

ORDINANCE NO. 3375

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE

WHEREAS, on October 9, 2003, an application was filed with the New Castle Plan Commission seeking an amendment of the Master Plan of the City of New Castle (as set forth in New Castle City Ordinance #846). Said application was docketed by the Plan Commission as # NCPC-2-03; and

WHEREAS, the petition filed by Michael and Amy McKown seeks to rezone parts of Lots No. 1, 2, 7, and 8 in Block Number 3 of Rue and Holman's Addition to the City of New Castle, commonly known as the McKown Studio, 417 S. 14th Street, the office building located on the southwest corner of South 14th Street and Indiana Avenue formerly housing the Fred's Pharmacy business, and the parking lots associated therewith from R-2 (a residential district) to C-1 (a commercial district); and

WHEREAS, on October 29, 2003, pursuant to published notice, a public hearing was held at which time the Plan Commission of the City of New Castle voted to approve the Application for Rezoning and recommend favorably to the City Council of the City of New Castle the adoption of an ordinance amending its master plan and changing its zoning map by rezoning the real estate hereinabove described from R-2 to C-1.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE, that it hereby adopts the recommendation of the New Castle Plan Commission and amends its master plan and zoning map by rezoning from R-2 to C-1 the following described real estate:

50 feet off the north end of Lot No. 1 and 50 feet off the north end of 16 feet 4 inches off the east side of Lot Number 2 all in Block Number 3 in Rue and Holman's First Addition to the town, now City of New Castle, Indiana.

The South halves of Lots 7 and 8 in Block Number 3 in Rue and Holman's Addition to the City of New Castle, Henry County, Indiana.

The north halves of Lots Number 7 and 8 in Block Number 3 in Rue and Holman's Addition to the town, now city of New Castle, Indiana.

The North 86.2 feet of the East 41.0 feet of Lot 6 Block 3 of Rue and Holman's Addition to the town, now City of New Castle, Indiana. Also a 12 foot easement along the west side of this plat for the use as a joint driveway.

(Commonly referred to as the McKown Art Studio located at 417 S. 14th Street, New Castle, and the former Fred's Pharmacy Building located at 1315-1319 Indiana Avenue, and the parking lot located on the southwest corner of 14th Street and Indiana Avenue in New Castle.)

All pursuant to New Castle City Code Section 152.05 and Indiana Code I.C. 36-7-4-607 et seq.

REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE, THIS 3rd DAY OF November, 2003.

Sherman Boles
Sherman Boles, Presiding Officer,
Common Council, City of New
Castle, Indiana

AYE

NAY

<u>Dandra York</u>	_____
<u>Bobby Goodwin</u>	_____
<u>Tom Dripp</u>	_____
<u>Max L. Sutherland</u>	_____
<u>Louise Price</u>	_____
<u>Tom Dripp</u>	_____
<u>Richard Hahn</u>	_____

ATTEST:

Janice Lavarney
Janice Lavarney,
Clerk-Treasurer

2003. APPROVED BY ME THIS 3rd day of November,

Sherman Boles
Sherman Boles, Mayor of the City
Of New Castle, Indiana