

ORDINANCE NO. 24-02-27-002

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:

2024020932 ORDN \$0.00
02/27/2024 02:28:15P 5 PGS
Deborah A Wright
Kosciusko County Recorder IN
Recorded as Presented



"SEE ATTACHED"

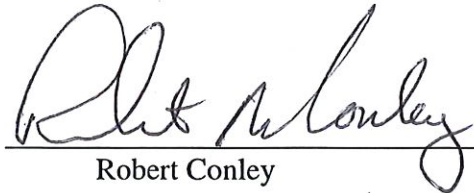
be, and the same is hereby, removed from classification as an Public Use and
subject real estate shall be reclassified and rezoned as Residential within the
limitations, definitions and description of the Kosciusko County Zoning Ordinance.

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.

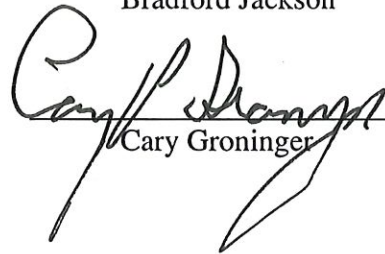
ARTICLE 2.

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 Shenefield

: part of the

West half of the Southwest Quarter of Section 9, Township 33 North, Range 7 East, Kosciusko County, Indiana, and all together being more particularly described as follows, to wit:

Commencing at a bronze monument found at the Northeast corner of said Southwest Quarter; thence S90°-00'-00"W (adjoiner's deed bearing and used as the basis of bearings for this description), on and along the North line of said Southwest Quarter, a distance of 1302.22 feet to a Mag nail found at the Northeast corner of the West half of said Southwest Quarter, said Mag nail being at the true point of beginning; thence continuing S90°-00'-00"W, on and along said North line, being within the right-of-way of County Road 650N, a distance of 30.00 feet to a Mag nail; thence S00°-12'-01"W, a distance of 916.65 feet to a point situated 0.3 feet West of a rail iron post found; thence S89°-27'-21"W, a distance of 627.43 feet to a rail iron post found; thence S04°-35'-42"W, a distance of 249.88 feet (recorded 251 feet), to a rail iron post found; thence S25°-46'-23"W, a distance of 333.53 feet to a 5/8-inch diameter iron pin capped "Walker" on the Northerly projection of the West line of said Lot Number 50; thence S01°-18'-26"W, on and along said Northerly projection and on and along the West line of said Lot Number 50 and on and along the West line of said Park and on and along the Southerly projection of said West line, a distance of 514.45 feet to a 5/8-inch diameter iron pin capped "Walker" at the point of intersection with the water's edge of James Lake; thence S73°-30'-00"E, on and along said water's edge, a distance of 20.00 feet; thence S19°-00'-00"E, on and along said water's edge, a distance of 60.00 feet; thence S10°-00'-00"E, on and along said water's edge, a distance of 50.00 feet; thence S33°-00'-00"E, on and along said water's edge, a distance of 12.00 feet; thence S89°-43'-00"E, on and along said water's edge, a distance of 59.00 feet; thence N45°-53'-00"E, on and along said water's edge, a distance of 34.00 feet to the Southwest corner of an existing concrete seawall; thence N29°-54'-00"E, on and along an Easterly face of said concrete seawall, a distance of 15.00 feet; thence N13°-51'-00"E, on and along an Easterly face of said concrete seawall, a distance of 93.30 feet; thence N23°-37'-00"W, on and along an Easterly face of said concrete seawall, a distance of 10.00 feet; thence N67°-30'-00"W, on and along a Northerly face of said concrete seawall, a distance of 68.00 feet; thence N20°-39'-00"E, on and along an Easterly face of said concrete seawall, a distance of 61.60 feet; thence S66°-41'-00"E, on and along a Southerly face of said concrete seawall, a distance of 46.70 feet; thence S68°-07'-00"E, on and along a Southerly face of said concrete seawall, a distance of 48.20 feet; thence S30°-55'-00"E, on and along a Westerly face of said concrete seawall, a distance of 18.00 feet; thence S09°-54'-00"W, on and along a Westerly face of said concrete seawall, a distance of 144.20 feet; thence S55°-47'-00"E, on and along a Southerly face of said concrete seawall, a distance of 31.80 feet; thence S73°-32'-30"E, on and along a Southerly face of said concrete seawall, a distance of 20.00 feet to the Southeast corner of said concrete seawall; thence S78°-48'-30"E, on and along the water's edge of said James Lake, a distance of 262.40 feet to a point on the Southerly projection of the East line of said Lot Number 9; thence N04°-40'-45"E, on and along said Southerly projection and on and along said East line and on and along the Northerly projection of said East line, a distance of 186.74 feet to a 5/8-inch diameter iron pin capped "Walker" on the Northerly right-of-way line of Long Avenue as shown on said Plat of Long's Park; thence S88°-29'-39"E, on and along said Northerly right-of-way line, a distance of 53.12 feet to a 5/8-inch diameter iron pin capped "Walker"; thence S69°-05'-25"E, on and along said Northerly right-of-way line, a distance of 125.40 feet to a 5/8-inch diameter iron pin capped "Walker" found at the Southeast corner of said Lot Number 35; thence N22°-07'-37"E, on and along the Easterly line of said Lot Number 35, a distance of 123.06 feet to the Northeast corner of said Lot Number 35, said point being situated 0.9 feet South of and 0.7 feet West of an iron pipe found; thence N00°-00'-00"E, a distance of 38.74 feet to a 5/8-inch diameter iron pin capped "Walker" at a broken wood post found; thence N90°-00'-00"E, a distance of 102.06 feet to a 5/8-inch diameter iron pin capped "Walker" at a broken wood post, said iron pin being on the East line of the West half of said Southwest Quarter, said iron pin also being situated 2.5 feet North of and 0.5 feet East of a triangle monument found; thence N00°-12'-01"E, on and along said East line, a distance of 1863.97 feet to the true point of beginning, containing 20.221 acres of land, more or less, subject to legal right-of-way for County Road 650N, subject to all legal drain easements, subject to an emergency ingress and egress easement as recorded in Deed Record 202, page 359 in said records, subject to an ingress and egress easement as recorded in Deed Record 202, page 359 in said records and subject to all other easements of record.

FORM# 0111

Case# Z-2024-3

Date Applied: 01/04/2024

Request for Zoning Ordinance Amendment
Kosciusko County Area Plan Commission

Name of Applicant: Wacky 2 Premier Properties Applicant Phone #: 000-000-0000

Mailing Address: 526 N Union St Westfield, IN 46074

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

Property Owner Name: Wacky 2 Premier Properties LLC

Property Owner Address: Wacky 2 Premier Properties LLC | 526 N Union St | Westfield, IN 46074

I/We Do Hereby Petition Your Honorable Body to Amend the Zoning of A/An Parcel Currently Zoned Public Use
District to A/An Residential 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: 005-035-003 Township: Tippecanoe

Additional Key Numbers: 005-035-PARK, Easement EMS T52 Ln

Property Location: 8 EMS T52B LN

Property is Situated on the: West side of EMS T52 Ln and 0 feet North of EMS T51C

The Proposed Use of the Property is Residential 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: Wacky 2 Premier Properties

Owner 2: _____

Owner 3: _____

Owner 4: _____

Additional Owners (if needed):

Date: 1-17-24 Signature of Party Picking up Paperwork: _____

Filing Fee \$300.00 Owes []

AT

00503

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 Wacky 2 Premier Properties Requesting An Amendment To The Kosciusko County Zoning Ordinance, To Reclassify From a Public Use District to a Residential District.

The Following Real Estate, located on 8 EMS 152B LN Key#: 005-035-003
005-035-PARK, Easement EMS 152 LN

005-035-0031 LOTS 9-20 LONGS PARK & LOTS 35-50 & VAC ST 1 LONGS 1ST ADD Tippecanoe
And Described As Follows on the 2nd page, To Wit:

Southwest Quarter of Section 9, Township 33 North, Range 7 East, Kosciusko County, Indiana, and all together being more particularly described as follows, to wit:

Commencing at a bronze monument found at the Northeast corner of said Southwest Quarter; thence S90°-00'-00"W (adjointer's deed bearing) and used as the basis of bearings for this description), on and along the North line of said Southwest Quarter, a distance of 1302.22 feet to a Mag nail found at the Northeast corner of the West half of said Southwest Quarter, said Mag nail being at the true point of beginning; thence continuing S90°-00'-00"W, on and along said North line, being within the right-of-way of County Road 650N, a distance of 30.00 feet to a Mag nail; thence S00°-12'-00"W, a distance of 916.65 feet to a point situated 0.3 feet West of a rail iron post found; thence S89°-27'-21"W, a distance of 622.43 feet to a rail iron post found; thence S04°-35'-42"W, a distance of 249.88 feet (recorded 251 feet), to a rail iron post found; thence S25°-46'-23"W, a distance of 333.53 feet to a 5/8-inch diameter iron pin capped "Walker" on the Northernly projection of the West line of said Lot Number 50; thence S 00°-18'-26"W, on and along said Northernly projection and on and along the West line of said Lot Number 50 and on and along the West line of said Park and on and along the Southernly projection of said Lot West line, a distance of 514.45 feet to a 5/8-inch diameter iron pin capped "Walker" at the point of intersection with the water's edge of James Lake; thence S73°-30'-00"E, on and along said water's edge, a distance of 20.00 feet; thence S 19° 00' -00"E, on and along said water's edge, a distance of 60.00 feet; thence S 10°-00'-00"E, on and along said water's edge, a distance of 50.00 feet; thence S33°-00'-00"E, on and along said water's edge, a distance of 12.00 feet; thence S89°-43'-00"E, on and along said water's edge, a distance of 59.00 feet; thence N45°-53'-00"E, on and along said water's edge, a distance of 34.00 feet to the Southwest corner of an existing concrete seawall; thence N29°-54'-00"E, on and along said concrete seawall, a distance of 15.00 feet; thence N 13°-51'-00"E, on and along an Easterly face of said concrete seawall, a distance of 93.30 feet; thence N23°-37'-00"W, on and along an Easterly face of said concrete seawall, a distance of 10.00 feet; thence N67°-30'-00"W, on and along a Northernly face of said concrete seawall, a distance of 68.00 feet; thence N20°-39'-00"E, on and along an Easterly face of said concrete seawall, a distance of 61.60 feet; thence S66°-41'-00"E, on and along a Southernly face of said concrete seawall, a distance of 46.70 feet; thence S68°-07'-00"E, on and along a Southernly face of said concrete seawall, a distance of 148.20 feet; thence S30°-55'-00"E, on and along a Westerly face of said concrete seawall, a distance of 18.00 feet; thence S09°-54'-00"W, on and along a Westerly face of said concrete seawall, a distance of 144.20 feet; thence S55°-47'-00"E, on and along a Southernly face of said concrete seawall, a distance of 31.80 feet; thence S73°-32'-30"E, on and along a Southernly face of said concrete seawall, a distance of 20.00 feet to the Southeast corner of said concrete seawall; thence S78°-48'-30"E, on and along the water's edge of said James Lake, a distance of 262.40 feet to a point on the Southernly projection of the East line of said Lot Number 9; thence N04°-40'-45"E, on and along said Southernly projection and on and along said East line and on and along the Northernly projection of said East line, a distance of 186.74 feet to a 5/8-inch diameter iron pin capped "Walker" on the Northernly right-of-way line of Long Avenue as shown on said Plat of Long's Park; thence S88°-29'-39"E, on and along said Northernly right-of-way line, a distance of 53.12 feet to a 5/8-inch diameter iron pin capped "Walker"; thence S69°-05'-25"E, on and along said Northernly right-of-way line, a distance of 125.40 feet to a 5/8-inch diameter iron pin capped "Walker" found at the Southeast corner of said Lot Number 35; thence N22°-07'-37"E, on and along the Easterly line of said Lot Number 35, a distance of 123.06 feet to the Northeast corner of said Lot Number 35, said point being situated 0.9 feet South of and 0.7 feet West of an iron pipe found; thence N00°-00'-00"E, a distance of 38.74 feet to a 5/8-inch diameter iron pin capped "Walker" at a broken wood post found; thence N90°-00'-00"E, a distance 102.06 feet to a 5/8-inch diameter iron pin capped "Walker" at a broken wood post. East line of the West half of said Southwest Quarter, said iron pin also being situated 21. feet North of and 0.5 feet East of a triangle monument found; thence N00°-12'-01"E, on and along said East line, a distance feet to the true point of beginning, containing 20.221 acres of land, more or less, subject to legal right-of-way or County Road 650N, subject to all legal drain easements, subject recorded in Deed Record 202, page 359 in said records, subject to an ingress and egress easement as recorded in Deed Record 202, page 359 in said records 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 Residential 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.

Kosciusko County Area Plan

AFFIDAVIT

SS:

before me, a notary public and for said county and Jessica Rodriguez, who being duly sworn says it age and is controller of the

WARSAW TIMES-UNION

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

2021, 2024
Affiant

to before me this 27 day

Notary Public

res June 1, 2026
Kosciusko County

CV