

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 20 -2021

**AN ORDINANCE APPROVING AN AMENDMENT TO THE  
CLARK COUNTY ZONING MAP ON RECOMMENDATION BY THE  
CLARK COUNTY PLAN COMMISSION**

**WHEREAS**, the Board of Commissioners of Clark County, Indiana (the “Board”), is the executive body of Clark County Government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

**WHEREAS**, the Board is also the legislative body of Clark County Government pursuant to the provisions of Ind. Code 36-1-2-9; and,

**WHEREAS**, the Clark County Plan Commission has advisory authority regarding zoning pursuant to Ind. Code 36-7-4, *et al*; and,

**WHEREAS**, on the 14<sup>th</sup> day of July, 2021, the Clark County Plan Commission passed Resolution 6-2021, (see the said Resolution 6-2021 attached hereto as **Exhibit “A”**) to reclassify certain property on the County’s zoning maps as identified in the said Resolution.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Clark County Commissioners as follows:

1. That the Clark County Plan Commission Resolution 6-2021, dated July 14, 2021, as attached hereto, is hereby approved, and the County’s zoning maps are reclassified pursuant to the attached Resolution, subject to the Conditions identified in the Plan Commission Resolution 6-2021 and which said Conditions shall be recorded as Written Commitments.

2. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Ordained this 5th day of August, 2021.

*Members voting "NO":*

*Members voting "YES":*

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Jack Coffman, Commissioner

  
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Jack Coffman, Commissioner


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Bryan Glover, Commissioner

  
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Bryan Glover, Commissioner

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Connie Sellers, Commissioner

  
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Connie Sellers, Commissioner

*Attested by:*

  
\_\_\_\_\_  
Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION ~~6~~-2021

WHEREAS, the Clark County Plan Commission met on July 14, 2021, and heard the Petition of 2021-10-PC: Zone Map Amendment, asking the property known by its parcel no as 10-02-19-900-125.000-026 (Approx. 3.6 acres), be reclassified from AG – General Agriculture District to R2 – Medium Density Residential District for residential development at Early Sunset Drive / Bennettsville Road, Memphis, IN 47130 (parcel not addressed).

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, after giving reasonable regard to the factors set forth in I.C. 36-7-4-603:

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;
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting; and
3. The Plan Commission recommends to the Board of Commissioners of Clark County with a 6 - 0 vote as follows:

X  FAVORABLE RECOMMENDATION: The real estate described at Parcel No 10-02-19-900-125.000-026; Early Sunset Drive / Bennettsville Road, Memphis, IN 47130 (parcel not addressed) SHOULD be reclassified from AG – General Agriculture District to R2 – Medium Density Residential District.

UNFAVORABLE RECOMMENDATION: The real estate described at Parcel No 10-02-19-900-125.000-026; Early Sunset Drive / Bennettsville Road, Memphis, IN 47130 (parcel not addressed) should NOT be reclassified from AG – General Agriculture District to R2 – Medium Density Residential District.

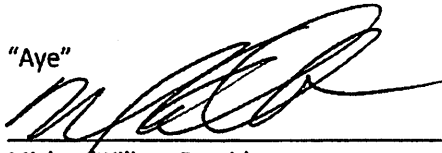
NO RECOMMENDATION: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMENDATION.

X  CONDITIONS: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITH CONDITIONS to include: 1) Permitted uses shall only include single-family detached dwellings; 2) Developer will install fire hydrants per fire district standards; and 3) structures will not include manufacture housing. All conditions shall be recorded as written commitments by the applicant.

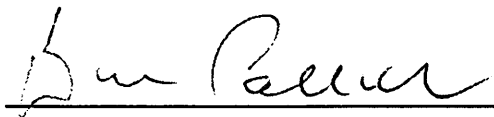


Dated this 14th day of July, 2021.

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on July 14, 2021.

"Aye"  
  
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Michael Killen, President

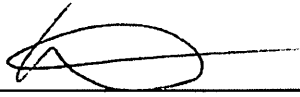
"Nay"  
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Michael Killen, President

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David Blankenkoper  
  
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Dan Callahan

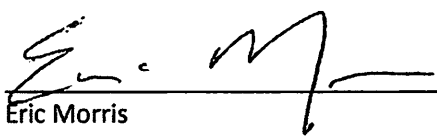
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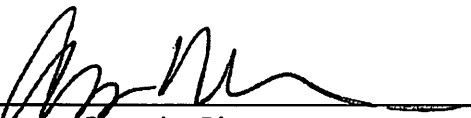
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Eric Morris

  
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Janne Newland

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Janne Newland

  
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Connie Sellers

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Connie Sellers

ATTEST:  
  
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Secretary or Executive Director