DID NOT PASS

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 29 -2026

AN ORDINANCE APPROVING AN AMENDMENT TO THE CLARK COUNTY ZONING MAP ON A UNFAVORABLE 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 14th day of October 2026, the Clark County Plan Commission passed Resolution 19-2026 (see the said Resolution 19-2026) attached hereto as **Exhibit "A")** with an UNFAVORABLE Recommendation 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 19-2026, dated October 14, 2026, as attached hereto as **Exhibit "A"**, is hereby approved, and the County's zoning maps are reclassified pursuant to the attached Resolution and subject to any conditions contained therein.

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 5 day of November 2026.

Members voting "NO":

Bryan Glover, Commissioner

Jack Coffman, Commissioner

David Decker, P.E., Commissioner

Members voting "YES":

Bryan Glover, Commissioner

Jack Coffman, Commissioner

David Decker, P.E., Commissioner

Attested by:

Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 19-2026

WHEREAS, the Clark County Plan Commission met on October 14, 2026, and heard the Docket No. **PC26-32**: KGF Building LLC, 20830 Kemp Rd Charlestown IN, a request for a zone map amendment from R2 to M1 for Parcel # 10-03-15-600-042.000-003;

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:

_____FAVORABLE RECOMMENDATION: The real estate described in Exhibit A should be changed.

__X__UNFAVORABLE RECOMMENDATION: The real estate described in Exhibit A should NOT be changed.

_____NO RECOMMENDATION: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITHOUT A RECOMMENDATION.

_____CONDITIONS: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITH CONDITIONS TO INCLUDE:

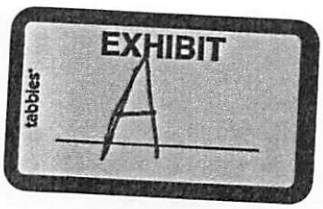
_____

_____

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on October 14, 2026.

~~Larry Brison, President~~
Bryan Glover Vice President

Eric M. Wise Executive Director



Parcel No.: #10-03-15-600-042.000-003

Part of Surveys Nos. 155 & 156 of the Illinois Grant, described as follows: Beginning at an iron pin in the center line of old Charlestown-Lexington Road at a point where the line dividing Surveys Nos. 155 & 156 crosses said center line, said iron pin being S. 36 degrees 49' E. 664.5 feet from a stone in said dividing line in Case's south corner, said stone being southeastwardly 1122 feet from the west corner of Survey No. 156 the north corner of Survey No. 155; thence S. 19 degrees 21' W. with said center line of the Charlestown-Lexington Road, 23 feet to an iron pin in said center line in Survey No. 155; thence S. 83 degrees 59' E. (crossing the line dividing Surveys Nos. 155 & 156 at 25 feet) 346.6 feet to an iron pin (in Survey No. 156) in the tangent line of a 0 degree 10' curve having a central angle of 1 degree and an external distance of 1.31 feet from the center line of State Highway No. 3; thence N. 2 degrees 36' E. with said tangent line, 160.2 feet to an iron pin at the central angle point, (P.I.); thence N. 3 degrees 36' E. with tangent line 60.5 feet to an iron pin in said tangent line; thence N. 85 degrees 15' W. running with Edward Pennington's south line, 283.5 feet to an iron pin in the center line of the Old Charlestown-Lexington Road, Pennington southwest corner; thence S. 19 degrees 21' W. with the center line of said road; 197 feet to the place of beginning, containing 1.567 acres, more or less, hereby conveyed, subject to the right-of-way of all legal highways.

