

FCO 2020 - 13

**Floyd County Board of Commissioners
Ordinance Amending FCO-2006-6 Zoning Map**

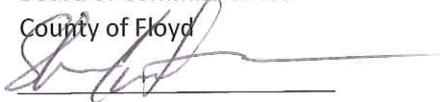
Whereas, the Floyd County Board of Commissioners met on September 1, 2020, on this matter pursuant to IC 36-7-4-600 Series

Whereas, the Board of Commissioners received a favorable recommendation to amend the Floyd County Zoning Ordinance from the Floyd County Plan Commission by a vote of 7-0 with proposed written commitments detailed in Exhibit A;

BE IT ORDAINED, the Floyd County Board of Commissioners hereby amend the Floyd County Zoning Map for the property described in Exhibit B from Highway Service (HS) to Office-Business (OB).

SO ORDAINED this 1st day of September, 2020.

Board of Commissioners
County of Floyd



Shawn Carruthers, President

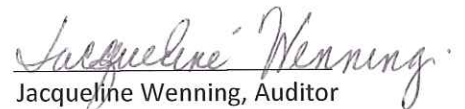


John Schellenberger, Commissioner



Tim Kamer, Commissioner

Attest:



Jacqueline Wenning, Auditor

EXHIBIT A FLOYD COUNTY PLAN COMMISSION

ZONING MAP AMENDMENT BALLOT

Docket No. FC-07-20-09

Petitioner's Name: Fabtration LLC

STATUTORY AUTHORITY: Indiana Code § 36-7-4-608

ORDINANCE AUTHORITY: Floyd County Zoning Ordinance 2006

In reviewing the zoning amendment petition, the Plan Commission and County Commissioners shall pay reasonable regard to the following: (1) The Floyd County Comprehensive Plan and any other applicable, adopted planning studies or reports; (2) The current conditions and the character of current structures and uses in each district; (3) The most desirable use of which the land in each district is adapted; (4) The conservation of property values throughout Floyd County; and (5) Responsible growth and development.

DECISION:

After careful review, the Floyd County Plan Commission finds that:

1. The re-zoning of the subject property (IS IS NOT) consistent with the Floyd County Comprehensive Plan because: *the*

~~Staff Opinion:~~ *Subject property adjoins requested zoning district (OB) and is currently zoned (HS), a compatible zoning district with OB, per the Floyd County Zoning Ordinance."*

2. The re-zoning of the subject property (IS IS NOT) consistent with the current conditions and the character of current structures and uses in the area because: ~~the~~ *this*

~~Staff Opinion:~~ *"Current area has been zoned Highway Service (HS) since the Floyd County Zoning Ordinance was adopted in 2006."*

3. The re-zoning of the subject property (IS IS NOT) necessary for the most desirable use of the land because: *the*

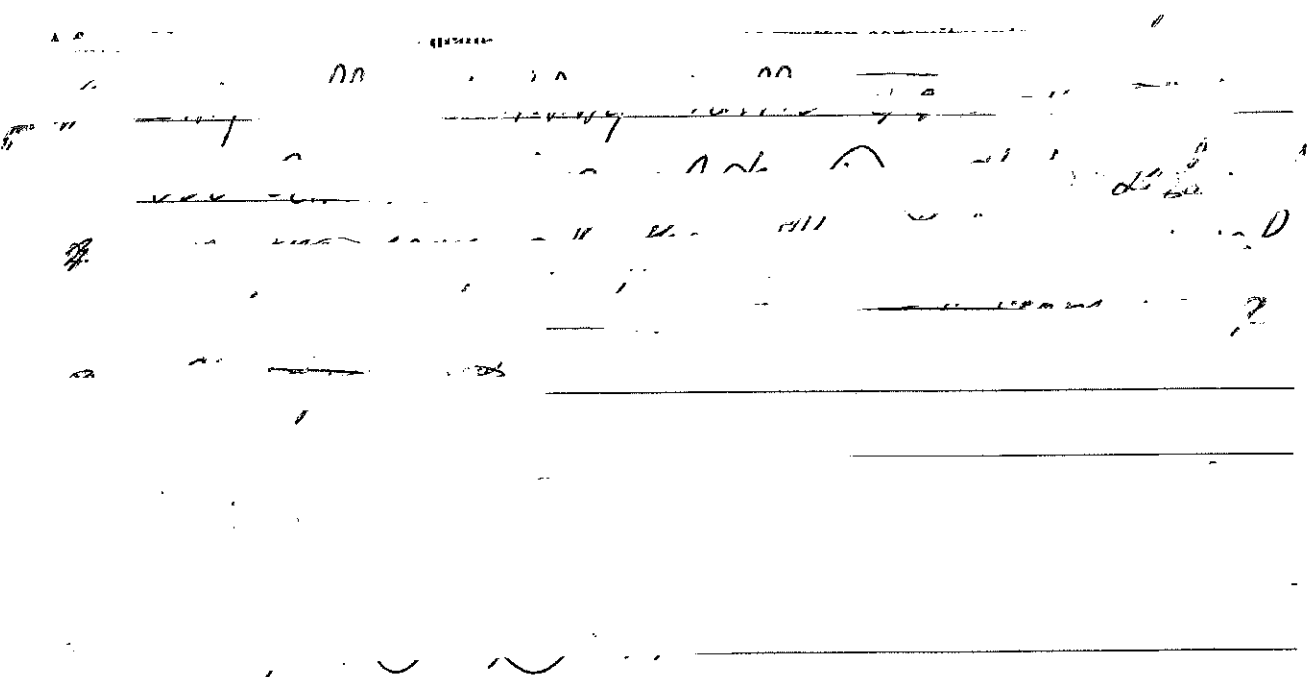
~~Staff Opinion:~~ *"Subject property is zoned for commercial use already, but the adjoining business and current owner ~~could~~ not use it for business operations in its current zoning."*
can

Upon careful review, the Floyd County Plan Commission hereby makes a(n) **(FAVORABLE)** UNFAVORABLE) recommendation on the Petitioner's Zoning Amendment Application at the meeting held on the 10th day of August, 2020.

~~Recommended written commitments by staff:~~

1. Recommend written commitment that access onto Carolyn Ave will be not used, with employee and truck traffic limited to using Maplewood Blvd only.

- 1. ~~The~~ Parking lot will be paved and will meet county zoning ordinance standards. (Section 5.20)
- 2. ~~The Applicant~~ Will work with Floyd County stormwater to resolve drainage issue ~~in area with development this parcel.~~ ^{on his property.} related to ~~on his property.~~



- 4. ~~Install~~ ^{a fence} Install a buffer to shield the parking lot from the neighbors ~~front of~~ ~~the~~ Carolyn Ave.
- 5. There will be no access to Carolyn Ave. All ^{business} traffic shall use Maplewood Blvd only.
- 6. Submit drainage calculations ~~from~~ ^{for} the detention to the staff for the review that it ^{can} handle ^{the} added runoff.
- 7. Owner shall verify property lines for encroachment of the parking lot on the ^{adjacent} neighbors.

10. _____

Commission Members in Favor:

Commission Members Opposed:

Sam Byrd Hayden
John J. ...
Paul ...
W. ...
Greg ...
Wanda ...
Wm B. Gibson

Commission Members Apposed:

Floyd County Plan Commission
Resolution Pertaining to Amendment to the Floyd County Zoning Map

WHEREAS, the Floyd County Plan Commission met on August 10, 2020 and, pursuant to IC. 36-7-4-608, conducted a public hearing on Docket FC-07-20-09, constituting an application for a zoning map amendment for the following subject properties located at 218 Carolyn Ave, Georgetown, IN, 47122 Parcel # 22-02-00-100-031.000-002

WHEREAS, the Floyd County Plan Commission provided opportunity for both proponents and opponents to be heard with respect to said docket and, after hearing comments and considering the matter, voted to forward to the Floyd County Commissioners

a (n):

Favorable

Unfavorable

No Recommendation

By a vote of:

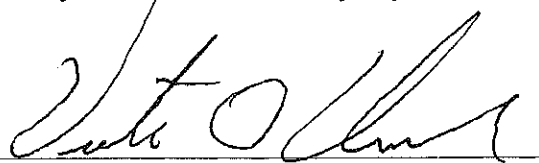
7 In Favor

0 Opposed

0 Abstaining

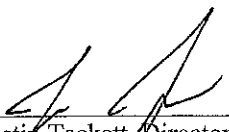
NOW THEREFORE, IT IS RESOLVED that the Floyd County Plan Commission gives the above-described recommendation on Docket FC-07-20-09 to the Floyd County Commissioners, NOW THEREFORE, BE IT FURTHER RESOLVED that the staff of the Floyd County Plan Commission shall forward a certified copy of this resolution to the Floyd County Commissioners for any further action which they may desire to take.

SO RESOLVED this 11th day of August, 2020.



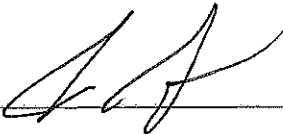
Victor Unruh, Vice President
Floyd County Plan Commission

Attest:


Justin Tackett, Director
Floyd County Building and Development Services / Plan Commission

Certification of Action

Comes now the Floyd County Plan Commission pursuant to I.C. 36-7-4-608, and hereby certifies that the attached resolution is a true and accurate copy of a Resolution regarding an amendment to the Floyd County Zoning Map as part of its meeting on August 10, 2020. The attached Resolution is available for review in the Office of the Floyd County Plan Commission and accurately reflects the recommendation of the Floyd County Plan Commission regarding Docket FC-07-20-09 for-the proposed map amendment.



Justin Tackett, Director

Floyd County Building and Development Services / Plan Commission

EXHIBIT B

FLOYD COUNTY ASSESSOR

MAR 19 2020

Tax Parcel Numbers: 22-02-00-100-031.000-002
22-02-00-100-243.000-002



202004517

FLOYD CO. IN RECORDER
TODD N. SCANNELL
03/19/2020 01:55 PM

Pages: 2

PERSONAL REPRESENTATIVE DEED

THIS INDENTURE WITNESSETH That Jackie Herman Richardson, as Personal Representative of the Estate of Herman Robert Richardson, deceased, as appointed by order of the Floyd Circuit Court of Floyd County, Indiana, dated October 16, 2019 in Case Number 22C01-1910-ES-225 and by virtue of Decedent's Will, for good and sufficient consideration, receipt of which is hereby acknowledged,

CONVEYS

to Rick Keenan ("Grantee") without warranty the following described real estate situated in Floyd County, State of Indiana, to-wit:

TRACT I

Being a 0.165 acre parcel of land lying in the northwest quarter of section 1 township 3 south, range 5 east Georgetown Township, Floyd County, Indiana, bounded as follows: Beginning at the northwest corner of Lot No. 3 of Plat #594; thence S. 00 deg. 07' 46" W with the west line of said Plat, 65.00 feet to an iron pin; thence N. 90 deg. 00' W. a distance of 30.00 feet to a 1/2 inch steel pin; thence N. 48 deg. 09' 46" W a distance of 93.62 feet to a 1/2 inch steel pin; thence N 00 deg. 00' 00" E a distance of 30.00 feet to Merten's south line; thence N 88 deg. 32' 07" E a distance of 100.00 feet to a 1/2 inch steel pin at the northwest corner of R. & V. Richardson; thence S 00 deg. 07' 46" W a distance of 30.00 feet to the beginning.

TRACT II

The North 15 feet of Lot No. 2, all of Lot No. 3, and the South 30 feet of Lot No. 4, Plat 594, Grigden Heights, of the Floyd County, Indiana Records.

The above described real estate is conveyed subject to applicable planning and zoning ordinances, rules, regulations and statutes, all other government laws and regulations affecting the property, all legal highways, legal drains, rights of way, covenants, easements and/or restrictions whether visible or of public record affecting said real estate.

Also subject to the lien of real estate taxes and any other assessments now or later due, which Grantee assumes and agrees to pay.

That Vivian Richardson died on August 16, 2013 while married to Herman R. Richardson. That Herman Robert Richardson was also known as Herman R. Richardson and Robert Richardson.

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

MAR 19 2020

IN WITNESS WHEREOF, the undersigned Personal Representative has hereunto
executed and delivered this deed this 13 day of March, 2020.

Herman R. Richardson
by Jackie H. Richardson EX
Jackie Herman Richardson, Personal
Representative of the
Estate of Herman Robert Richardson

STATE OF INDIANA

COUNTY OF CLARK ^S *Floyd* *CAH*

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of March, 2020 personally appeared Jackie Herman Richardson, as personal Representative of the Estate of Herman Robert Richardson, who is personally known by me or who I have confirmed the identity of to the extent required by law and that person then acknowledged the execution of the above instrument.

Witness my hand and notarial seal.

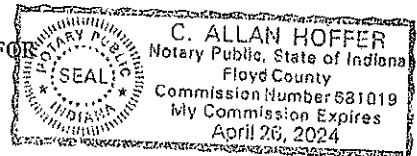
My Commission Expires:

My Commission Number:

C. AH
Notary Public, Resident of _____
County, Indiana

Printed Name: *C. Allan Hoffer*

THIS INSTRUMENT PREPARED WITHOUT REQUEST FOR
OR BENEFIT OF TITLE SEARCH BY:
DAVID NACHAND, ATTORNEY
426 E. COURT AVENUE
JEFFERSONVILLE, INDIANA 47130
(812) 282-1361



I AFFIRM, UNDER PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT SOCIAL SECURITY NUMBERS IN THIS DOCUMENT, UNLESS REQUIRED BY LAW. DAVID NACHAND

Address Grantee and for Tax Statements:

526 Maplewood Blvd.
Georgetown, IN 47122

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