

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 5-2013

**AN ORDINANCE APPROVING AN AMENDMENT TO THE CLARK  
COUNTY ZONING MAP ON RECOMMENDATION BY THE CLARK  
COUNTY PLAN COMMISSION.**

*[See attached text of Ordinance]*

**ACTION TAKEN BY BOARD OF COMMISSIONERS  
OF CLARK COUNTY, INDIANA**

This matter having come before the Board of Commissioners of Clark County, Indiana (County Commissioners) on May 23, 2013, on the petition of Hawthorn Glen, LLC. to reclassify the real estate described in Exhibit A from a Plan Unit Development (PUD) to a Revised Plan Unit Development (PUD); and the Plan Commission has adopted the foregoing resolution in which it makes its recommendations to the County Commissioner and the County Commissioners having read the recommendation, having reviewed all available evidence, having considered the county's comprehensive plan, having balanced the competing interests of those in the area affected, if any, now, therefore, determines as follows:

The real estate described in Exhibit A should be reclassified on the zoning maps from Plan Unit Development (PUD) to Revised Plan Unit Development (PUD).

The real estate described in Exhibit A SHOULD NOT be reclassified on the zoning maps.

Dated this 23<sup>rd</sup> day of May, 2013.

Board of Commissioners of  
Clark County, Indiana

  
\_\_\_\_\_  
Jack Coffman, President

  
\_\_\_\_\_  
Rick Stephenson, Commissioner

  
\_\_\_\_\_  
John Perkins, Commissioner

ATTEST:

  
\_\_\_\_\_  
Monty Snelling, Clark County Auditor

BY THE CLARK COUNTY  
PLAN COMMISSION

RESOLUTION 4 -2013

**WHEREAS**, the Clark County Plan Commission (Plan Commission) met on May 8, 2013, and heard the petition of Hawthorn Glen, LLC. asking that the property know by its street address as Covington Drive and Hartford Lane, Charlestown, Indiana, be reclassified from Plan Unit Development (PUD) to a Revised Plan Unit Development (PUD); and

**WHEREAS**, the real estate for which the rezoning is being requested is more particularly described in Exhibit A and Exhibit 1, attached herewith and made a part hereof; and

**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:

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; and
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting.
3. The Plan Commission recommends to the Board of Commissioners of Clark County as follows:

(Check One)

The real estate described in Exhibit A should be reclassified from a Plan Unit Development (PUD) to a Revised Plan Unit Development (PUD).

The real estate described in Exhibit A should NOT be reclassified from \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_ The Plan Commission was unable to reach consensus as required by law, and therefore sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMENDATION.

Dated this 10th day of May, 2013.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on May 8, 2013.

\_\_\_\_\_  
President or Acting President

ATTEST:

*Ramona Bagshaw*  
Secretary or Executive Director *a/s.*

## EXHIBIT A

### Hawthorn Glen PUD 6 & 7

A part of Survey #113 of the Illinois Grant, Charlestown Township, Clark County, Indiana, more particularly described as follows:

Beginning at the South corner of Lot #218 of Hawthorn Glen, Section Five; thence along the South lines of said Hawthorn Glen, Section Five as follows:

thence North  $81^{\circ} 30' 00''$  East a distance of 261.45 feet; thence along a non-tangent curve concave easterly (said curve having a radius of 215.00 feet, a chord bearing North  $3^{\circ} 11' 59''$  West, and a chord length of 17.41 feet) a distance of 17.41 feet; thence North  $87^{\circ} 00' 00''$  East 156.80 feet; thence South  $11^{\circ} 00' 00''$  East 79.48 feet; thence South  $84^{\circ} 30' 00''$  East 85.96 feet; thence South  $27^{\circ} 30' 00''$  East 123.28 feet; thence South  $19^{\circ} 00' 57''$  East 50.45 feet; thence South  $52^{\circ} 45' 13''$  East 187.04 feet; thence South  $44^{\circ} 51' 38''$  East 98.47 feet; thence South  $54^{\circ} 00' 00''$  West 182.51 feet; thence along a non-tangent curve concave southwesterly (said curve having a radius of 325.00 feet, a chord bearing South  $28^{\circ} 00' 54''$  East, and a chord length of 27.26 feet) a distance of 27.26 feet; thence along a tangent curve to the left (said curve having a radius of 185.00 feet, a chord bearing South  $28^{\circ} 22' 09''$  East, and a chord length of 17.80 feet) a distance of 17.80 feet; thence South  $58^{\circ} 52' 22''$  West 50.00 feet; thence South  $53^{\circ} 00' 00''$  West 128.66 feet; thence North  $41^{\circ} 07' 34''$  West 812.96 feet to the point of beginning, containing 5.612 Acres, more or less.

**EXHIBIT #1**

**HAWTHORN GLEN**

**REVISED PUD**

**SECTIONS #6 and #7**

**Hawthorn Glen, Revised PUD, is being filed to alter the configuration of the building lines, setback lines and sidewalks of the original Hawthorn Glen PUD.**

**The building setback lines and sidewalks will be platted according to the County Subdivision Control ordinance and there will be one less building lot.**

**The results of these changes will allow for larger building lots and a more uniform flow of the development in these sections.**

**The existing code of by-laws, covenants and restrictions shall not change with the Revised PUD of Hawthorn Glen.**

Name Hawthorn Glen

Petition No. 4-2013

The Clark County Plan Commission does hereby recommend approval denial or no recommendation of said petition on this 8 day of May, 2013, by a 7-0 vote.

MEMBER	APPROVED	DENIED	NO	ABSTAIN
			RECOMMENDATION	

David Hynes ✓ \_\_\_\_\_  
 David Hynes, County Ag Agent

ABSENT  
 John Uhl \_\_\_\_\_

Resigned  
 Jeff Stamper \_\_\_\_\_

Paul E. Coffman ✓ \_\_\_\_\_  
 Paul Coffman

Susan Popp ✓ \_\_\_\_\_  
~~Brian Benfert~~, County Council  
 SUSAN POPP

David Blankenbeker ✓ \_\_\_\_\_  
 David Blankenbeker, County Surveyor

Jack Coffman ✓ \_\_\_\_\_  
 Jack Coffman, Co. Commissioner

Michael Killen ✓ \_\_\_\_\_  
 Michael Killen

Rick Wardlaw ✓ \_\_\_\_\_  
 Rick Wardlaw