N/C
2CR

2012R-002567
PATRICIA A BROOKS
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
03/15/2012 12:28 PM
REC FEE: 0.00
PAGES: 2

WARRICK COUNTY COMMISSIONERS ORDINANCE # 02012-12

PLAN COMMISSION DOCKET # PC-R-12-05

AN ORDINANCE TO AMEND THE WARRICK COUNTY, INDIANA COMPREHENSIVE ZONING ORDINANCE BY REZONING CERTAIN REAL ESTATE IN WARRICK COUNTY, INDIANA

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA:

Section 1. That the Warrick County, Indiana Comprehensive Zoning Ordinance and the Warrick County Zoning District Maps dated February 1, 2005, and made a part of said Ordinance, be and the same are hereby amended as follows:

That the boundaries of the "A" AGRICULTURE, as shown on said Warrick County Zoning District Maps, be amended as to the following described real estate:

Part of the West Half of Section 27, Township 5 South, Range 8 West, Boon Township, Warrick County, Indiana, more particularly described as follows:

COMMENCING at the Southeast Corner of said Half Quarter Section; thence North 02° 34' 39" East, along the East line thereof, 68.33 feet; thence North 75° 24' 38" West - 130.52 feet; thence North 79° 26' 29" West - 61.99 feet to the centerline of Carter-Trailer Ditch, the North Right-of-Way of State Road 62 and the POINT OF BEGINNING; thence along said Right-of-Way the following calls:

North 79° 26' 29" West - 230 feet;
South 85° 08' 13" West - 338.84 feet;
South 87° 02' 53" West - 136.41 feet;
South 83° 56' 02" West - 406.02 feet;
North 88° 44' 42" West - 105.45 feet; thence North 02° 33' 10" East - 1150.51 feet to the centerline of Carter-Trailer Ditch; thence along said centerline the following calls:
South 70° 00' East - 130 feet;
South 61° 00' East - 340 feet;
South 46° 00' East - 450 feet;
South 35° 41' 08" East - 369.82 feet to the Right-of-Way of the State of Indiana; thence along said Right-of-Way the following calls:
South 54° 03' 26" West - 32.81 feet;
South 35° 56' 34" East - 98.44 feet;
South 49° 17' 37" East - 185.57 feet to the centerline of Carter-Trailer Ditch; thence South 18°19' 56" East, along said centerline, 81.33 feet to the POINT OF BEGINNING and containing 18.82 acres, more or less.

which real estate is now zoned and classified as part of the "A"

8 0 2 4 0 0 1
Tx:4015605

X REF DF2 CARD 13962 INS. 50799
200R- 004053

District, as shown on the aforesaid Warrick County Zoning District Maps, so that said above described real estate shall be and the same is hereby rezoned and reclassified from said 'A' District to said 'C-4' District.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Warrick, State of Indiana.

Tom Moshey
President

Don Williams
Member

Marli Weisheit
Member

BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

L B Dugan
County Auditor

3-12-12
Date Approved

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

William Bivins
Signature

William Bivins
Printed Name

This document prepared by William Bivins.

FILED
JAN 17 2012
WARRICK COUNTY
AREA PLAN COMMISSION

Receipt No. 18156

PETITION

FOR CHANGE OF THE ZONING ORDINANCE MAPS

PC- R- 12-05

Petitioner: KIRBY BROADVIEW FARMS, INC. Address: 899 Eskew Road
James W. Kirby, President Boonville, IN 47601
Email Address:

Owner of Record: SAME Address:

Email Address:

Lessee: Address:

Email Address:

1. Petition is hereby made for the change of "Zoning Maps" of the City or Town of _____ ( ). County of Warrick ( ), (Check One), State of Indiana, under the authority vested in the Warrick County Area Plan Commission by Chapter 138, Article V, Section 51 and of the 1957 Act of the General Assembly, as amended, State of Indiana.

2. Premises affected are situated on the N side of STATE ROAD 62 W, a distance of 1280 feet E (S. W. N. E.) of the corner formed by the intersection formed by ESKEW ROAD and STATE ROAD 62 W.

Subdivision or Legal Description:

SEE ATTACHED

3. Located in Zone District Designated as: (Circle one or show one.)

City or Town: F.P., CON., A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-O, C-1, C-2, C-3, C-4, W-R, M-1, M-2, PUD.

County: F.P., CON., A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-2A, R-2B, R-3, R-O, R-MH, C-1, C-2 C-3, C-4, W-R, W-1, M-1, M-2, M-3, PUD.

4. Requested change to: (Circle one or Show one.)

City or Town: F.P., CON, A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-O, C-1, C-2, C-3, C-4, W-R, M-1, M-2, PUD.

County: F.P., CON., A., R.S., R-1, R-1A, R-1B, R-1C, R-1D, R-2, R-2A, R-2B, R-3, R-O, R-MH, C-1, C-2, C-3, C-4, W-R, W-1 M-1, M-2, M-3, PUD.

5. Existing Land Use: FARM LAND
(a.) Conforming: YES
(b.) Pre-Existing ~ Non-Conforming:
(c.) Conditional Use:

6. Proposed Land Use: "C-4"

Certificate: - Owner hereby certifies that he/she owns 50% or more of the land above described.

Date:

Petitioner: James W Kirby
James W. Kirby, President –
Owner:
Represented By: William Y. Bivins, PE-LS
Phone: 858-9268

LEGAL DESCRIPTION

Part of the West Half of Section 27, Township 5 South, Range 8 West, Boon Township, Warrick County, Indiana, more particularly described as follows:

COMMENCING at the Southeast Corner of said Half Quarter Section; thence North 02° 34' 39" East, along the East line thereof, 68.33 feet; thence North 75° 24' 38" West - 130.52 feet; thence North 79° 26' 29" West - 61.99 feet to the centerline of Carter-Trailer Ditch, the North Right-of-Way of State Road 62 and the POINT OF BEGINNING; thence along said Right-of-Way the following calls:

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South 61° 00' East - 340 feet;
South 46° 00' East - 450 feet;

South 35° 41' 08" East - 369.82 feet to the Right-of-Way of the State of Indiana; thence along said Right-of-Way the following calls:

South 54° 03' 26" West - 32.81 feet;
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South 49° 17' 37" East - 185.57 feet to the centerline of Carter-Trailer Ditch; thence South 18°19' 56" East, along said centerline, 81.33 feet to the POINT OF BEGINNING and containing 18.82 acres, more or less.

FILED
JAN 17 2012
WARRICK COUNTY
AREA PLAN COMMISSION

*** NOTICE OF PUBLIC HEARING ***

Date: January 17, 2012 PC-R-12-05

Applicant: KIRBY BROADVIEW FARMS, Inc.
James W. Kirby, President
Address: 899 Eskew Road

Owner of Record: SAME
Address

Re: Petition for: REZONING from "A" Agricultural to "C-4" Commerical 18.82acres

Dear: Adjacent Landowners;

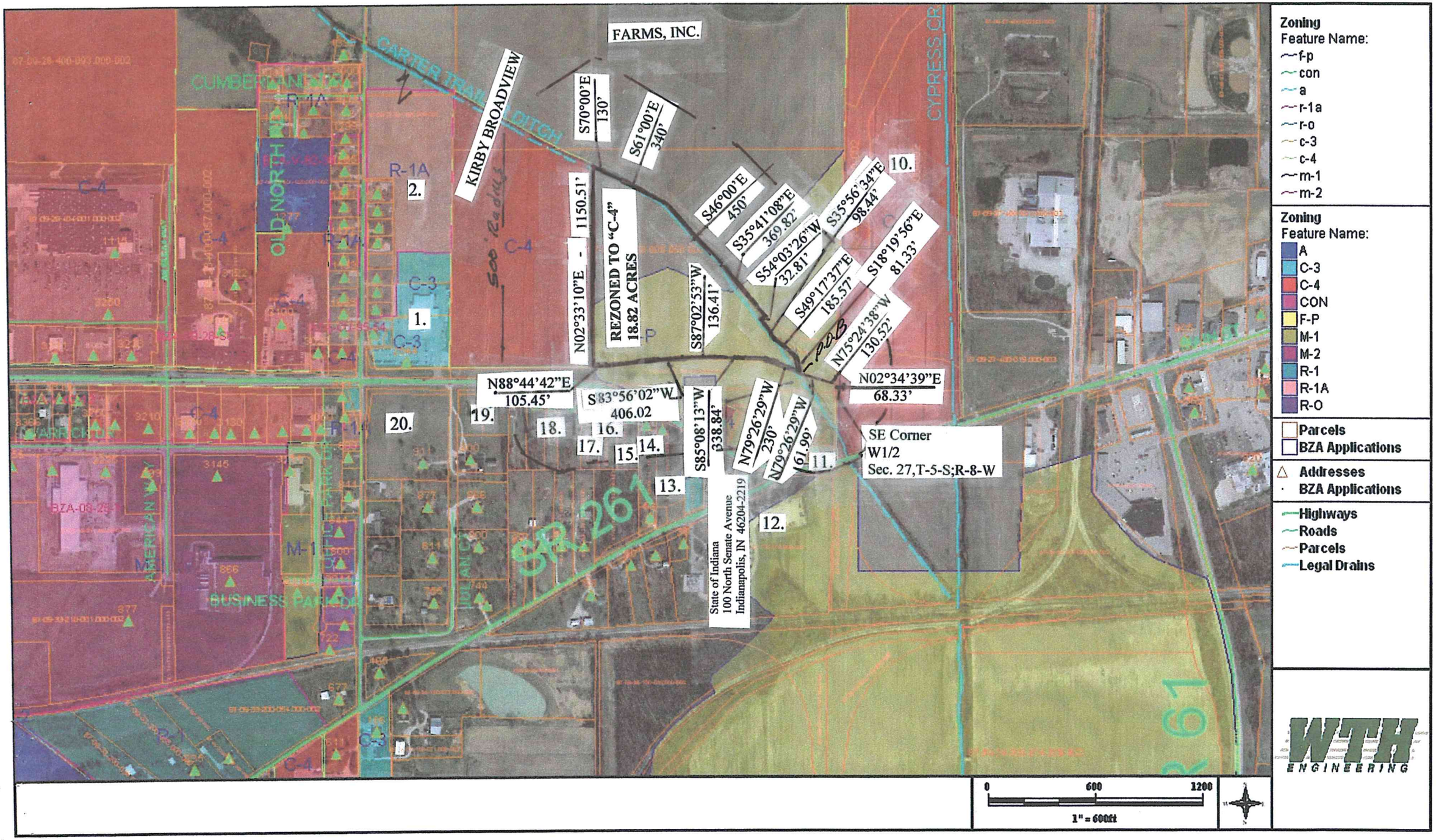
This letter will serve notice to you of scheduled hearing/s of a petition for Rezoning which has been filed with the Warrick County Area Plan Commission.

PREMISES AFFECTED: Property located on the North side of State Road 62 W Approximately 1280 feet – miles East of the intersection formed by Eskew Road and State Road 62 W. Boon Twp. Lot No. In Subdivision (if applicable).

AREA PLAN COMMISSION hearing to be held in the Commissioners Meeting Room, Third Floor, Courthouse, Boonville, Indiana. Hearing to be held at 6:00 P.M. on Monday, February 13, 2012.

Sincerely,

KIRBY BROADVIEW FARMS, Inc.
Applicant and/or Owner


FARMS, INC.
KIRBY BROADVIEW
CARTER TRAIL DITCH
CUMBERLAND
OLD NORTH
CYPRESS CR
S70°00'E 130'
S61°00'E 340'
S46°00'E 450'
S35°41'08"E 369.82'
S54°03'26"W 32.81'
S35°56'34"E 98.44'
S18°19'56"E 81.33'
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S83°56'02"W 406.02
S85°08'13"W 338.84'
N79°26'29"W 230'
N79°26'29"W 161.99'
SE Corner W1/2 Sec. 27,T-5-S;R-8-W
State of Indiana 100 North Senate Avenue Indianapolis, IN 46204-2219
SR 261
BUSINESS PARK DR
R-1A
C-4
C-3
M-1
1.
2.
10.
11.
12.
13.
14.
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20.
Zoning
Feature Name:
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a
r-1a
r-o
c-3
c-4
m-1
m-2
Zoning
Feature Name:
A
C-3
C-4
CON
F-P
M-1
M-2
R-1
R-1A
R-O
Parcels
BZA Applications
Addresses
BZA Applications
Highways
Roads
Parcels
Legal Drains
0
600
1200
1" = 600ft
WTH ENGINEERING

ADJACENT LANDOWNERS

1. 87-09-27-301-011.000-002
   LAW REALTY LLC
   2944 State Road 62 West
   Boonville, IN 47601

2. 87-09-27-301-002.000-002
   87-09-27-100-032.000-002
   Aigner Rentals, LLC
   802 West Main Street
   Boonville, IN 47601

10. 87-09-27-400-008.000-002
    Robert F. & Maria J. Stone, Trustee
    P.O.Box 561
    Boonville, IN 47601

11. 87-09-34-100-042.000-002
    Lorne D. Hart
    2522 W. State Road 62
    Boonville, IN 47601

12. 87-09-34-100-063.000-002
    Southern Indiana Gas & Electric
    ONE VECTREN SQUARE
    Evansville, IN 47708

13. 87-09-34-100-017.000-002
    Ronald W. Enlow
    2677 State Rd. 62 West
    Boonville, IN 47601

14. 87-09-34-100-014.000-002
    Kenneth W. Sitzman, etal
    2699 State Road 62 West
    Boonville, IN 47601

15. 87-09-34-100-008.000-002
    Eric L. Esarey
    2711 State Road 62 West
    Boonville, IN 47601

16. 87-09-34-100-007.000-002
    Jennifer & John Baker
    2733 W State Road 62
    Boonville, IN 47601

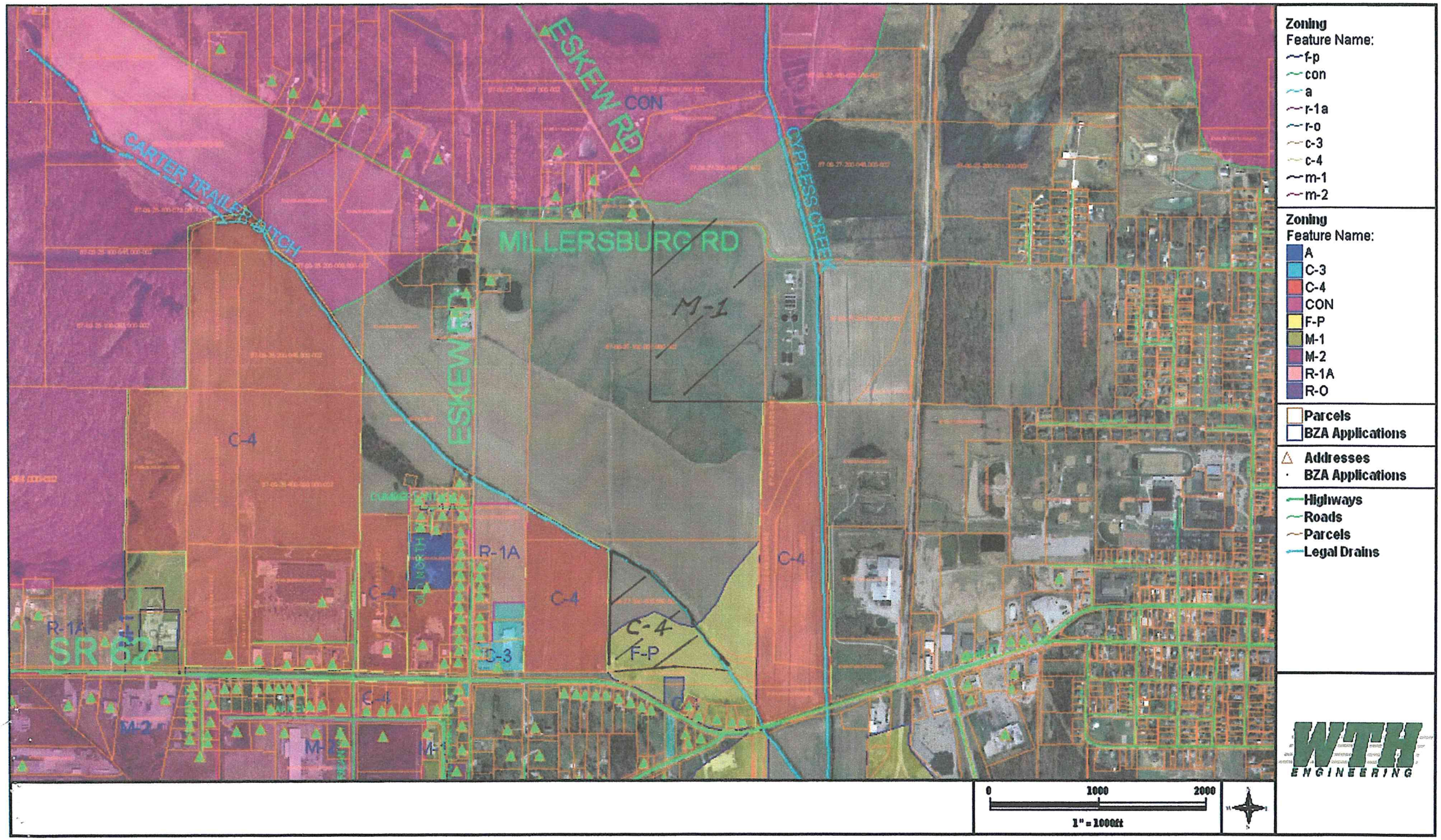
17. 87-09-34-100-006.000-002
    Larry A. & Cynthia A. Burns
    2755 W State Road 62
    Boonville, IN 47601

18. 87-09-34-100-093.000-002
    87-09-34-100-092.000-002
    87-09-34-200-092.000-002
    87-09-34-100-090.000-002
    Larry & Deborah L. Douthit
    1711 Old Plank Road
    Newburgh, IN 47630

19. 87-09-34-101-001.000-002
    87-09-34-101-002.000-002
    Roland G. & Ladonna Camp
    101 N. Third Street
    Boonville, IN 47601

20. 87-09-34-102-016.000-002
    Edward Campbell
    911 Julian Drive
    Boonville, IN 47601

21. 87-09-27-400-049.000-002
22. 87-09-34-200-026.000-002
23. 87-09-27-100-006.000-002
24. 87-09-27-300-050.000-002
25. 87-09-34-100-018.000-002
26. 87-09-34-100-087.000-002
27. 87-09-34-100-061.000-002
28. 87-09-34-100-021.000-002
29. 87-09-34-100-020.000-002
30. 87-09-34-100-019.000-002
31. 87-09-34-100-060.000-002
32. 87-09-34-100-025.000-002
33. 87-09-34-100-068.000-002
34. 87-09-34-100-046.000-002
35. 87-09-34-100-045.000-002
36. 87-09-27-100-006.000-002
37. 87-09-34-100-018.000-002
    State of Indiana
    100 North Senate Avenue
    Indianapolis, IN 46204-2219


ESKEW RD
CON
CARTER TRAILER DITCH
CYPRESS CREEK
MILLERSBURG RD
M-1
ESKEW RD
C-4
R-1A
C-4
C-4
C-4
F-P
C-3
R-1A
SR 62
M-2
M-2
M-1
Zoning
Feature Name:
f-p
con
a
r-1a
r-o
c-3
c-4
m-1
m-2
Zoning
Feature Name:
A
C-3
C-4
CON
F-P
M-1
M-2
R-1A
R-O
Parcels
BZA Applications
Addresses
BZA Applications
Highways
Roads
Parcels
Legal Drains
0
1000
2000
1" = 1000ft
WTH
ENGINEERING

COPY

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COPY

Tom Moshey
President

Don Williams
Member

Marli Weisheit
Member

BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

L B Dugan
County Auditor

3-12-12
Date Approved

I affirm under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

William Bivins
Signature

William Bivins
Printed Name

This document prepared by William Bivins.