

ORDINANCE NO. 3412
AN ORDINANCE AMENDING THE ZONING DISTRICTS
OF THE CITY OF NEW CASTLE, INDIANA

WHEREAS, on September 29, 2004, the Office of the New Castle Building Commissioner requested the New Castle Plan Commission to consider an 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 department seeks to rezone certain real estate located in the City of New Castle, Henry County, Indiana from its current agriculture zoning to R-2 zoning, and

WHEREAS, the 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 September 30, 2004, 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 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 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 agriculture to R-2. Said real estate is more particularly described as follows, to wit:

A PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 10 EAST IN HENRY TOWNSHIP, HENRY COUNTY, INDIANA, CONTAINING 15.00 ACRES, MORE OR LESS, AND A PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 10 EAST IN HENRY COUNTY, INDIANA CONTAINING 3.00 ACRES, MORE OR LESS.

Commonly known as: 2015 South Spiceland Pike,
New Castle, IN 47362

This rezoning is made all pursuant to the New Castle City Code Section 152.05 and Indiana Code Section 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REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 18 DAY OF November, 2004.

Tom Nipp

TOM NIPP, PRESIDING OFFICER
COMMON COUNCIL, NEW CASTLE,
INDIANA

ATTEST:

Janice L. Lavarnway
JANICE L. LAVARNWAY,
CLERK-TREASURER

AYE

NAY

<i>David York</i>	_____
<i>Daniel E. Hunt</i>	_____
<i>James P. Kipp</i>	_____
<i>Todd S. Ridley</i>	_____
_____	<i>Louise Price</i>
<i>JH Hancock</i>	_____
<i>Richard Hahn</i>	_____

APPROVED BY ME THIS 18 DAY OF November, 2004.

Tom Nipp

Tom Nipp, Mayor
City of New Castle, Indiana