

ORDINANCE NO. 24-02-27-003

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:

2024020933 ORDN \$0.00  
02/27/2024 02:28:15P 5 PGS  
Deborah A Wright  
Kosciusko County Recorder IN  
Recorded as Presented  


"SEE ATTACHED"

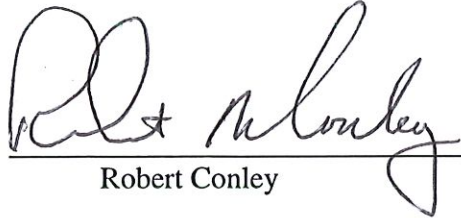
be, and the same is hereby, removed from classification as an Agricultural and  
subject real estate shall be reclassified and rezoned as Agricultural 2 within the  
limitations, definitions and description of the Kosciusko County Zoning Ordinance.

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.

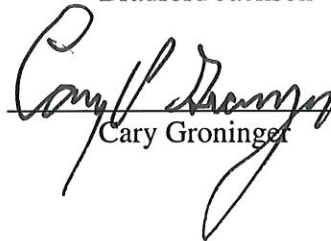
ARTICLE 2.

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 02/27/2024.

  
Robert Conley

Approved 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 redact  
each Social Security number in this  
document, unless required by law.

Brittini Sheneford

## EXHIBIT A

Part of Government Lot number 1 in Section 12, Township 33 North, Range 7 East, Kosciusko County, Indiana, being more particularly described as follows, to wit:

Beginning at a P.K. nail found at the Southeast corner of the Northwest Fractional Quarter of said Section 12, said Southeast corner also being at the Southeast corner of said Government Lot number 1; thence N 00°-41' W (assumed bearing), on and along the East line of said Northwest Fractional Quarter and on and along the East line of said Government Lot number 1, being within the right-of-way of County Road 950E, a distance of 785.77 feet to a P.K. nail found at the Southeast corner of a certain tract of land as recorded in Deed Record 218, page 480 in the records of Kosciusko County, Indiana, said P.K. nail being situated S 00°-41' E, a distance of 208.5 feet from an iron pin found at the Northeast corner of said Government Lot number 1; thence S 89°-59' W, on and along the South line of said tract of land in Deed Record 218, page 480, being parallel to the North line of said Government Lot number 1, a distance of 208.5 feet to an iron pipe found at the Southwest corner of said tract of land in Deed Record 218, page 480; thence N 00°-41' W, on and along the West line of said tract of land in Deed Record 218, page 480, being parallel to said East line, a distance of 208.5 feet to a P.K. nail at the Northwest corner of said tract of land in Deed Record 218, page 480, said P.K. nail being situated S 89°-59' W, a distance of 208.5 feet from said Northeast corner of said Government Lot number 1, said P.K. nail also being on the North line of said Government Lot number 1; thence S 89°-59' W, on and along said North line, being within the right-of-way of Epworth Forest Road, a distance of 439.0 feet to a P.K. nail; thence S 03°-17'-40" E, a distance of 1009.67 feet to an iron pin on the South line of said Northwest Fractional Quarter, also being the South line of said Government Lot number 1; thence N 88°-40' E, on and along the South line of said Northwest Fractional Quarter and on and along the South line of said Government Lot number 1, a distance of 601.5 feet to the point of beginning, containing 13.358 acres of land, more or less, subject to legal right-of-way for County Road 950E and Epworth Forest Road, subject to all legal drain easements, subject to a 20-foot wide easement for ingress and egress purposes as described in Document #9405-0063 in the records of Kosciusko County, Indiana, and subject to all other easements of record.



FORM# 0111

Case# Z-2024-4

Date Applied: 01/05/2024

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

Name of Applicant: Gregory Smith Applicant Phone #: 000-000-0000

Mailing Address: 28 EMS W15 Ln North Webster, IN 46555

Name of Agent: Steve Snyder Agent Phone #: 574-457-3300

Property Owner Name: Smith Gregory A & Anne Laurie

Property Owner Address: Smith Gregory A & Anne Laurie | 28 EMS W15 LN | North Webster, IN 46555

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: 005-046-039.F Township: Tippecanoe

Additional Key Numbers: \_\_\_\_\_

Property Location: 28 EMS W15 LN

Property is Situated on the: South side of Epworth Forest and 0 feet West of 950 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. 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: Gregory Smith

Owner 2: Anne Laurie Smith

Owner 3: \_\_\_\_\_

Owner 4: \_\_\_\_\_

Additional Owners (if needed):

Date: 1-19-24 Signature of Party Picking up Paperwork: \_\_\_\_\_

Filing Fee \$300.00 Owes [ ] pd

021893

AT

**AFFIDAVIT**

Kosciusko County )  
State of Indiana ) SS:

Personally appeared before me, a notary public and for said county and

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 Gregory Smith 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 28 EMS W15 LN Key#: 005-046-039.F  
005-046-039.F 1 P1E 112 Se NW 12-33-7113.36A Per Deed Tippecanoe

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

EXHIBIT A: Part of Government Lot number 1 in Section 12, Township 33 North, Range 7 East, Kosciusko County, Indiana, being more particularly described as follows, to wit:

Beginning at a PK nail found at the southeast corner of the northwest fractional quarter of Section 12, said Southeast corner also being at the southeast corner of said Government Lot number 1; thence N 00°-41' W (assumed bearing), on and along the East line of said Northwest Fractional Quarter and on and along the East line of said Government Lot number 1, being within the right-of-way of County Road 950E, a distance of 785.77 feet to a PK nail found at the Southeast corner of a certain tract of land as recorded in Deed Record 218, page 480 in the records of Kosciusko County, Indiana, said PK nail being situated S 00°-41' E a distance of 208.5 feet from an iron pin found at the Northeast corner of said Government Lot number 1; thence S 89°-59' W, on and along the South line of said tract of land in Deed Record 218, page 480, being parallel to the North line of said Government Lot number 1, a distance of 208.5 feet to an iron pipe found at the West line of said tract of land in Deed Record 218, page 480; thence N 00°-41' W, on and along the South line of said tract of land in Deed Record 218, page 480, being parallel to the North line of said Government Lot number 1, a distance of 208.5 feet to a PK nail at the Northwest corner of said tract of land in Deed Record 218, page 480, said PK nail being situated S 89°-59' W, a distance of 208.5 feet from said Northeast corner of said Government Lot number 1, said PK nail also being on the North line of said Government Lot number 1; thence S 89°-59' W, on and along said North line, being within the right-of-way of Epworth Forest Road, a distance of 439.0 feet to a PK nail; thence S 03°-17'-40" E, a distance of 1009.67 feet to an iron pin on the South line of said Northwest Fractional Quarter, also being the South line of said Government Lot number 1; thence N 88°-40' E, on and along the South line of said Northwest Fractional Quarter and on and along the South line of said Government Lot number 1, a distance of 601.5 feet to the point of beginning, containing 13.358 acres of land, more or less, subject to legal right-of-way for County Road 950E and Epworth Forest Road, subject to a legal drain easements, subject to a 20-foot wide easement for ingress and egress purposes as described in Document #9405-0063 in the records of Kosciusko County, Indiana, and subject to all other easements of record.

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 02/07/2024 At 1:00 PM.

All interested persons are invited to attend and be heard. Written comments will be considered if they are received in the Office of the Kosciusko County Plan Commission, Court House, Warsaw, Indiana, no later than 72 hours before the meeting, (mailing address: 100 W Center St, Rm 303, Warsaw, IN 46580). Any digitally submitted comments or exhibits on devices, such as but not limited to, flash memory drives, thumb drives, or external drives must be submitted to the office 72 hours before the hearing any presented at the meeting will not be viewed in accordance with the Kosciusko County Cybersecurity directives.

Matthew Sandy, Director  
1-20,27 hspaxip

Jessica Rodriguez, who being duly sworn says

WARSAW TIMES-UNION

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

02 07 2024 Jessica Rodriguez  
Affiant

to before me this 07 day

2024

Notary Public

Warsaw  
June 1, 2026  
Kosciusko County

Printer's Fee, \$ 160.00