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2013R-008624
YVONNE HUGHES
WARRICK COUNTY RECORDER
RECORDED AS PRESENTED ON
08/16/2013 10:20 AM
REC FEE: 0.00
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WARRICK COUNTY COMMISSIONERS ORDINANCE # CC-2013-23

PLAN COMMISSION DOCKET # PC-R-13-06

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 Northwest Quarter of Section 22, Township 6 South, Range 9 West, Ohio Township, Warrick County, Indiana, more particularly described as follows:

COMMENCING at a 2" round Warrick County Surveyors Disk found at the Northeast Corner of said Quarter Section; thence South 00° 00' 00" West, along the East line thereof, 330.0 feet to a mag-nail found at the POINT OF BEGINNING; thence South 00° 00' 00" West, along said East line, 182.0 feet to a mag-nail, found; thence North 89° 20' 02" West, along the North Right-of-Way of Nester Hill Road, 240.43 feet to a 5/8" iron pin, found; thence North 00° 18' 53" East - 181.68 feet to a 1" pipe, found; thence South 89° 24' 30" East - 239.42 feet to the POINT OF BEGINNING and containing 1.0015 acres, more or less.

SUBJECT TO a 40 foot Right-of-Way for Bell Road off the East side thereof and all recorded Easements and Rights-of-Ways.

which real estate is now zoned and classified as part of the "A" AGRICULTURE 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 AGRICULTURE District to said "R-1" One Family 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 All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.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.

President

Member

Member

BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

County Auditor

08-12-2013
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.

Bill Bivins
This document prepared by Bill Bivins.

X REF 2012R-000864

STAFF REPORT

DOCKET NUMBER: PC-R-13-06

RETURN RECEIPTS : Have received 4 back. Missing two, from Joyce R. Negley and Bob & Mary Etta Yancey. They were mailed June 14th.

LOCATION: Property located on the W side of Bell Rd. Approximately 0 ft N of the intersection formed by Bell Rd and Nester Hill Rd. Ohio 22-6-9. 3099 Bell Road.

PETITIONER & OWNER: Ray and Lisa Hall

REQUEST: To rezone 1.0 acres from "A" Agricultural Commercial zoning to "R-1" Single Family Dwelling zoning.

LOT SIZE: Minimum lot size is 6,000 sq. ft.

COMPREHENSIVE PLAN: Residential

EXISTING LAND USE: Single Family Dwelling.

SURROUNDING ZONING AND LAND USE: Property to the N and E are zoned Agricultural. Properties to the west and south are zoned "R-1A" One Family Dwelling zoning district.

GENERAL INFORMATION:

FLOOD ZONE: None.

TRAFFIC/STREET/ACCESS – There are two entrances, one off Bell Rd and another located off of Nester Hill Rd.

APPLICANT'S SUBMITTED/PRELIMINARY SITE PLAN:

STATED USE: Residential

COMPLIANCE: Allowed

COMMENTS/ADDITIONAL INFORMATION: The applicant is rezoning in order to subdivide the lot into 3 lots. The Agricultural Zoning has a minimum lot size of .5 acres with a minimum width of 100 ft. There is not enough land to do that on this lot. The minimum requirements with the "R-1" zoning are 6,000 sq. ft. with 60 ft minimum width, which would allow the applicant to subdivide his lot into 3 pieces.

Receipt No. 19050

PETITION

FOR CHANGE OF THE ZONING ORDINANCE MAPS

PC- R- 13-06

Petitioner: Ray Hall

Address: 3096 Nester Hill Road
Newburgh, IN 47630

Email Address:

Owner of Record: Ray & Lisa Hall

Address: SAME

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 (~~D.~~ (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 W side of Bell Road, a distance of 0 feet N (S. W. N. E.) of the corner formed by the intersection formed by Bell Road and Nester Hill Road

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: Mobile Home on Property To be Removed
(a.) Conforming: Yes
(b.) Pre-Existing ~ Non-Conforming:
(c.) Conditional Use:

6. Proposed Land Use: Residential

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

Date: June 8, 2013

Petitioner: [signature]

Owner: [signature]

Represented By: William Bivins

Phone: 858-9768

*** NOTICE OF PUBLIC HEARING ***

Date: LISA HALL PC-R- 13-06

Applicant: Ray G Hall Owner of Record: SAME

Address: 3096 Nester Hill Rd Address
Newburgh, IN
47630

Re: Petition for: Rezoning a 1.0 acre tract of land to R-1 to allow a 3 Lot Subdivision

Agriculture to R-1 Single Family Dwelling

Dear: Adjacent Land Owner

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 West side of Bell Road Approximately 0 feet – ~~miles~~ West of the intersection formed by Bell Road and Nester Hill Road. Ohio 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, July 8, 2013

Sincerely,

Ray G. Hall
Applicant and/or Owner

FILED
JUN 10 2013
WARRICK COUNTY
AREA PLAN COMMISSION

ACCU LAND SURVEYING
& ENGINEERING
10579 OAK GROVE ROAD
NEWBURGH, IN. 47630
PHONE: (812)858-9268 FAX: (812)858-9399
E-MAIL: ACCUJ@SPEEDEX.NET

ADJACENT LAND OWNERS:

1. **87-12-22-200-051.000-019**
JASON F. WHITE & JULIE K. GERHARDT
3076 BELL RD.
NEWBURGH, IN 47630

2. **87-12-22-200-202.000-019**
JASON F. WHITE & JULIE K. GERHARDT
3076 BELL RD.
NEWBURGH, IN 47630

3. **87-12-22-200-052.000-019**
JASON F. WHITE & JULIE K. GERHARDT
3076 BELL RD.
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4. **87-12-22-100-017.000-019**
BOB &MARY ETTA YANCEY TRUST
3088 NESTER HILL RD
NEWBURGH, IN 47630

5. **87-12-22-100-130.000-019**
RONALD & CATHY CRANICK
3100 NESTER HILL RD
NEWBURGH, IN 47630

6. **87-12-22-101-001.000-019**
KEN & ANGELIA HOLTZCLAW
3066 NESTER HILL RD
NEWBURGH, IN 47630

7. **87-12-22-100-009.000-019**
JOYCE R- NEGLEY REVOCABLE LIVING TRUST & LIFE ESTATE
8577 OAK GROVE RD
NEWBURGH IN 47630

8. **87-12-22-100-011.000-019**
LEE J FLENER,
3377 MONTGOMERY LN
NEWBURGH IN 47630

9. **87-12-22-101-002.000-019**
Ray Hall
3096 Nester Hill Road
Newburgh, IN 47630

FILED
JUN 10 2013
WARRICK COUNTY
AREA PLAN COMMISSION

NOTICE TO ADJOINING PROPERTY OWNERS AFFIDAVIT

STATE OF INDIANA)
) SS
COUNTY OF WARRICK)

DATE: _____

REZONING: _____

I, William Bivins, hereby affirm under the penalties of perjury that I have mailed letters containing required information about this Rezoning petition at (address) 3099 Bell Rd, to the following property owners on (date)_____. I hereby certify that to the best of my knowledge, the following (or attached) is a complete and accurate list of all abutting property owners whose properties touch at any point the owner's property, included in whole or in part in the petition for _____ stated above. I obtained said list by looking up the Real Estate Transfer Cards of the abutting property owners on the records in the office of the Auditor and their most recent mailing addresses as listed on records in the office of the Auditor of Warrick County on (Date) June 6, 2013

Letters were sent to: SEE ATTACHED

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

NAME: _____ ADDRESS: _____

The letters were sent CERTIFIED MAIL, RETURN RECEIPT SERVICE. The green receipts are attached.

Affiant's signature (Petitioner's, Attorney, or Representative)

Subscribed and sworn to before me, a Notary Public in and for said County and State this _____ Day of _____, 20____.

_____
(Notary Public)

My Commission Expires: 9/10/2014

Residence of Notary: Warrick County, Indiana.

NOTE: THIS AFFIDAVIT **MUST BE FILED** IN THE OFFICE OF **THE AREA PLAN COMMISSION** BY **NOON** OF THE **THURSDAY** BEFORE **THE AREA PLAN COMMISSION MEETING.**

LEGAL DESCRIPTION

Part of the Northwest Quarter of Section 22, Township 6 South, Range 9 West, Ohio Township, Warrick County, Indiana, more particularly described as follows:

COMMENCING at a 2" round Warrick County Surveyors Disk found at the Northeast Corner of said Quarter Section; thence South 00° 00' 00" West, along the East line thereof, 330.0 feet to a mag-nail found at the POINT OF BEGINNING; thence Soouth 00° 00' 00" West, along said East line, 182.0 feet to a mag-nail, found; thence North 89° 20' 02" West, along the North Right-of-Way of Nester Hill Road, 240.43 feet to a 5/8" iron pin, found; thence North 00° 18' 53" East - 181.68 feet to a 1" pipe, found; thence South 89° 24' 30" East - 239.42 feet to the POINT OF BEGINNING and containing 1.0015 acres, more or less.

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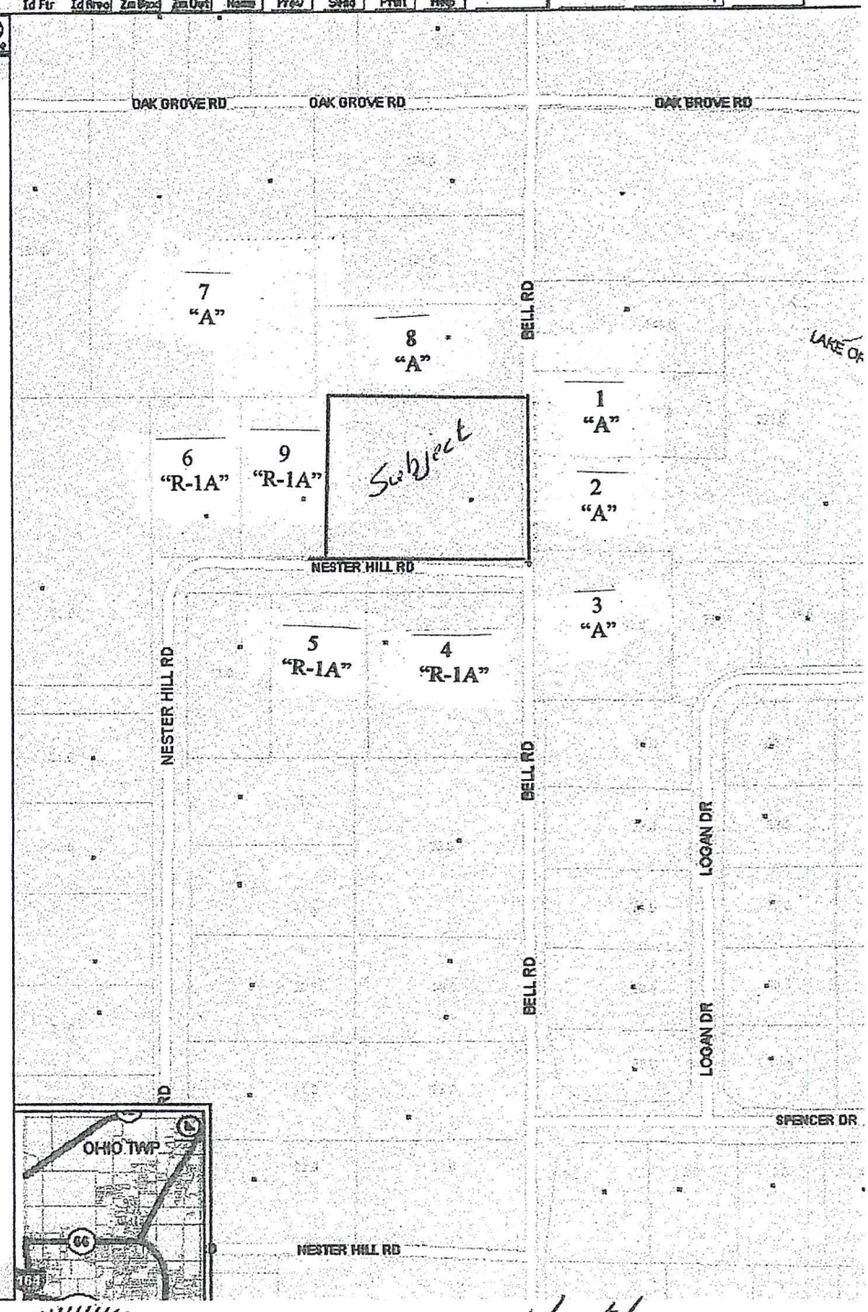
THINK GIS login Search For... Id Ftr Id Rec Zm Box Zm Out Name Prev Send Print Help Layers Index Parcel Tools Tools

Prev Next Clear Close

General | Payments | Bills | Deductions | Assessments

Owner and General Parcel Information

Property Card	Show Property Card
Tax History Data	Show Tax History
Sketches	Show Sketches(1)
Owner Name	HALL, RAY G & LISA
State Parcel Number	87-12-22-100-015.000-019
Parcel Number	87-12-22-100-015.000-019
Map Number	060-2269-0150
Legal Description	PT S 1/2 NE NW PT N 1/2 NE NW S22 T6 R9. 1 A.
Acreage	1
Instrument Number	
Book Number	2012R-
Page Number	000864
Location Address	3099 BELL RD NEWBURGH,IN 47630
Owner Address	3096 NESTER HILLS RD NEWBURGH,IN 47630
Note	Name: Paul M & Earlene Watson Homestead credit refund amount: $14.99



WILLIAM Y. BIVINS
REGISTERED
No. LS-809[illegible]
STATE OF
INDIANA
LAND SURVEYOR

6/07/2013

North

NOT TO SCALE

ACCU LAND SURVEYING
& ENGINEERING
10579 OAK GROVE ROAD
NEWBURGH, IN. 47630
PHONE: (812)858-9268 FAX: (812)858-9399
E-MAIL: ACCUJ@SPEEDEX.NET

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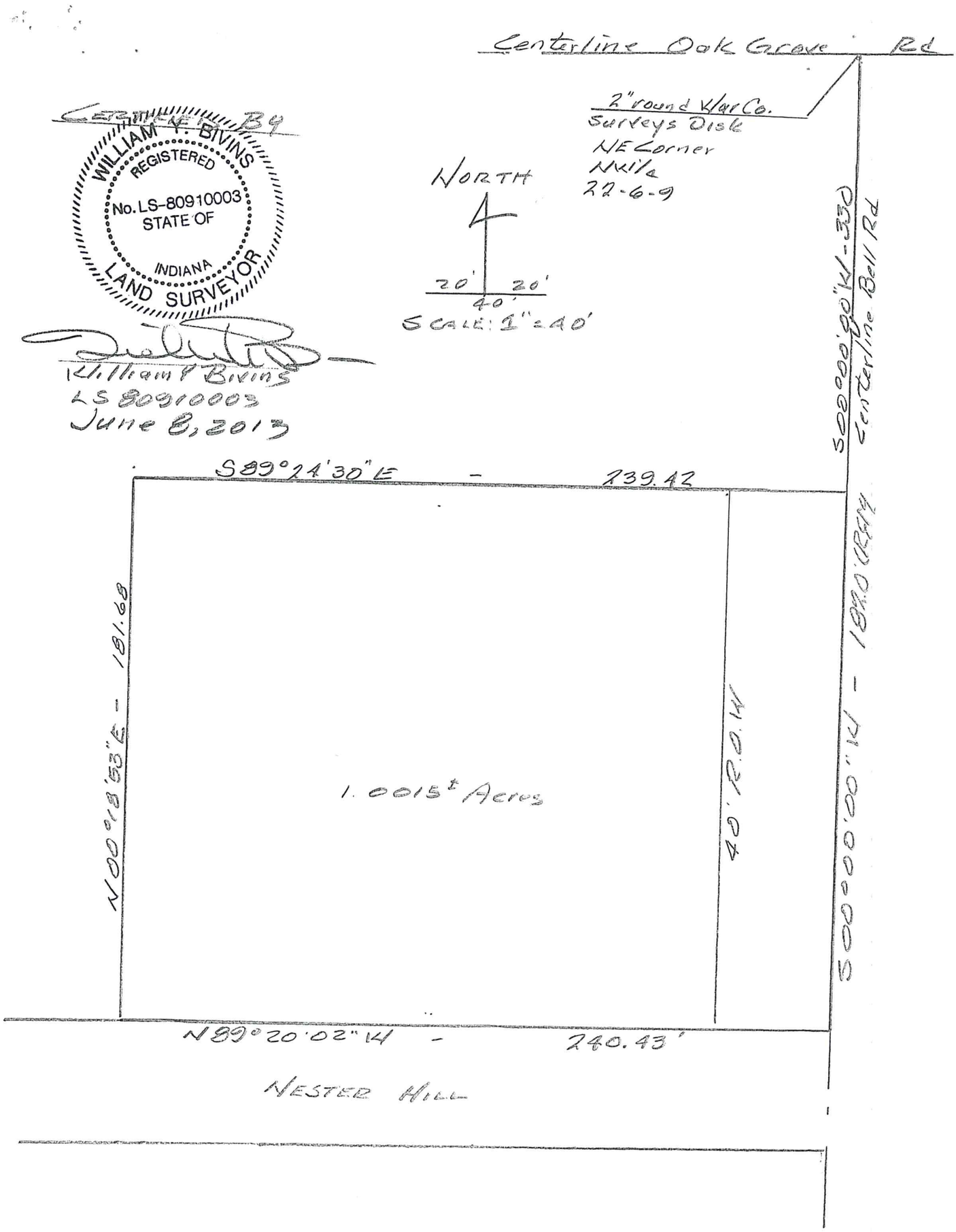
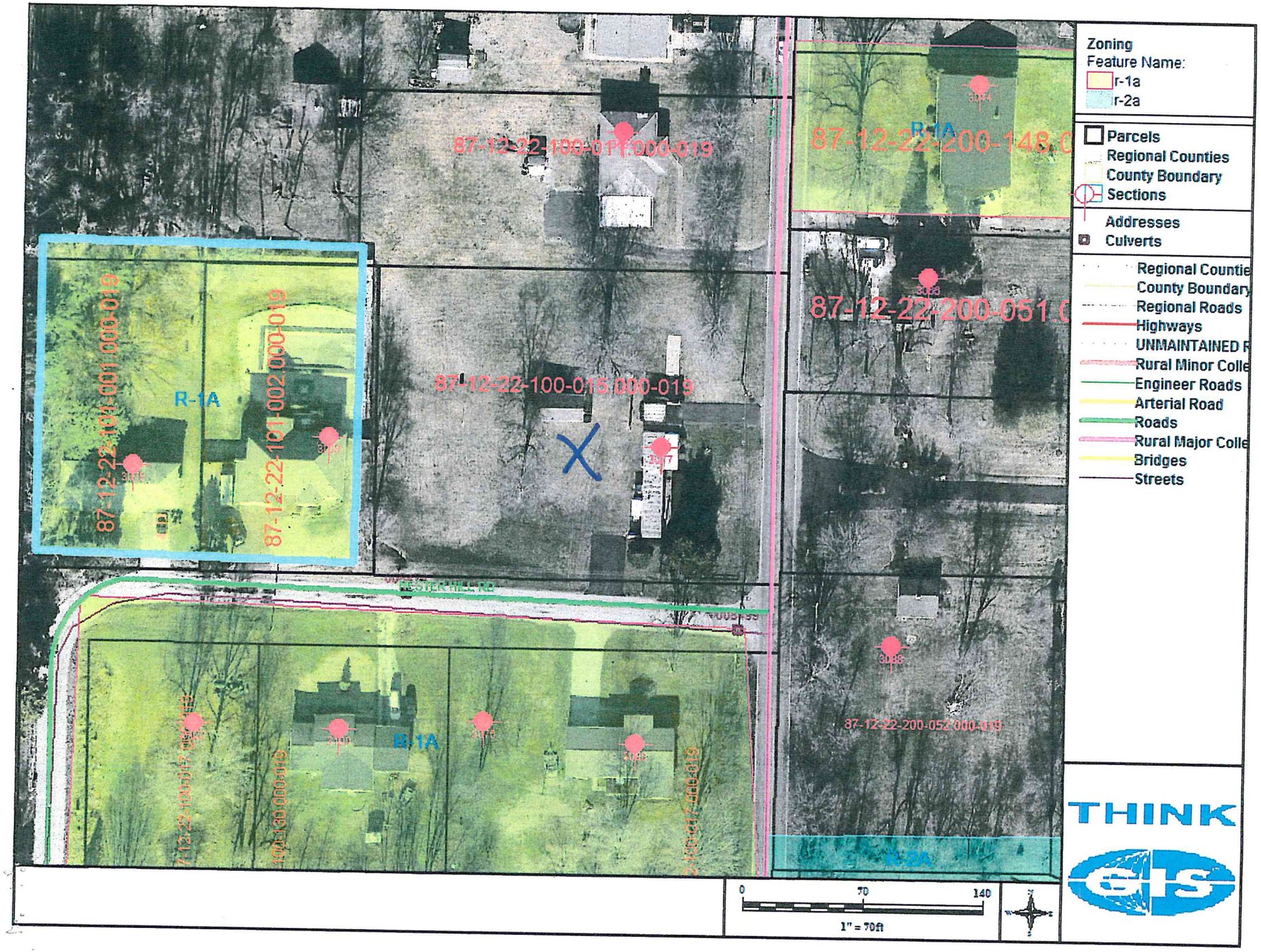


CERTIFIED BY
WILLIAM Y. BIVINS
REGISTERED
No. LS-80910003
STATE OF
INDIANA
LAND SURVEYOR

William Y Bivins
LS 80910003
June 8, 2013

SCALE: 1" = 20'
40' R.O.W.
S00°00'00S
40.00'
P.O.B.
APPROX.

3077 Bell Road.