description of this property.

More commonly know as 6255 SOUTH STATE ROAD 475 EAST, LEBANON, INDIANA 46052