

ORDINANCE NO. 23-05-23-001

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:

"SEE ATTACHED"

2023050924 ORDN \$0.00
05/23/2023 10:39:30A 7 PGS
Deborah A Wright
Kosciusko County Recorder IN
Recorded as Presented


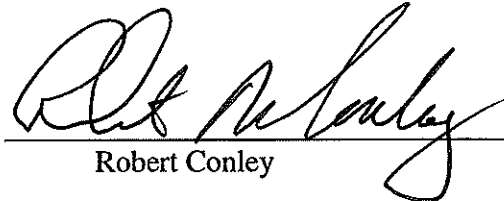
be, and the same is hereby, removed from classification as an Residential and
subject real estate shall be reclassified and rezoned as Agricultural within the
limitations, definitions and description of the Kosciusko County Zoning Ordinance.

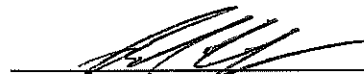
Section 3. That the Ordinance Administrator, pursuant to said Zoning Ordinance be, and he is hereby authorized to issue Location Improvement Permits and Certificates of Occupancy with reference to the construction and improvements upon said described real estate so long as applications therefore comply 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.

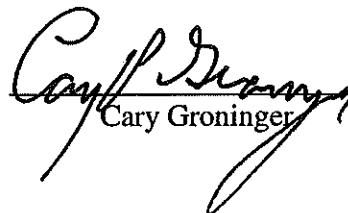
ARTICLE 2.

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 05/23/2023.


Robert Conley


Bradford Jackson


Cary Groninger


Attest: Kosciusko County Auditor – Rhonda Helser

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.



DAVID MILLER

1 38 rods by parallel lines off the South ends of Partition Lots Numbered Nine (9) and Ten (10) in the Northeast Quarter of the Northwest Quarter of Section 8, Township 30 North, Range 6 East (Which Partition Lots originated in a Partition Case had at the April term, 1872, of the Circuit Court of Kosciusko County, Indiana, in a cause of action entitled "Mary J. Rantz and Charles E. Rantz vs. Welcome B. Herendeen, et al").

2 ALSO: Commencing 31 rods and 3-3/4 feet South of the Northeast corner of the West Half of the Northwest Quarter of Section 8, Township 30 North, Range 6 East; thence South 63 rods and 22 links; thence West 25 rods and 1 link; thence North 63 rods and 22 links; thence East 25 rods and 1 link to the Place of Beginning.

3 ALSO: The South 168 feet of the following described tract: Commencing 20 rods and 12 feet South of the Northwest Corner of Lot Number One (1) in William H. Wells Addition to the Town of Silver Lake; thence West along the South side of Sycamore Street 36 feet; thence South along the East side of the roadway deeded to the Tile Mill 312 feet; thence East along the North line of the Tile Mill Lot 175 feet; thence North 312 feet; thence West along the South side of Sycamore Street 139 feet to the Place of Beginning.

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 DAVID MILLER heretofore filed in the office of the Kosciusko County Area Plan commission, praying rezoning of certain real estate DAVID MILLER (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 April 22 & April 29 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 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 7-0 _____ 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 _____ 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 Samdly
Director at
Kosciusko County Area Plan Commission

Dated: 05/03/2023

FORM# 0111

Case# Z-2023-10

Date Applied: 03/21/2023

**Request for Zoning Ordinance Amendment
Kosciusko County Area Plan Commission**

Name of Applicant: DAVID MILLER Applicant Phone #: 574-377-6760

Mailing Address: PO BOX 91 SILVER LAKE, IN 46982

Name of Agent: _____ Agent Phone #: _____

Property Owner Name: Morris Charlotte Lynn & David Michael Earl Miller

Property Owner Address: Morris Charlotte Lynn & David Michael Earl Miller | 408 E Sycamore St | Silver Lake, IN

I/We Do Hereby Petition Your Honorable Body to Amend the Zoning of A/An Parcel Currently Zoned Residential District to A/An Agricultural 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: 035-066-001 Township: Lake

Additional Key Numbers: 035-066-009 & 035-066-008

Property Location: _____

Property is Situated on the: South side of SYCAMORE and 880 feet East of JEFFERSON ST

The Proposed Use of the Property is Agricultural 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. I/we have the right and do grant permission to a designated representative from the Area Plan Commission to enter the property in question through this hearing in order to prepare exhibits and documentation for the public hearing.

Owner Name:

Signature:

Owner 1: CHARLOTTE MORRIS

Owner 2: DAVID MILLER

Owner 3: _____

Owner 4: _____

Charlotte Morris
David Miller

Additional Owners (if needed):

Date: 04-19-2023 Signature of Party Picking up Paperwork: Charlotte Morris

Filing Fee \$300.00 Paid

AT

Kosciusko County) SS:
State of Indiana)

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

a daily newspaper which for at least five (5) consecutive years has been published in the city of Warsaw, county of Kosciusko, State of Indiana, and which, during that time, has been a newspaper of general circulation, having a bona fide paid circulation, printed in the English language and entered, authorized and accepted by the post office department of the United States of America as mailable matter of the second-class as defined by the Act of Congress of the United States of March 3, 1879, and that the printed matter attached hereto is a true copy, which was published in said newspaper _____ times, the dates of publication being as follows:

Box 22, 29

Affiant

Subscribed and sworn to before me this 29 day
of April, 2023

James Lowrie

Notary Public

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

Printer's Fee. \$ 20⁰²

Notice Is Hereby Given, That The Koscusko County
A Petition Filed by David Miller Requesting An Arms
Reclassification From an: Residential District to an Agricul

Also: Commencing 31 rods and 3-3/4 feet South Quarter of Section 8, Township 30 North, Range 6, rods and 1 link; thence North 63 rods and 22 links; if

**This Hearing Will Be Held in the: Commissioner's
Warsaw On 05/03/2023 At 1:00 P.M.**

All interested persons are invited to attend and are received in the Office of the Kosciusko County Clerk later than 72 hours before the meeting, (mailing of digitally submitted comments or exhibits on device drives, or external drives must be submitted to the meeting will not be viewed in accordance with the directives.

Kosciusko County Area Plan
Matthew Sandy, Director
4-22,29 hspaxlp

50 Years Ago

Members of the Pier
Community Chamber of
Commerce have notified
head of the State Highw
Commission of the need
signs placed along U.S. 3