

ORDINANCE NO. 2023 - _____

AN ORDINANCE OF THE COUNTY OF TIPTON, INDIANA PROVIDING THAT
THE ZONING ORDINANCE OF THE COUNTY OF TIPTON, INDIANA BE
AMENDED BY CHANGING AN ESTABLISHED ZONE TO ZONE
CLASSIFICATION B-4

WHEREAS, THE TIPTON COUNTY PLAN COMMISSION by a 7 - 0 majority vote gave a favorable recommendation that its Petition CO-Z-07-23 be adopted and that the Board of County Commissioners rezone this property.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Tipton County, Indiana that:

SECTION 1. The County Zoning Ordinance No. 2008-12 as amended and readopted as amended and entitled "Tipton County Zoning Ordinance" (the "Zoning Ordinance"), and particularly the zone maps which are made a part of said Ordinance No 2008-12, be and the same is hereby amended making certain changes as follows:

By changing the following described real estate (the "**Real Estate**") on the zone maps from its established **AG-Agricultural classification to B-4 General Business District classification:**

A part of the Southeast Quarter of Section 16, Township 22 North, Range 5 East, Wildcat Civil Township, Tipton County, Indiana, also being part of a tract of land conveyed to Stephen L. and Jody R. Perce by Documents 20000377 and 20000378, and more particularly described as follows:

Beginning at the East Quarter corner of said Section 16, being marked by an INDOT Type C monument; thence South 89 degrees 39 minutes 23 seconds West (being the basis of all bearings this description), on and along the North line of said Southeast Quarter, a distance of 39.42 feet to the West Right-of-way line of State Road 213, also being the Northeast corner of a tract of land conveyed to Jeffery A. Griffin by Document 20120109, being marked by a mag spike with an identification disk stamped "T-E INC FIRM ID #0070; thence South 00 degrees 31 minutes 11 seconds West, on and along said West Right-of-way line of State Road 213 and the East line of the Griffin tract, a distance of 66.00 feet to the Southeast corner of said Griffin tract; thence South 89 degrees 39 minutes 23 seconds West, on and along the South line of said Griffin tract, a distance of 290.58 feet to the Southwest corner of said Griffin tract; thence North 00 degrees 27 minutes 21 seconds East, on and along the West line of said Griffin tract, a distance of 66.00 feet to said North line of the Southeast Quarter, also being the Northwest corner of said Griffin tract; thence South 89 degrees 39 minutes 23 seconds West, on and along said North line of the Southeast Quarter, a distance of 47.61 feet to the Southwest corner of DeWitt's Green Acre's Plat, as recorded in Plat Book 2, page 116; thence South 00 degrees 36 minutes 35 seconds West, on and along an extension of the West line of said DeWitt's Green Acre's Plat, a distance of 300.99 feet to the centerline of the Round Prairie Ditch; thence South 89 degrees 13 minutes 33 seconds East, on and along said centerline of the

Round Prairie Ditch, a distance of 378.80 feet to said East line of the Southeast Quarter, being marked by a mag spike with an identification disk stamped "T-E INC FIRM ID #0070; thence North 00 degrees 23 minutes 39 seconds East, on and along said East line of the Southeast Quarter, a distance of 308.36 feet to the Point of Beginning, containing 2.205 acres, more or less.

SECTION 2. The Board of Commissioners now finds that the above zone change will not be injurious to the public health, safety, morals and general welfare of the community and the use or value of the area adjacent to the property included in this Ordinance will not be affected in a substantially adverse manner and the need for the change in zoning herein arises from a condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood. The Board of Commissioners further finds that the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property herein if this rezoning were not granted and this rezoning does not interfere substantially with the comprehensive plan.

SECTION 3. The Executive Director or his/her designee is hereby authorized and directed upon the enactment and approval of this Ordinance, to cause a change to be made on the zone maps, to make certain notations in ink thereof and to record the date of passage of this Ordinance.

This Ordinance shall be in full force and effective upon passage by the Board of County Commissioners of the County of Tipton, Indiana and its publications as provided by law.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____ 2023.

TIPTON COUNTY BOARD OF COMMISSIONERS

Dennis Henderson, President

Nancy Cline, member

ATTEST:

Tracey Powell, Member

Gregg A. Townsend, Tipton County Auditor

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. Mark R. Regnier.

Prepared by Steve Niblick, Tipton Plan Department Executive Director

Reviewed by Mark Regnier, Attorney for the Tipton County Board of Commissioners