

ORDINANCE NO. 23-02-28-002


AN ORDINANCE AMENDING, AND TO AMEND
THE ZONING ORDINANCE OF KOSCIUSKO
COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF KOSCIUSKO
COUNTY, INDIANA:

ARTICLE 1.

Section 1. That the Kosciusko County Zoning Ordinance heretofore passed and adopted by the Board of Commissioners of Kosciusko County, Indiana, and recorded under Miscellaneous Record 53, Page 130 be and the same is hereby amended in the particulars hereinafter set forth.

Section 2. That certain tract of land situated in Kosciusko County, Indiana, now lying without the corporate limits of any non-participating City or Town and under the jurisdiction of the Kosciusko County Area Plan Commission, as a part of the Comprehensive Plan for Kosciusko County, Indiana; to-wit:

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02/28/2023 11:45:46A 8 PGS
Deborah A Wright
Kosciusko County Recorder IN
Recorded as Presented


"SEE ATTACHED"

be, and the same is hereby, removed from classification as an Agricultural and subject real estate shall be reclassified and rezoned as Agricultural 2 within the limitations, definitions and description of the Kosciusko County Zoning Ordinance.

Section 3. That the Ordinance Administrator, pursuant to said Zoning Ordinance be, and he is hereby authorized to issue Location Improvement Permits and Certificates of Occupancy with reference to the construction and improvements upon said described real estate so long as applications therefore comply with the Kosciusko County Zoning Ordinance and upon compliance with all applicable rules and regulations of the State of Indiana and local authorities, as the same may be applicable to the construction of streets, parking facilities, storm sewers, drains, sidewalks and sewer and water facilities.

ARTICLE 2.

DESCRIPTION

Part of the Southeast Quarter of Section 29, Township 32 North, Range 7 East, Kosciusko County, Indiana (This description prepared by Kevin R. Michel, LS80870006, as part of original survey Plat of Colin Craig Subdivision completed by J.K. Walker and Associates, P.C., dated December 30, 2022), being more particularly described as follows, to wit:

Commencing at a railroad spike found at the Southeast corner of said Southeast Quarter; thence N00°-24'-34"E (GPS Grid bearing and used as the basis of bearings for this description), on and along the East line of said Southeast Quarter, a distance of 1228.00 feet to a Mag nail at the POINT OF BEGINNING; thence continuing N00°-24'-34"E, on and along said East line, being within the right-of-way of County Road 600E, a distance of 50.00 feet to the Southeast corner of a certain 0.43 acre tract of land as recorded in Document Number 200500007802 in the records of Kosciusko County, Indiana, said corner being situated 0.4 feet East of a P.K. nail found; thence S89°-46'-35"W, on and along the South line of said 0.43 acre tract of land and the Westerly projection thereof, and on and along an existing line fence, a distance of 913.06 feet to a rail iron post found; thence N00°-05'-45"W, on and along an existing line fence, a distance of 144.22 feet to a rail iron post found; thence N88°-23'-32"W, on and along an existing line fence, a distance of 649.64 feet to a rail iron post found; thence S01°-01'-14"E, on and along an existing line fence, a distance of 161.30 feet to a rail iron post found; thence S89°-52'-06"E, on and along an existing line fence, a distance of 596.75 feet to a 5/8-inch iron pin capped "Walker"; thence S00°-05'-45"E, a distance of 50.00 feet to a 5/8-inch iron pin capped "Walker"; thence N89°-46'-35"E, a distance of 962.62 feet to the point of beginning, containing 3.38 acres of land, more or less, subject to legal right-of-way for County Road 600E, subject to all legal drain easements and all other easements of record.

For: Colin Craig Subdivision

FORM 0111

Circ#Z-2023-3

Date Applied 01/09/2023

Request for Zoning Ordinance Amendment
Kosciusko County Area Plan Commission

Name of Applicant JAMES & SHEILA CRAIG Applicant Phone # 000-000-0000

Mailing Address 2719 S 600 E PIERCETON, IN 46562

Name of Agent STEVE SNYDER Agent Phone # 574-457-3300

Property Owner Name Craig James & Sheila Farm Trust | James A & Sheila K Craig Co Trustees

Property Owner Address Craig James & Sheila Farm Trust | James A & Sheila K Craig Co Trustees | 2719 S 600 E

I We Do Hereby Petition Your Honorable Body to Amend the Zoning of A/An Parcel Currently Zoned Agricultural
District to A/An Agricultural 2 District The Property Described as Follows, and Shown on the Map Attached
Hereto, Which By Reference is Made A Part of this Petition.

Primary Key Number 009-116-001.G Township Washington

Additional Key Numbers

Property Location 2719 S 600 E

Property is Situated on the South side of PIERCETON and 0 feet West of 600 E

The Proposed Use of the Property is Agricultural 2 as defined by the Kosciusko County Zoning Ordinance.

"I/We do hereby certify that as the undersigned I am/we are the owner(s) of Fifty Percent of More or the Property Described in the Petition "

Owner Name

Owner 1 JAMES CRAIG

Owner 2 SHEILA CRAIG

Owner 3

Owner 4:

Signature

James A. Craig
Sheila Craig

Additional Owners (if needed):

Date 01/09/2023 Signature of Party Picking up Paperwork Steve Snyder

AT

Filing Fee \$300.00 Owes | 1

AFFIDAVIT

Kosciusko County)
State of Indiana) SS:

Personally appeared before me, a notary public and for said county and state, the undersigned **Jessica Rodriguez**, who being duly sworn says age and is comptroller of the

Notice of Public Hearing

Notice is hereby given, That The Kosciusko County Area Plan Commission Shall Hold A Public Hearing On A Petition Filed by JAMES & SHEILA CRAIG Requesting An Amendment To the Kosciusko County Zoning Ordinance, To Reclassify From an: Agricultural District to an Agricultural 2 District The Following Real Estate, located on 2719 S 600 E Key#: 009-116-001.G 009-116-001.G 1 PT SE 29-32-7 124.51A Washington

And Described As Follows on the 2nd page, To wit:

DESCRIPTION: Part of the Southeast Quarter of Section 29, Township 32 North, Range 7 East, Kosciusko County, Indiana (This description prepared by Kevin R. Michel, LS80870006, as part of original survey Plat of Colin Craig Subdivision completed by J.K. Walker and Associates, P.C., dated December 30, 2022), being more particularly described as follows, to wit:

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For: Colin Craig Subdivision

This Change is Requested To Permit the Above Described Real Estate to Be Used For The Purpose of Agricultural 2 Uses as defined in the Kosciusko County Zoning Ordinance.

This Hearing Will Be Held in the: Commissioner's Meeting Room, County Court House 100 W Center St., Warsaw On 02/01/2023 At 1:00 PM.

All Interested Persons Are Invited To Attend To Be Heard. Written Comments Will Be Considered If They Are Received In The Office Of The Kosciusko County Planning Department, Court House, Warsaw, Indiana, No Later Than 12:00 Noon On The Day Of The Hearing.

Kosciusko County Area Plan
Matthew Sandy, Director

1-21,28 hspaxlp

WARSAW TIMES-UNION

I for at least five (5) consecutive years has been Warsaw, county of Kosciusko, State of Indiana, and as been a newspaper of general circulation, having ion, printed in the English language and entered, by the post office department of the United States atter of the second-class as defined by the Act of tates of March 3, 1879, and that the printed matter opy, which was published in said newspaper ates of publication being as follows:

28 Jessica Rodriguez
Affiant

28 before me this day

6 2023

Laura Sowers
Notary Public

Laura Sowers
My Commission expires June 1, 2026
Resident of Kosciusko County

Printer's Fee, \$ 120⁰⁰

STATE OF INDIANA)
)SS:
KOSCIUSKO COUNTY)

BEFORE THE KOSCIUSKO COUNTY
AREA PLAN COMMISSION

IN THE MATTER OF THE
PETITION OF:

REPORT AND RECOMMENDATION TO
County Commissioners

Comes now (the secretary of) the Executive Director of the Kosciusko County Area Plan Commission and presents to the commission the petition of JAMES & SHEILA CRAIG heretofore filed in the office of the Kosciusko County Area Plan commission, praying rezoning of certain real estate JAMES & SHEILA CRAIG (by counsel), and make proof of publication of notice of public hearing before said commission by publication of notice thereon in the Warsaw Times Union, a newspaper of general circulation published in Kosciusko County, Indiana, the publication of which was upon the January 21 & 28 days of 2023, which said proof of such publication is in the words and figures following, to-wit: (H.I.)

Said petition, being duly before said commission, the same is now submitted for hearing thereon, evidence heard, and the commission being duly advised with reference thereto, now finds:

1. That the petition for rezoning of the subject real estate as and for Agricultural 2 uses defined by the Kosciusko County Zoning Ordinance, be and the same should be granted

2. That said commission further finds that the use of said real estate will not :
1. Alter the land use characteristics of the district.
 2. Impair the adequate supply of light and air to the adjacent property.
 3. Increase the hazard from fire, flood and other dangers to said property.
 4. Diminish the marketable value of adjacent lands and buildings
 5. Increase the congestion in the public streets.
 6. Otherwise impair the public health, safety, convenience, comfort or general welfare

3. That said petition, and the use of said real estate as proposed therein, does, in fact, comply with all the requirements of the Kosciusko County Zoning Ordinance and that

the commission should recommend _____ passage, by the County Commissioners
Kosciusko County, Indiana, of an ordinance approving rezoning as prayed in said petition.

That such ordinance should include, as a part of its content, the following recommendations or
restrictions:

That based upon the findings and recommendations hereinabove set forth, and upon motion
duly made and seconded, the members of said commission voted 8-0 _____ to
recommend to the County Commissioners _____ Kosciusko County, Indiana, adoption and
passage _____ of an ordinance to the effect that the real estate described in the petitioners petition be
rezoned as therein prayed in conformity with Agricultural 2 _____ Uses as the same is
enumerated and defined in the Kosciusko County Zoning Ordinance, which said real estate is
described as follows:

“SEE ATTACHED”

Matthew Samley
Director at
Kosciusko County Area Plan Commission

Dated: 02/01/2023

DESCRIPTION

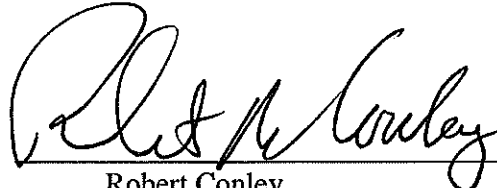
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For: Colin Craig Subdivision

Section 1. This ordinance shall be in full force and effect from and after its passage.

Passed and adopted at a regular and duly constituted meeting of the County Commissioners
of Kosciusko County, Indiana, on 02/28/2023.


Robert Conley

Attended Via Video Conference
Bradford Jackson


Cary Groninger


Attest: Kosciusko County Auditor – Rhonda Helser

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

Ashley R. Miller