

Co. Ordinance 3-2011

BY THE CLARK COUNTY
PLAN COMMISSION

RESOLUTION 1-2011

WHEREAS, the Clark County Plan Commission (Plan Commission) met on January 11, 2011 and heard the petition of Hawthorne Glen, LLC asking that the property known by its street address as Hawthorn Glen and Melbourne Drive be reclassified from a PUD to a Revised PUD for Lots # 16-21 of Section Two and 22-29 of Section Three; and

WHEREAS, the real estate for which the rezoning is being requested is more particularly described in Exhibit A, attached herewith and made a part hereof; and

WHEREAS, the Plan Commission heard the presentation of the Petitioner(s) and the objections, comments, remonstrations and other relevant information presented by those in attendance at the hearing, if any;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission as follows:

1. The petition to rezone the real estate described in Exhibit A was heard after notice to interested persons was properly given in accordance with the ordinance and Indiana law; and
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting.
3. The Plan Commission recommends to the Board of Commissioners of Clark County as follows:

(Check One)

The real estate described in Exhibit A should be reclassified from a PUD to a Revised PUD for Lots #16-21 of Section Two and Lots 22-20 of Section Three.

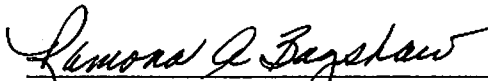
The real estate described in Exhibit A should NOT be reclassified from _____ to _____.

The Plan Commission was unable to reach consensus as required by law, and therefore sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMENDATION.

Dated this 13th day of January, 2011.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on January 12, 2011.

ATTEST:



Secretary or Executive Director

EXHIBIT A

Part of Survey #113 of the Illinois Grant, Charlestown Township, Clark County, Indiana, being Lot #21 of Hawthorn Glen, Section Two, and Lots #22, 23, 24, 25, 26, 27, 28, and 29 of Hawthorn Glen, Section Three, more particularly described as follows:

Beginning at the Northeast corner of Lot B of Hawthorn Glen, Section One; thence along the North line of said Lot B North $58^{\circ} 00' 00''$ West 25.60 feet; thence along the lines of Lot #V of Hawthorn Glen, Section Three, as follows: North $49^{\circ} 48' 41''$ West 117.76 feet; thence North $25^{\circ} 00' 00''$ West 146.56 feet to the Northeast corner thereof and the Northwest corner of Lot #29 of said Hawthorn Glen, Section Three; thence leaving the lines of said Lot #V along the North line of said Lot #29 North $65^{\circ} 00' 00''$ East 136.85 feet to the right-of-way of Melbourne Drive; thence along said right-of-way as follows: along a non-tangent curve, concave southwesterly (said curve having a radius of 275.00 feet, a chord bearing South $26^{\circ} 24' 37''$ East, and a chord length of 63.40 feet) a distance of 63.54 feet; thence along a tangent curve to the left (said curve having a radius of 325.00 feet, a chord bearing South $37^{\circ} 12' 00''$ East, and a chord length of 194.47 feet) a distance of 197.50 feet; thence along a tangent curve to the right (said curve having a radius of 275.00 feet, a chord bearing South $39^{\circ} 37' 56''$ East, and a chord length of 142.13 feet) a distance of 143.76 feet; thence along a tangent curve to the right (said curve having a radius of 50.00 feet, a chord bearing South $06^{\circ} 14' 46''$ West, and a chord length of 51.36 feet) a distance of 53.93 feet to the South line of Lot #21 of Hawthorn Glen, Section Two; thence leaving said right-of-way along said South line North $89^{\circ} 53' 58''$ West 156.49 feet to the Southwest corner thereof; thence along the West lines of said Lot #21 and Lots #22 and 23 of Hawthorn Glen, Section Three, North $18^{\circ} 26' 47''$ West 79.23 feet to the East line of said Lot B; thence along said East line North $01^{\circ} 00' 00''$ East 16.54 feet to the point of beginning, containing 1.323 Acres, more or less.

Also, part of Survey #113 of the Illinois Grant, Charlestown Township, Clark County, Indiana, being Lots #16, 17, 18, 19, and 20 of Hawthorn Glen, Section Two, more particularly described as follows:

Beginning at the South corner of Lot #U of Hawthorn Glen, Section Two; thence along the lines of said Lot #U as follows: North $63^{\circ} 00' 00''$ East 162.05 feet; thence North $20^{\circ} 52' 39''$ East 18.84 feet; thence South $69^{\circ} 07' 21''$ East 107.00 feet to the right-of-way of Hawthorn Glen; thence leaving the lines of said Lot #U along said right-of-way as follows: along a non-tangent curve concave northeasterly (said curve having a radius of 150.00 feet, a chord bearing South $20^{\circ} 45' 21''$ West, and a chord length of 1.79 feet) a distance of 1.79 feet; thence along a tangent curve to the right (said curve having a radius of 50.00 feet, a chord bearing South $12^{\circ} 53' 24''$ West, and a chord length of 55.90 feet) a distance of 59.32 feet; thence South $46^{\circ} 52' 41''$ West 56.60 feet; thence along a tangent curve to the right (said curve having a radius of 475.00 feet, a chord bearing South $57^{\circ} 50' 58''$ West, and a chord length of 180.80 feet) a distance of 181.91 feet to the East line of Lot #15 of Hawthorn Glen, Section One; thence leaving said right-of-way along said East line North $18^{\circ} 00' 00''$ West 145.14 feet to the point of beginning, containing 0.734 Acre, more or less.

**ACTION TAKEN BY BOARD OF COMMISSIONERS
OF CLARK COUNTY, INDIANA**

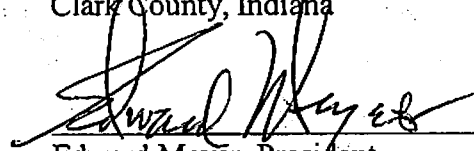
This matter having come before the Board of Commissioners of Clark County, Indiana (County Commissioners) on January 20, 2011 on the petition of Hawthorn Glen, LLC to reclassify the real estate described in Exhibit A from a Planned Unit Development (PUD) to a Revised Planned Unit Development; and the Plan Commission has adopted the foregoing resolution in which it makes its recommendations to the County Commissioner and the County Commissioners having read the recommendation, having reviewed all available evidence, having considered the county's comprehensive plan, having balanced the competing interests of those in the area affected, if any, now, therefore, determines as follows:

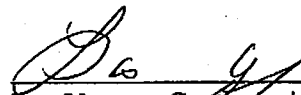
X The real estate described in Exhibit A should be reclassified on the zoning maps from PUD to Revised PUD
Lots 16-21, Section 2 and Lots 22-26, Section 3

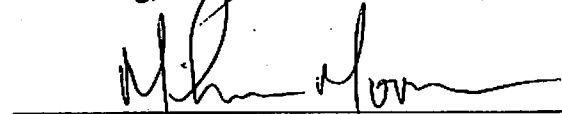
 The real estate described in Exhibit A SHOULD NOT be reclassified on the zoning maps.

Dated this 20th day of January, 2011.

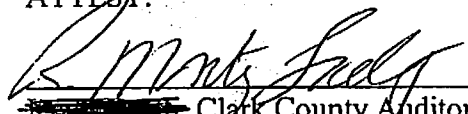
Board of Commissioners of
Clark County, Indiana


Edward Meyer, President


Les Young, Commissioner


Mike Moore, Commissioner

ATTEST:


 Clark County Auditor
R. Monty Snelling

Name Newberry Glen, LLC

Petition No. 1-2011

The Clark County Plan Commission does hereby recommend approval, denial or no recommendation of said petition on this 12th day of January, 2011, by a 5-0 vote.

MEMBER	APPROVED	DENIED	NO	ABSTAIN
			RECOMMENDATION	

David Trotter, County Ag Agent

John Uhl

Ashlea Meyer

Paul E Coffman ✓
Paul Coffman

Brian Lenfert ✓
Brian Lenfert, County Council

David Blankenbaker ✓
David Blankenbaker, County Surveyor

Edward Meyer ✓
Edward Meyer, Co. Commissioner

Dave Porter

Rick Wardlaw ✓
Rick Wardlaw