

ORDINANCE NO. 2014-9

**AN ORDINANCE APPROVING THE EDINBURGH PLAN
COMMISSION RECOMMENDATION TO REZONE CERTAIN
REAL PROPERTY**

(Copple Rezoning)

WHEREAS, the Edinburgh Plan Commission ("Plan Commission") is an advisory Plan Commission of the Town of Edinburgh, Indiana ("Town") and has, by adopting the Findings of Fact dated the 15th day of April, 2014, ("Findings") recommended to the Edinburgh Town Council ("Council") to amend the Zoning Map of the Town for purposes of rezoning Lots Numbered 560, 561 and 562 in Keeley's Magnetic Addition to the Town of Edinburgh, Indiana (parcel number 41-12-34-033-029.001-002) commonly known as 529 Eisenhower Dr, and 508 Keeley St, Edinburgh, Indiana 46124 ("Property") from R4 Medium Density Residential to RB Roadside Business subject to the conditions as stated below.

WHEREAS, pursuant to Indiana Code 36-7-4-602, the Findings has been certified to the Council;

WHEREAS, the recommendation of the Plan Commission should be adopted, and the rezoning of the Property should be approved subject to the conditions as stated below.

NOW, THEREFORE, BE IT ORDAINED BY THE EDINBURGH TOWN

COUNCIL, AS FOLLOWS:

I. SECTION 1. ZONING MAP AMENDED

a. The Property is hereby rezoned from R4 Medium Density Residential to RB Roadside Business with the following restrictions:

- i. That at no point in time will any business operating on the Property be allow to block or impede vehicular traffic on any street, alley or the public right-of-way in and around the Property.
- ii. That consistent with provisions established in the Town of Edinburgh Code of Ordinances Chapter 72, Section 72.08 (B) that no "vehicle which is taller, wider and longer than a conventional station wagon, pick-up truck, or van" be permitted to park on any street or alley within a residential district and no longer than one hour in any business district in relation to the Property.
- iii. That at no time will any vehicle be permitted to block access of any private driveway, private garage or access to any residential lot in the neighborhood adjacent or near the Property.
- iv. That the intersection of Hougham Street and Keeley Street be made into a four-way stop to enhance the safety of the intersection for school and residential traffic to compensate for the additional business traffic in the area

II. SECTION 3. PUBLIC BENEFIT

a. That the Edinburgh Town Council finds that this ordinance will be in the best interest of the Town and for the benefit of the public and residence of the Town.

III. SECTION 4. REPEALER

a. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

IV. SECTION 5. SEVERABILITY


a. Should any section or provision of this ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.

V. SECTION 6. EFFECTIVE DATE

a. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

ADOPTED this 27th day of May, 2014.


EDINBURGH TOWN COUNCIL



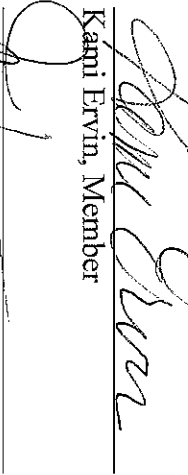
Ron Hoffman, Council President



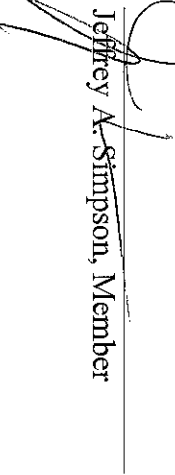
Curtis Rooks, Vice President



John R. Drybread, Member

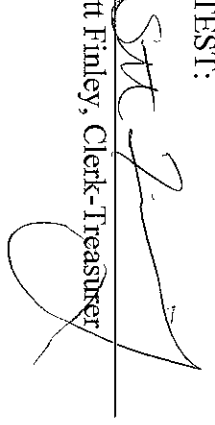


Kanni Ervin, Member



Jeffrey A. Simpson, Member

ATTEST:



Scott Finley, Clerk-Treasurer