

COMMON COUNCIL OF THE CITY OF AUSTIN, INDIANA

ORDINANCE NO. 2024- 8

AN ORDINANCE DENYING PETITION FOR REZONE

WHEREAS, the City of Austin Advisory Plan Commission has referred to the Common Council of the City of Austin (the “Council”) the application of Michael Payne, applicant(s) and co-owner(s), to rezone certain lands within the jurisdictional area of the City of Austin, Parcel No. 72-03-35-440-001.000-003, located at 192 S. Seventh St. in Austin, Scott County, Indiana 47102 (the “Property”) as requested in a rezoning application, Case Number RZ-01-2024, to the Austin Advisory Plan Commission; and

WHEREAS, the City of Austin Advisory Plan Commission, having met on May 22, 2024, and hearing evidence on the application, now refers this request to the Council with an **UNFAVORABLE** recommendation by a vote of 6-0 (with 1 abstention) to rezone from R-1 Residential to R-2 Residential; and

WHEREAS, the Council, having considered the petition, the recommendation of the Plan Commission, and all evidence and testimony presented, finds that the proposed rezone is not consistent with the comprehensive plan, is not in the best interest of the community, and would not promote the health, safety, morals, convenience, order, or general welfare of the city’s residents;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUSTIN, INDIANA, THAT:

Section 1. Findings. The Common Council hereby adopts the following findings:

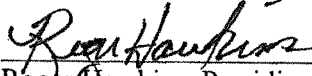
1. The proposed rezone is inconsistent with the goals, objectives, and policies of the Austin Comprehensive Plan.
2. The proposed rezone would adversely affect the character of the surrounding neighborhood and the value of nearby properties.
3. The proposed rezone is not necessary for the public convenience and would not promote the health, safety, and general welfare of the residents of Austin.
4. The proposed rezone does not demonstrate a need for additional land to be rezoned for the proposed use in this area at this time.

Section 2. Denial of Petition. The petition for rezone of the property located at 192 S. Seventh St. in Austin, Scott County, Indiana from R-1 to R-2 is hereby denied.

Section 3. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Austin, Indiana, this 11 day of June, 2024 by a vote of 4 ayes and 0 nays.

Common Council City of Austin, Indiana



Roger Hawkins, Presiding Officer

Attest:



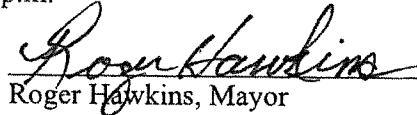
Chris Fugate, Clerk-Treasurer

Presented by me to the Mayor of the City of Austin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, on June at 5:15 p.m.



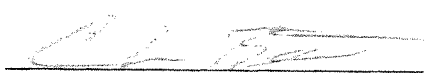
Chris Fugate, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1), on June 11, 2024 at 5:15 p.m.



Roger Hawkins, Mayor

Attest:



Chris Fugate, Clerk-Treasurer