

# 3726

ORDINANCE NO.  
AN ORDINANCE AMENDING THE ZONING DISTRICTS  
OF THE CITY OF NEW CASTLE

WHEREAS, on May 27, 2015, Payne Village Shopping Center, Inc. (hereinafter "Payne Village") requested the New Castle Plan Commission consider the amendment of the master plan of the City of New Castle as established in Ordinance Number 846 of the City, and

WHEREAS, the request submitted by said Payne Village seeks to rezone certain real estate located in the City of New Castle, Henry County, Indiana from its current R-1 (residential) zoning to C-1 (local business) zoning, and

WHEREAS, this rezoning gives reasonable regard to:

1. The comprehensive plan,
2. Current conditions and character of the area to be rezoned,
3. The most desirable use of the area to be rezoned,
4. The property value of the area,
5. Reasonable development and growth of the area, and

WHEREAS, on June 24, 2015, the Plan Commission certified to the Common Council of the City of New Castle that it had considered this request and, after public notice and hearing approved the aforementioned amendment in the zoning code.

NOW THEREFORE BE 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 the master plan of the City of New Castle and zoning map by rezoning certain real estate located within the City of New Castle, Henry County, Indiana from R-1 to C-1. Said real estate is more particularly described as follows, to wit:

Lot 39 in Clifford F. Payne's Addition to the City of New Castle, Indiana, according to the plat thereof recorded in Plat Book 7, page 49, Henry County, Indiana.

EXCEPT, beginning at a point 218 feet north of the southeast corner of Lot 39, Payne's Village Addition and running thence north 32 feet; thence 10 feet along the north line of said Lot 39 to the southeast corner of Lot 48; thence southeasterly 29 feet to the place of beginning.

Commonly known as: 3015 S. 14th Street, New Castle, Henry County, Indiana.

(A GIS map is attached hereto as Exhibit "A" depicting the area to be rezoned.)

This rezoning is made all pursuant to the New Castle City Code Section 152.05 and Indiana Code 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**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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.

**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Greg York, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

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NAY

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ATTEST:

\_\_\_\_\_  
Christy York,  
Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Greg York, Mayor of the City  
Of New Castle, Indiana



SUBJECT PARCEL  
FOR PROPOSED ZONING CHANGE

PAYNE VILLAGE  
SHOPPING CENTER

HENRY COUNTY  
LODGE BRANCH  
RESTAURANT

SPEEDWAY  
CONVENIENCE STORE

RILEY ROAD



NOT TO SCALE

PROPOSED ZONING CHANGE FROM R-1 TO C-1  
EXHIBIT "A"

NEW CASTLE PLAN COMMISSION  
CERTIFICATION OF REZONING

The New Castle Plan Commission hereby certifies to and recommends the passage of the following amendment to the New Castle Zoning Code:

Change zoning from R-1 to C-1 for the following real estate located within the City of New Castle, Henry County, Indiana and more particularly described as follows, to-wit:


Lot 39 in Clifford F. Payne's Addition to the City of New Castle, Indiana, according to the plat thereof recorded in Plat Book 7, page 49, Henry County, Indiana.

EXCEPT, beginning at a point 218 feet north of the southeast corner of Lot 39, Payne's Village Addition and running thence north 32 feet; thence 10 feet along the north line of said Lot 39 to the southeast corner of Lot 48; thence southeasterly 29 feet to the place of beginning.

This change has been duly considered and adopted by the New Castle Plan Commission. It hereby certifies and recommends this proposed change to the New Castle Common Council, the legislative body of the City of New Castle, this 24<sup>th</sup> day of June, 2015.

NEW CASTLE PLAN COMMISSION

By: \_\_\_\_\_

  
Plan Commission President