



ORDINANCE NO. 19-08-20-002

AN ORDINANCE AMENDING, AND TO AMEND  
THE ZONING ORDINANCE 75-1 MISC REC 53 PG 130 JACKETS 20-A & 20-B  
OF KOSCIUSKO COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COMMISISONERS 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 as Ordinance 75-2, be and same is hereby amended in the particulars hereinafter set forth.

Section 2. That certain tract of land situate in Kosciusko County, Indiana, now lying without the corporate limits of any 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:

“SEE ATTACHED FOR LEGAL DESCRIPTION”

be, and the same is hereby, removed from classification as Agricultural and subject real estate shall be reclassified and rezoned as Agricultural II 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.

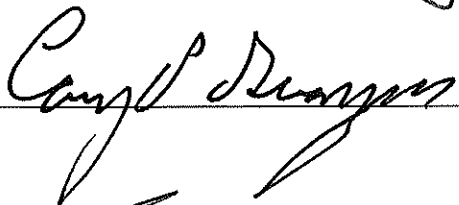
ARTICLE 2.


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 Board of Commissioners of  
Kosciusko County, Indiana, on 20th day of August, 2019

BOARD OF COMMISSIONERS  
KOSCIUSKO COUNTY, INDIANA


Robert Conley: 

Cary Groninger: 

Brad Jackson: 

Attest:  
  
Kosciusko County Auditor – Michelle Puckett

This Ordinance is in relation to Plan Commission  
Case # 19006Z – Kendrick

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.  


TRACT I: A TRACT OF LAND NINETEEN (19) RODS OF EQUAL WIDTH OFF THE ENTIRE WEST SIDE OF THE FOLLOWING DESCRIBED REAL ESTATE.

BEGINNING AT THE NORTHEAST CORNER OF THE FOLLOWING TRACT: COMMENCING AT A POINT SIXTY-FOUR (64) RODS WEST OF THE CENTER OF SECTION FIVE (5), IN TOWNSHIP THIRTY-ONE (31) NORTH, RANGE SIX (6) EAST, THENCE NORTH TWENTY-EIGHT AND ONE-HALF (28 1/2) RODS; THENCE EAST TO THE CENTER OF THE PERU ROAD; THENCE SOUTH 28 1/2 RODS WITH THE CENTER OF SAID ROAD TO THE HALF OR CENTER LINE OF SAID SECTION 5, THENCE WEST ALONG SAID LINE TO THE PLACE OF BEGINNING.

RUNNING THENCE FROM SAID PLACE OF BEGINNING NORTHERLY TWENTY (20) RODS ALONG THE CENTER OF SAID PERU ROAD; THENCE WEST EIGHTY (80) RODS; THENCE SOUTHERLY 20 RODS ON LINE PARALLEL WITH SAID PERU ROAD, THENCE EAST TO THE PLACE OF BEGINNING.

TRACT II: COMMENCING AT THE CORNERSTONE IN THE CENTER OF SECTION 5, TOWNSHIP 31 NORTH, RANGE 6 EAST, RUNNING THENCE WEST 64 RODS; THENCE NORTH TO THE CENTER OF THE PUBLIC HIGHWAY RUNNING IN A NORTHEASTERLY DIRECTION THROUGH THE NORTH HALF OF SECTION 5, TOWNSHIP AND RANGE AFORESAID; THENCE ALONG THE CENTER OF SAID PUBLIC HIGHWAY RUNNING EASTERLY UNTIL IT STRIKES THE CENTER OF SAID PUBLIC HIGHWAY KNOWN AS THE PERU ROAD RUNNING NORTH AND SOUTH THROUGH SAID SECTION 5; THENCE SOUTH ALONG THE CENTER OF SAID PERU ROAD UNTIL IT STRIKES THE HALF

SECTION LINE OF SAID SECTION 5; THENCE WEST ON SAID HALF SECTION LINE TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING SIX TRACTS:

A. THE SOUTH TWENTY-FOUR AND ONE-FOURTH (24 1/4) ACRES.

B. BEGINNING AT THE NORTHEAST CORNER OF THE FOLLOWING TRACT: COMMENCING AT A POINT 64 RODS WEST OF THE CENTER OF SECTION 5, IN TOWNSHIP 31 NORTH, RANGE 6 EAST, THENCE NORTH 28 1/2 RODS; THENCE EAST TO THE CENTER OF THE PERU ROAD, THENCE SOUTH 28 1/2 RODS WITH THE CENTER OF SAID ROAD TO THE HALF OR CENTER LINE OF SAID SECTION 5, THENCE WEST ALONG SAID LINE TO THE PLACE OF BEGINNING. RUNNING THENCE FROM SAID PLACE OF BEGINNING NORTHERLY 20 RODS ALONG THE CENTER OF SAID PERU ROAD; THENCE WEST 80 RODS; THENCE SOUTHERLY 20 RODS ON LINE PARALLEL WITH SAID PERU ROAD, THENCE EAST TO THE PLACE OF BEGINNING.

C. COMMENCING AT A POINT SIXTY-FOUR (64) RODS WEST OF THE CENTER OF SECTION FIVE (5) IN TOWNSHIP THIRTY-ONE (31) NORTH, RANGE SIX (6) EAST; THENCE NORTH TWENTY-EIGHT AND ONE-HALF (28 1/2) RODS; THENCE EAST TO THE CENTER OF THE PERU ROAD; THENCE NORTHERLY TWENTY (20) RODS ALONG THE CENTER OF SAID PERU ROAD TO THE PLACE OF BEGINNING; THENCE NORTHERLY SIX (6) RODS FOUR (4) FEET ALONG THE CENTER OF SAID PERU ROAD; THENCE WEST SIXTY-ONE (61) RODS; THENCE SOUTHERLY SIX (6) RODS FOUR (4) FEET ON A LINE PARALLEL WITH SAID PERU ROAD; THENCE EAST TO THE PLACE OF BEGINNING.

D. A TRACT OF LAND IN THE NORTH HALF OF SECTION 5, TOWNSHIP 31 NORTH, RANGE 6 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF INDIANA STATE ROAD 15 (ALSO KNOWN AS THE PERU ROAD) AND THE SOUTH RIGHT-OF-WAY LINE OF KOSCIUSKO COUNTY ROAD 450 SOUTH; THENCE SOUTHWESTERLY 8 RODS; THENCE IN A SOUTHERLY DIRECTION PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 15 10 RODS; THENCE NORTHEASTERLY AND PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 450 SOUTH 8 RODS TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 15; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 15

NORTH, RANGE 6 EAST, IN KOSCIUSKO COUNTY, INDIANA, MORE ACCURATELY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER AND RUNNING THENCE EASTERLY ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO A POINT, ON THE CENTER-LINE OF INDIANA STATE ROAD 15; THENCE NORTH 10 DEGREES 1 MINUTE EAST 903.25 FEET ALONG SAID CENTERLINE TO A POINT; THENCE SOUTH 84 DEGREES 35 MINUTES WEST AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER 31.1 FEET TO A RAILROAD IRON POST ON THE WEST LINE OF INDIANA STATE ROAD 15 MARKING THE PRINCIPAL PLACE OF BEGINNING; THENCE CONTINUING SOUTH 84 DEGREES 35 MINUTES WEST 969.5 FEET ALONG A FENCE TO A RAILROAD IRON POST; THENCE NORTH 10 DEGREES 1 MINUTE EAST 456.2 FEET TO AN IRON PIPE; THENCE NORTH 84 DEGREES 35 MINUTES EAST AND PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER 969.5 FEET TO AN IRON PIPE ON THE WEST LINE OF INDIANA STATE ROAD 15; THENCE SOUTH 10 DEGREES 1 MINUTE WEST 456.2 FEET ALONG SAID WEST LINE TO THE PRINCIPAL PLACE OF BEGINNING.

F. A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 31 NORTH, RANGE 6 EAST, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER AND

Form# 0111

Request For Zoning Amendment Before the  
Kosciusko County Area Plan Commission

Case Number 19006 Z  
Date Filed

I/we CARL & TAMMY

KENDRICK

574-206-3464

do hereby petition your Honorable Body to amend the Zoning of CLAY Kosciusko County, Indiana by reclassifying from an  
Agriculture District to an Agriculture 2 District, the property described as follows, and shown on the map enclosed in file,  
which by reference is made a part of this petition.

2359 W UNION ST

CLAYPOOL

IN 46510

001-017-004.

Applicants Mailing Address

Key Number

Other Property Location

SOUTH SIDE UNION ST & 500' WEST OF SR 15

NE 1/4 Section 5 Township 31 Range 6

Purpose of Rezoning

AGRICULTURAL II USES AS DEFINED IN THE KOSCIUSKO COUNTY ZONING ORDINANCE

I

I am

We hereby certify that as the undersigned We are the owner/s of fifty percent or more of the property described in this petition.

Property Owners Name

CARL

KENDRICK

Tammy

KENDRICK

Property Owners Signature

*Carl Kendrick* 7-24-19  
*Tammy Kendrick* 7-24-19

The correspondent or agent (if different from the owners) is

Agents Phone

Agents Address

75.00 pd

This petition shall be submitted to the Kosciusko County Area Plan Commission Office, in the County Courthouse, Warsaw, Indiana, in order that the petition may be reviewed for accuracy of property description and to establish if the District requested will permit the proposed. The original and second copy of the petition (with two copies of an accurate map or plat showing the area proposed for change) shall be referred to the appropriate Legislative Body by the Kosciusko County Area Plan Commission, together with the recommendation of the Commission.

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 Carl & Tammy Kendrick Requesting An Amendment To the Kosciusko County Zoning Ordinance, To Reclassify From an Agriculture District to an Agriculture 2 District, The Following Real Estate, located on South Side of Union St. & 500' West of SR 15, Key Number 001-017-004 Clay Twp.

And Described As Follows, To Wit:

Tract I: A tract of land nineteen (19) rods of equal width off the entire west side of the following described real estate.

Beginning at the northeast corner of the following tract: Commencing at a point sixty-four (64) rods west of the center of section five (5), in township thirty-one (31) north, range six (6) east, thence north twenty-eight and one-half (28 1/2) rods; thence east to the center of the Peru Road, thence south 28 1/2 rods with the center of said road to the half or center line of said section 5, thence west along said line to the place of beginning.

Running thence from said place of beginning northerly twenty (20) rods along the center of said Peru Road, thence west eight (80) rods; thence southerly 20 rods on line parallel with said Peru Road, thence east to the place of beginning.

Tract II: Commencing at the cornerstone in the center of section 5, township 31 north, range 6 east, running thence west 64 rods; thence north to the center of the public highway running in a northeasterly direction through the north half of section 5, township and range aforesaid, thence along the center of said public highway running easterly until it strikes the center of said public highway known as the Peru Road running north and south through said section 5; thence south along the center of said Peru Road until it strikes the half section line of said section 5; thence west on said section line to the place of beginning.

Excepting therefrom the following six tracts:

A. The south twenty-four and one-fourth (24 1/4) acres.

B. Beginning at the northeast corner of the following tract: Commencing at a point 64 rods west of the center of section 5, in township 31 north, range 6 east, thence north 28 1/2 rods; thence east to the center of the Peru Road, thence south 28 1/2 rods with the center of said road to the half or center line of said section 5, thence west along said line to the place of beginning, running thence from said place of beginning northerly 20 rods along the center of said Peru Road; thence west 80 rods; thence southerly 20 rods on line parallel with said Peru Road, thence east to the place of beginning.

C. Commencing at a point sixty-four (64) rods west of the center of section five (5) in township thirty-one (31) north, range 6 (6) east; thence north twenty-eight and one half (28 1/2) rods; thence east to the center of the Peru Road, thence northerly twenty (20) rods along the center of said Peru Road to the place of beginning; thence northerly six (6) rods four (4) feet along the center of said Peru Road; thence west sixty-one (61) rods; thence southerly six (6) rods four (4) feet on a line parallel with said Peru Road; thence east to the place of beginning.

D. A tract of land in the north half of section 5, township 31 north, range 6 east, more particularly described as follows, to wit: Commencing at the point of intersection of the west right-of-way line of Indiana State Road 15 (also known as the Peru Road) and the south right-of-way line of Kosciusko County Road 450 South, thence southwesterly 8 rods; thence in a southerly direction parallel with the west right-of-way line of State Road 15 10 rods; thence northeasterly and parallel with the south right-of-way line of State Road 15; thence north along the west right-of-way line of State Road 15 north, range 6 east, in Kosciusko County, Indiana, more accurately described as follows: Commencing at the southwest corner of said northeast quarter and running thence easterly along the south line of said northeast quarter to a point, on the center line of Indiana State Road 15; thence north 10 degrees 1 minute east 903.25 feet along said center line to a point; thence south 84 degrees 35 minutes west and parallel to the south line of said northeast quarter 31.1 feet to a railroad iron post on the west line of Indiana State Road 15 marking the principal place of beginning; thence continuing south 84 degrees 35 minutes west 969.5 feet along a fence to a railroad iron post; thence north 10 degrees 1 minute east 456.2 feet to an iron pipe; thence north 84 degrees 35 minutes east and parallel to the south line of said northeast quarter 969.5 feet to an iron pipe on the west line of Indiana State Road 15; thence south 10 degrees 1 minute west 456.2 feet along said west line to the principal place of beginning.

E. A tract of land located in the northeast quarter of section 5; township 31 north, range 6 east, more fully described as follows: commencing at the southwest corner of said northeast quarter and.

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 Commissioners Room in the Kosciusko County Court House, 100 W Center St., Warsaw In On Wednesday, August 7, 2019 At 1:00 P.M.

All Interested Persons Are Invited To Attend To Be Heard. Written Comments Will Be Considered If They Are Received In The Office Of The Kosciusko County Planning Department, Court House, Warsaw, Indiana, No Later Than 12:00 Noon On The Day Of The Hearing.

Kosciusko County Area Plan

Daniel W. Richard, Director

7-27, 8-3 hspaxip

AFFIDAVIT

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

WARSAW TIMES-UNION

h 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, by the post office department of the United States as second-class matter of the second-class as defined by the Act of March 3, 1879, and that the printed matter copy, which was published in said newspaper dates of publication being as follows:

Aug 3 Jessica Rodriguez  
Affiant

before me this 3 day

of, 2019

Laura Sowers  
Notary Public

Warsaw, Indiana  
res June 1, 2026  
Kosciusko County