

ORDINANCE # 2023-_____

**AN ORDINANCE AMENDING THE
WHITLEY COUNTY ZONING CODE**

WHEREAS, pursuant to the requirements of Indiana Code 36-7-4-600 et seq., the Whitley County Advisory Plan Commission (the “Plan Commission”) initiated an amendment to the Whitley County Zoning Code; and

WHEREAS, the Plan Commission held a public hearing, as prescribed by law, and have certified to the Board of Commissioners of Whitley County its findings and recommendations in writing concerning the proposed amendment; and

WHEREAS, the Board of Commissioners, upon certification by the Plan Commission of its favorable recommendation, considered and examined the proposed amendment giving regard to 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 the responsible development and growth of Whitley County; and

WHEREAS, the Board of Commissioners of Whitley County deems it in the best interest of the community that such amendment to the zoning code be enacted;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF WHITLEY COUNTY, INDIANA, that the Code of Ordinances, Title XV, Chapter 153, be amended as follows:

Section 1. In Section 5.23, subsection SECS-6(F)(1)(a)(i) shall be amended to read as follows:

- i. The additional setback shall be determined using the formula

$$\textit{Additional setback} = 0.0009x^2 - 0.783x + 164$$

where x is the setback from the common property line to the existing nonparticipating structure. The result is rounded to the nearest whole number.

Section 2. This Ordinance shall be in full force and effect from and after its passage and after the occurrence of all other actions required by law.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF WHITLEY COUNTY,
INDIANA, ON THIS _____ DAY _____, 2023.**

ATTEST:

Chad Banks

Tiffany Deakins, Auditor

Theresa Baysinger

Robert Schuman