

ORDINANCE NO. 2026-11

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

Zoning Map Change
PC25-73-ZMC

WHEREAS, the Petitioner, Whitestown Investments, LLC, filed a Zone Map Change Application before the Whitestown Plan Commission seeking to rezone approximately 0.34, more or less, in the Town of Whitestown, Indiana, **from the R3 – Medium Density Single Family & Two Family Residential zoning district to the UB – Urban Business zoning district.**

WHEREAS, pursuant to Indiana Code § 36-7-4-608, the Whitestown Plan Commission conducted the required public hearing and determined a favorable recommendation by a 7-0-0 vote, on January 12, 2026; and

WHEREAS, the Whitestown Plan Commission certified a favorable recommendation to the Whitestown Town Council on January 13, 2026; 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 zoning map change.

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

Section 1. That the Applicant is Larry Marietta/Whitestown Investments, LLC of Indiana, developer of the property.

Section 2. That the Applicant seeks to have the described property, attached hereto as Exhibit A and generally depicted in Exhibit B, which is currently located in the **R3 – Medium Density Single Family & Two Family Residential zoning district to the UB – Urban Business zoning district,**

Section 3. In order to induce the Town Council, the Applicant has made certain written commitments attached hereto as **Exhibit C** and incorporated herein as a part of this Ordinance (“Commitments”). The rezone is subject to and contingent upon the Commitments. Any future request to amend this Ordinance or the Commitments shown in Exhibit C will require further approvals by the Town. The applicant shall further record this Ordinance and the Commitments in the chain of title for the Property.

Section 4. 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 5. That the Town Council hereby adopts the amendment as set forth herein to the zoning map with respect to the Property, such that the Property is now rezoned to the **UB – Urban Business**.

Section 6. This Ordinance shall be in full force and effect from and after its passage and upon presentation of proof by the Petitioner to the Town that this Ordinance and the Commitments have been recorded.

ALL OF WHICH IS ADOPTED this ____ day of _____, 2026, by the Town Council of the Town of Whitestown, Indiana.

TOWN COUNCIL OF WHITESTOWN, INDIANA.

Eric Nichols, President

Cheryl Hancock

Courtenay Smock, Vice President

Tobe Thomas

Dan Patterson

ATTEST:

Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Allan Henderson, Planning Administrator

Exhibit A

Legal Description

307 S BOWERS ST

BUCKS 2ND ADDITION LOTS 18 & 19

Exhibit B

Location Map

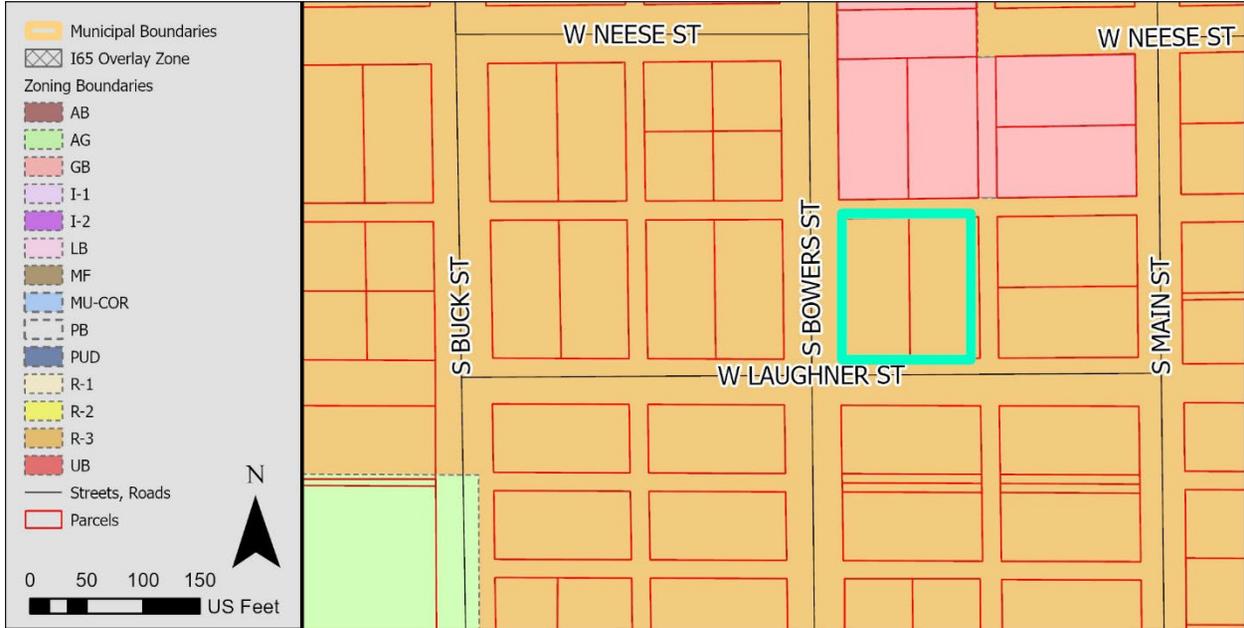


Exhibit C

Commitments

1. The location/parcels will not be used/allowed for a parking lot.