

## ORDINANCE NO. 02- 2024

### AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF LAPEL, MADISON COUNTY, INDIANA

This is an ordinance to amend the Official Zoning Map incorporated into the Unified Development Ordinance (“UDO”) for the Town of Lapel (the “Town”), previously enacted by the Town pursuant to its authority under the laws of the State of Indiana IC 36-7-4 et seq., as amended.

**WHEREAS**, Lapel Advisory Plan Commission (hereinafter collaboratively "Petitioner") initiated a change of zoning under docket NO. REZ-2023-03 to change the zoning of one parcel in the Town of Lapel from its present Traditional Residential (R2) zoning classification to Institutional (Is) classification; and

**WHEREAS**, the parcels (“real estate”) sought to be reclassified may be particularly described as follows: (See attached Exhibit A)

Commonly known as: 12 W 7<sup>th</sup> St, Lapel, IN 46064  
Parcel Nos: 48-10-28-104-112.000-032.

**WHEREAS**, the Town of Lapel Planning Commission, at a duly noticed Public Hearing on January 11, 2024, heard evidence and made findings of fact, and certified the proposed change of zoning to the Town of Lapel Zoning Map with a favorable recommendation attached hereto as Exhibit “B” by a vote of six (6) in favor and 0 (0) opposed; and

**WHEREAS**, the Town Council hereby makes findings that the change in the Town of Lapel zoning map is (a) consistent with the Town’s comprehensive plan; (b) that the current conditions and the character of current structures and uses in the affected area are consistent with Institutional classification (Is); (c) that a Institutional (Is) classification is the Real Estate’s most desirable classification to the Town and its citizens as a whole; (d) that the zoning change will not result in a diminution of property values in the area near the Real Estate; and the proposed zoning reclassification results in responsible development and growth of the Town.

**NOW, THEREFORE, IT IS HEREBY ORDAINED** by the Lapel Town Council, under the authority of Indiana code § 36-7-4-608, and all acts amendatory thereto as follows:

**Section 1:** The subject real estate located at 12 W 7<sup>th</sup> Street in Lapel, Stony Creek Township, Madison County, Indiana and is legally described in the attached Exhibit A (collectively, “the Real Estate”).

**Section 2:** The zoning classification is hereby rezoned from the Traditional Residential (R2) to Institutional (Is) zoning district.

**Section 3:** This Ordinance shall be in full force and effect from and after its passage by the Town Council of Lapel, Indiana, and publications as provided by law.

**SO ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

**LAPEL TOWN COUNCIL**

\_\_\_\_\_  
Chad Blake, President

\_\_\_\_\_  
Brian Robertson, Vice President

\_\_\_\_\_  
Lindsay Washmuth, Member

\_\_\_\_\_  
Roger Fouse, Member

\_\_\_\_\_  
Gary Shuck, Member

Attest:

\_\_\_\_\_  
Teresa Retherford, Lapel Clerk-Treasurer

**EXHIBIT A**

**PARCEL ID:** 48-10-28-104-112.000-032

**LEGAL DESCRIPTION**

Original Plat: T W END & L P L 010 M PT.

**Exhibit B:**

**LAPEL PLANNING COMMISSION  
CERTIFICATION TO TOWN COUNCIL  
APPLICATION NO: REZ-2023-04**

We, the Town of Lapel Advisory Plan Commission, held a public hearing on January 11, 2024, to consider a Change of Zoning application REZ-2023-04 initiated by the Plan Commission to change zoning of the property located at no address, 20 Acre lot (“real estate”), owned by CRPP, LLC, from Agricultural to Light Industrial and General Industrial per the suggested map in the staff report.

Notice was shown to have been published in a newspaper of general circulation in Madison County, Indiana on November 29<sup>th</sup>, 2023, and it was shown that notices to adjacent property owners were mailed on December 4<sup>th</sup>, 2023.

The Plan Commission discussed and answered all questions presented during the public hearing about this application and **voted 6 Aye(s), 0 Nay(s), and 0 Abstain** to forward to the Lapel Town Council **a favorable** recommendation.

In considering the amendment to the Lapel Zoning Map, we paid reasonable regard to the following, pursuant to Indiana Code 36-7-4-603: the comprehensive plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction, and responsible development and growth.

Please be advised that pursuant to I.C. 36-7-4-608(e), the Town Council has ninety (90) days to vote on this petition after the Plan Commission certifies this proposal.

DATED: \_\_\_\_\_

LAPEL PLANNING COMMISSION

\_\_\_\_\_  
Matt Wood, President

ATTEST:

\_\_\_\_\_  
Teresa Retherford