

BEFORE THE COMMON COUNCIL OF THE
CITY OF CHARLESTOWN, INDIANA

ORDINANCE 2009-OR- 18

AN ORDINANCE DENYING APPROVAL OF AN AMENDMENT TO THE
ZONING MAPS OF THE CITY OF CHARLESTOWN, INDIANA FOR
360 MADISON STREET

WHEREAS, Pursuant to IC §36-7-4-600 et seq., the Advisory Plan Commission (the "Plan Commission") for the City of Charlestown, Indiana (the "City") has forwarded a recommendation for disapproval of a request by **Lawrence Olinick** for a zoning change to the Common Council for real property located at **360 Madison Street**; and

WHEREAS, the recommendation is that a parcel of real property currently zoned as R-1 (Single Family Residential) be rezoned as B-1 (General Business); and

WHEREAS, the City's Advisory Plan Commission entered the following Findings of Fact(s) for declining to recommend the request for rezoning, to wit:

1. Approval of the request from R-1 (Single Family) to B-1 (General Business) will be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and value of the area adjacent to the property included in the zoning change will be affected in a substantially adverse manner.
3. The need for a zoning change request does not arise from some condition peculiar to the property involved.
4. The strict application of the terms of the zoning ordinance will not constitute an unnecessary hardship if applied to the property for which the zoning change is sought.
5. The approval of a zoning change will interfere substantially with the comprehensive plan adopted under the 500 series of IC-36-7-4)

THEREFORE, IT IS HEREBY ORDAINED the Common Council of the City of Charlestown, Indiana, that the request by Lawrence Olinick for a zoning change to the Common Council for real property located at 360 Madison Street should be, and hereby is, **DENIED**, and the Zoning Maps of the City shall continue to reflect that the real property at 360 Madison Street is still zoned R-1 (Single -Family Residential).

ALL OF WHICH IS ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN INDIANA ON THIS _____ DAY OF JANUARY 2010.

	Voted In Favor	Voted Against	Abstained	Absent
<u>Scott McKechnie</u> Scott McKechnie	✓			
<u>Terry Pierce</u> Terry Pierce	✓			
<u>Jeff Aaron</u> Jeff Aaron	✓	⊗		
<u>Mark Goodlett</u> Mark Goodlett	✓			
<u>Dan Roberts</u> Dan Roberts	✓			

JDA

Presented to Mayor G. Robert Hall on the 4th day of January 2010.

Donna Coomer
Donna Coomer
City Clerk/Treasurer

SEEN AND APPROVED BY ME THIS 4th DAY OF JANUARY 2010, BY:

G. Robert Hall
Mayor G. Robert Hall

ATTEST:

Jan. 4th, 2010
Date

Donna Coomer
Donna Coomer
City Clerk/Treasurer