

WHITELAND TOWN COUNCIL
ORDINANCE 2017-02
AN ORDINANCE REZONING CERTAIN PROPERTY TO A1 (APARTMENT)

WHEREAS; the Whiteland Advisory Plan Commission (Commission) conducted a public hearing on the petition for rezoning of approximately 6.75 acres located, generally, on the north side of East Main Street approximately 330 feet from the intersection of East Main Street and Elm Street within the Town of Whiteland (Town), from the current zoning of AG, Agricultural use to A1, Apartment use to provide for the construction of a multi-family housing complex; and

WHEREAS; The Commission, after paying reasonable regard to 1) the Whiteland Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, has made a **favorable recommendation** by a vote of 7 for and 0 against regarding the change in the zone map and has certified the same to the Whiteland Town Council; and

WHEREAS; The Whiteland Town Council has given notice of its intention to consider this matter; and

WHEREAS; The Whiteland Town Council has considered the recommendation of the Commission and paid reasonable regard to items 1 thru 5 referred to above.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHITELAND, INDIANA THAT;

1. **Zoning Map Amended:** The subject property described in Exhibit "A" is hereby re-zoned to A1 (Apartment) with written commitments and restrictions as follows:

Development of multi-family dwelling units on the parcel will be at market rate and will not participate in rent subsidy programs.
2. **Construction of Clause Headings:** The clause headings appearing in this ordinance have been provided for convenience and referee, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
3. **Repeal of Conflicting Ordinances:** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect upon the remaining provisions of this ordinance.
4. **Severability of Provisions:** If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance.
5. **Duration and Effective Date:** The provisions set forth in this ordinance become and will remain in full force ad effect (until their repeal by ordinance) on the date of passage and adoption of this ordinance by signatures of the executive in the manner prescribed by Indiana Code 36-4-16-4.

INTRODUCED on the 11th Day of April 2017

DULY PASSED on this _____ day of _____, 2017, by the Town Council of the Town of Whiteland, Johnson County, Indiana having been passed by a vote of _____ in favor and _____ Opposed.

Town of Whiteland, by its Town Council

Voting Affirmative

Voting Opposed

Abstaining

Kent Beeson, President

Kent Beeson, President

Kent Beeson, President

James Klenner, Vice President

James Klenner, Vice President

James Klenner, Vice President

Andy Brock

Andy Brock

Andy Brock

Scot Ford

Scot Ford

Scot Ford

David Hawkins

David Hawkins

David Hawkins

Attest:

Debra Hendrickson, Clerk-Treasurer

*Prepared by: Joseph Csikos, AICP
Planning Director, Town of Whiteland*