

WARRICK COUNTY COMMISSIONERS ORDINANCE # CC-2016-02

PLAN COMMISSIONER DOCKET # PC-R-16-01

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 C-1, as shown on said Warrick County Zoning District Maps, be amended as to the following described real estate:

Part of Lot 1 and Lot 5 in Block 1 in Crest-View Terrace Subdivision, a Subdivision of part of the Northwest Quarter of the Southwest Quarter of Section 35, Township 6 South, Range 9 West, according to the recorded plat thereof as recorded in Plat Book 3, page 146 and revised plat in Plat Book 4, page 49 in the Office of the Recorder of Warrick County, Indiana, more particularly described as follows: COMMENCING at the Northwest Corner of said Lot 1; thence South 82° 35' 35" East, along the North line thereof, 11.63 feet to the POINT OF BEGINNING; thence South 82° 35' 35" East, along said North line, 96.365 feet to the Northeast Corner of said Lot 1, common with the Northwest Corner of said Lot 5; thence South 82° 35' 35" East, along the North line of said Lot 5, 43.205 feet; thence South 74° 00' 16" East, along said North line, 63.75 feet to the Northeast Corner of said Lot 5; thence South 00° 25' 07" West, along the East line thereof, 186.35 feet to the Southeast Corner of said Lot 5; thence North 74° 31' 53" West, along the South line thereof, 108.0 feet to the Southwest Corner of said Lot 5 common with the Southeast Corner of said Lot 1; thence North 74° 31' 53" West, along the West line thereof, 70.23 feet; thence North 44° 26' 19" West - 39.09 feet; thence North 00° 18' 47" East - 146.45 feet to the POINT OF BEGINNING and containing 0.8185 acres, more or less

which real estate is now zoned and classified as part of the C-1 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 C-1 District to said C-3 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 All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.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.

Section 4. The subject property herein rezoned shall be used and developed only in accordance with the use and development commitment which is attached hereto and incorporated herein and no improvement location permits shall be issued until the petitioner records said use and development commitment in the office of the Recorder of Warrick County, Indiana.

Don White
President

Paul A. DeW
Member

Marie Winkler
Member

BOARD OF COMMISSIONERS
WARRICK COUNTY, INDIANA

ATTEST:

General K. Brown
County Auditor

2/8/16
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.

Nicole M. Taylor
Signature

Nicole M. Taylor
Printed Name

This document prepared by Nicole M. Taylor

USE AND DEVELOPMENT COMMITMENT

WHEREAS the Undersigned, Richard & Nicole Taylor Petitioner, is the owner of certain real estate situated in the County of Warrick, Indiana, commonly described as 9988 SR 662 W Newburgh IN, which real estate is more particularly described as follows, to wit:

Part of Lot 1 and Lot 5 in Block 1 in Crest-View Terrace Subdivision, a Subdivision of part of the Northwest Quarter of the Southwest Quarter of Section 35, Township 6 South, Range 9 West, according to the recorded plat thereof as recorded in Plat Book 3, page 146 and revised plat in Plat Book 4, page 49 in the Office of the Recorder of Warrick County, Indiana, more particularly described as follows: COMMENCING at the Northwest Corner of said Lot 1; thence South 82° 35' 35" East, along the North line thereof, 11.63 feet to the POINT OF BEGINNING; thence South 82° 35' 35" East, along said North line, 96.365 feet to the Northeast Corner of said Lot 1, common with the Northwest Corner of said Lot 5; thence South 82° 35' 35" East, along the North line of said Lot 5, 43.205 feet; thence South 74° 00' 16" East, along said North line, 63.75 feet to the Northeast Corner of said Lot 5; thence South 00° 25' 07" West, along the East line thereof, 186.35 feet to the Southeast Corner of said Lot 5; thence North 74° 31' 53" West, along the South line thereof, 108.0 feet to the Southwest Corner of said Lot 5 common with the Southeast Corner of said Lot 1; thence North 74° 31' 53" West, along the West line thereof, 70.23 feet; thence North 44° 26' 19" West - 39.09 feet; thence North 00° 18' 47" East - 146.45 feet to the POINT OF BEGINNING and containing 0.8185 acres, more or less

WHEREAS, as the real estate is currently classified as a C-1 Zoning district under the Warrick County Zoning Code and is so indicated on the zoning maps maintained by the staff of the Warrick County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district C-3; and

WHEREAS, Petitioner is desirous of accommodating the concerns of the surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-613;

NOW, THEREFORE, in consideration of the foregoing, petitioner makes the following use and development commitment:

1. Use of the Real Estate shall be limited to the following uses:
Open air lot for community to rent spots to sell their own auto/motorized Vehicle, recreational vehicle, or trailer. ~ To be limited to no more than 10 Vehicles at any given time. *Amended 1/11/16*
Firewood sales ready for use
Produce stand
2. Use of the Real Estate shall be limited to the following development requirements:
3. All commitments and undertakings herein expressed shall be binding on the petitioners and the petitioners' heirs, legal representative, successors and assigns, and shall run in the favor of the Area Plan Commission of Warrick County and all the owners of real estate lying within the radius of one (1) mile from the real estate described and shall be enforced by invoking any legal, equitable or special remedy, including specific performance, injunction

USE AND DEVELOPMENT COMMITMENT

WHEREAS the Undersigned, Richard + Nicole Taylor Petitioner, is the owner of certain real estate situated in the County of Warrick, Indiana, commonly described as 9988 Se 162 W. Newburgh, IN, which real estate is more particularly described as follows, to wit:

Part of Lot 1 and Lot 5 in Block 1 in Crest-View Terrace Subdivision, a Subdivision of part of the Northwest Quarter of the Southwest Quarter of Section 35, Township 6 South, Range 9 West, according to the recorded plat thereof as recorded in Plat Book 3, page 146 and revised plat in Plat Book 4, page 49 in the Office of the Recorder of Warrick County, Indiana, more particularly described as follows: COMMENCING at the Northwest Corner of said Lot 1; thence South 82° 35' 35" East, along the North line thereof, 11.63 feet to the POINT OF BEGINNING; thence South 82° 35' 35" East, along said North line, 96.365 feet to the Northeast Corner of said Lot 1, common with the Northwest Corner of said Lot 5; thence South 82° 35' 35" East, along the North line of said Lot 5, 43.205 feet; thence South 74° 00' 16" East, along said North line, 63.75 feet to the Northeast Corner of said Lot 5; thence South 00° 25' 07" West, along the East line thereof, 186.35 feet to the Southeast Corner of said Lot 5; thence North 74° 31' 53" West, along the South line thereof, 108.0 feet to the Southwest Corner of said Lot 5 common with the Southeast Corner of said Lot 1; thence North 74° 31' 53" West, along the West line thereof, 70.23 feet; thence North 44° 26' 19" West - 39.09 feet; thence North 00° 18' 47" East - 146.45 feet to the POINT OF BEGINNING and containing 0.8185 acres, more or less

WHEREAS, as the real estate is currently classified as a G-1 Zoning district under the Warrick County Zoning Code and is so indicated on the zoning maps maintained by the staff of the Warrick County Area Plan Commission; and

WHEREAS, Petitioner has requested that the Real Estate be reclassified to zoning district G-3; and

WHEREAS, Petitioner is desirous of accommodating the concerns of the surrounding property owners by making a written commitment concerning the use and development of the Real Estate pursuant to I.C. 36-7-4-613;

NOW, THEREFORE, in consideration of the foregoing, petitioner makes the following use and development commitment:

1. Use of the Real Estate shall be limited to the following uses:

Open air lot for community to rent spots to sell their own auto/motorized vehicle, recreational vehicle, or trailer
Firewood sales ready for use
Produce stand

2. Use of the Real Estate shall be limited to the following development requirements:

3. All commitments and undertakings herein expressed shall be binding on the petitioners and the petitioners' heirs, legal representative, successors and assigns, and shall run in the favor of the Area Plan Commission of Warrick County and all the owners of real estate lying within the radius of one (1) mile from the real estate described and shall be enforced by invoking any legal, equitable or special remedy, including specific performance, injunction

