

**ORDINANCE NO. 2017-11**  
**TOWN OF NASHVILLE INDIANA**

This ordinance amends the zoning maps of the Town of Nashville, Indiana.

**WHEREAS**, Marisa Payton has petitioned the Town of Nashville, Indiana ("Town") for the rezoning of certain lands owned by Robert L. and Julie M. Miller in Brown County commonly known as 210 Jefferson Street N, Nashville, IN 47448;

**WHEREAS**, said petition has been assigned Petition Number 17-RZ-06 by the Brown County Area Plan Commission;

**WHEREAS**, the Brown County Area Plan Commission conducted a public hearing on the proposed rezoning and certified its recommendation thereon to the Town;

**WHEREAS**, the Council of the Town find that the approval of the proposed rezoning would promote the purposes of the Comprehensive Plan and the Town of Nashville Zoning Ordinance and have given due consideration to, *inter alia*, the Comprehensive Plan, the 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.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Town as follows:

Section 1. Petition Number 17-RZ-06 for Outlot 6 is hereby ☒ **APPROVED** ☐ **DENIED**. The property subject to that Petition more particularly described in "Exhibit A" affixed hereto ☒ **IS** ☐ **IS NOT** hereby rezoned to Restricted Buffer (RB) Zoning under the Town of Nashville Zoning Ordinance.

Section 2. Petition Number 17-RZ-06 for Outlot 3 is hereby ☐ **APPROVED** ☒ **DENIED**. The property subject to that Petition more particularly described in "Exhibit B" affixed hereto ☐ **IS** ☒ **IS NOT** hereby rezoned to Restricted Buffer (RB) Zoning under the Town of Nashville Zoning Ordinance.

Section 3. Should any portion of this Ordinance be declared or determined illegal, unenforceable or invalid by a court of competent jurisdiction, then such illegal, unenforceable, or invalid provision(s) shall be severed from the remaining legal, valid and enforceable portions hereof, which shall continue to be in full force and effect.

This Ordinance shall become effective upon passage and recording as required by law.

**PASSED AND ADOPTED** by the Nashville Town Council this 14th day of OCTOBER 2017.

  
Council Member Charles B. King

☒ yea    ☐ nay    ☐ abstain

  
Council Member Jane Gore

☒ yea    ☐ nay    ☐ abstain

Council Member Alisha Jacoba

yea    nay    abstain

ATTEST:

  
Clerk-Treasurer, Brenda K. Young

  
Council Member Dave Rudd

☒ yea    ☐ nay    ☐ abstain

☒ yea    ☐ nay    ☐ abstain

## ORDINANCE NO. 2017-11

### EXHIBIT A

Outlot No. Six (6) in Barnes Addition to the Town of Nashville, Brown County, Indiana, except therefrom the following:

Part of Outlot Number Six (6) in Barnes Addition to the Town of Nashville, Brown County, Indiana, recorded in Miscellaneous Record Number 3, page 502, in the Office of the Recorder of Brown County, Indiana, described as follows: Beginning at a 5/8-inch rebar found marking the Southwest corner of said Outlot No. Six (6); thence North 01 degree 27 minutes 48 seconds East (assumed bearing) 180.00 feet to a 5/8-inch capped rebar set marking the Northwest corner of said outlot; thence North 89 degrees 14 minutes 36 seconds East with the North

line of said outlot 128.75 feet to a 5/8-inch capped rebar set in a fence line; thence South 00 degrees 00 minutes 00 seconds West 180.00 feet to a 5/8-inch capped rebar set on the South line of said outlot; thence South 89 degrees 17 minutes 40 seconds West with said South line 133.32 feet to the beginning, containing 0.541 acre, more or less.

## ORDINANCE NO. 2017-11

### EXHIBIT B

**ALSO Outlot No. Three (3) in Barnes Addition to the Town of Nashville, Brown County, Indiana, except therefrom the following:**

**Part of Outlot Number Three (3) in Barnes Addition to the Town of Nashville, Brown County, Indiana, recorded in Miscellaneous Record Number 3, page 502, in the Office of the Recorder of Brown County, Indiana, described as follows: Commencing at a stone found marking the Northwest corner of Outlot Number Four (4) in said Barnes Addition to the Town of Nashville, said stone also marking the Northwest corner of Section 19, Township 9 North, Range 3 East, Washington Township, Brown County, Indiana; thence North 89 degrees 11 minutes 16 seconds East (assumed bearing) 346.00 feet to a 5/8-inch capped rebar set marking the Northwest corner of said Outlot Number Three (3) and the beginning; thence continuing North 89 degrees 11 minutes 16 seconds East with the North line of said outlot 124.17 feet to a 5/8-inch capped rebar set in a fence line; thence South 00 degrees 00 minutes 00 seconds West 180.00 feet to a 5/8-inch capped rebar set on the South line of said outlot; thence South 89 degrees 14 minutes 36 seconds West 128.75 feet to a 5/8-inch capped rebar set marking the Southwest corner of said outlot; thence North 01 degree 27 minutes 48 seconds East with the West line of said outlot 180.00 feet to the beginning, containing 0.522 acre, more or less.**