

Montgomery County Board of Commissioners

Ordinance 2019-14

An Ordinance Adopting A Zoning Ordinance

Whereas, the Montgomery County Board of Commissioners (the “Board”) has received a certification, dated May 29, 2019, from the Montgomery County Plan Commission which contains a favorable recommendation regarding the adoption of a Zoning Ordinance for the unincorporated areas of Montgomery County; and

Whereas, the Commissioner must either adopt, reject or amend the proposed Zoning Ordinance or decide to further consider the proposal; and

Whereas, the Commissioners, having considered the recommendation of the Plan Commission, public comments and written correspondence from citizens regarding the proposed Zoning Ordinance now find as follows:

1. The proposed Zoning Ordinance is consistent with the Comprehensive Plan;
2. The proposed Zoning Ordinance pays reasonable regard to current conditions and the character of current structures and uses in each district by designating zoning districts and uses consistent with existing use;
3. The proposed Zoning Ordinance pays reasonable regard to the most desirable use for which land in each district is adapted;
4. The proposed Zoning Ordinance promotes the conservation of property values throughout the unincorporated areas of the County by establishing general regulations to promote orderly development, enhancing development standards, mitigating conflicting uses, and protecting land owners from a loss of use due to placement of wind turbines on adjacent property; and

5. The proposed Zoning Ordinance promotes responsible development and growth by requiring review of changes in use which could adversely affect transportation and other infrastructure, drainage, schools, economic development, enjoyment of use of land, and other relevant factors.

Whereas, the Commissioners also find that the proposed Zoning Ordinance should be adopted and incorporated into the County Code in a new chapter, Chapter 159; and

Whereas, the Auditor will record this ordinance and the text of the Zoning Ordinance, as required by Indiana §36-7-4-610, in the Office of the Recorder.

IT IS, THEREFORE ORDAINED that the proposed Zoning Ordinance, attached to this ordinance, is hereby adopted and is hereby incorporated into a new chapter of the County Code, namely Chapter 159.

IT IS FURTHER ORDAINED that the Auditor will record this ordinance and the Zoning Ordinance in the Office of the Recorder of Montgomery County.

IT IS FURTHER ORDAINED that the Zoning Ordinance will become effective on June 26, 2019.

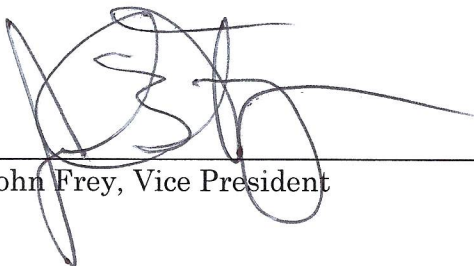
IT IS FURTHER ORDAINED that any other provision of the County Code which is not specifically amended by this ordinance shall remain in full force and effect.

Adopted this 10th day of June, 2019.


Montgomery County Board of Commissioners:



James D. Fulwider, President



John Frey, Vice President



Dan Guard, Member

Attest:



Jennifer Andel, Auditor

This ordinance was prepared by Daniel L. Taylor, Attorney-at-Law, Taylor, Chadd, Minnette, Schneider & Clutter, P.C., 105 North Washington Street, Crawfordsville, Indiana 47933. Telephone 765-361-9680.

I affirm under penalties for perjury that I have taken reasonable care to redact each social security number in this document, unless required by law.

Daniel L. Taylor