

ORDINANCE NO. 2015-16

COMMON COUNCIL FOR THE CITY OF LEBANON, INDIANA

**AN ORDINANCE REZONING PROPERTY
AND CHANGING THE ZONING MAPS
OF THE CITY OF LEBANON, INDIANA
(Tosh Dental; LPC Case No. 15-29)**

WHEREAS, the Petitioner and Owner, Tosh Dental, filed their Zoning Amendment Application before the Lebanon Area Plan Commission, seeking to rezone approximately 0.48 acres, more or less, in Center Township, Boone County, Indiana, said property being located at 905 North Lebanon Street and 136 Tripps Avenue, Lebanon, Indiana, and more particularly described as Lots 38, 39, and 40 in Tripp's Addition to the City of Lebanon, as Recorded in Plat Book 4, Page 104 in the Office of the Boone County Recorder (the "Property"), from the Multi-Family and Single Family-3 (MF/SF-3) to Neighborhood Business (NB) Classification; and

WHEREAS, pursuant to Indiana Code 36-7-4-608, the Lebanon Area Plan Commission conducted the required Public Hearing and voted (7-0) to send a favorable recommendation of the re-zoning petition of the Property on October 19, 2015; and certified its favorable recommendation to the legislative body, the Lebanon City Council on October 22, 2015; and

WHEREAS, pursuant to Indiana Code 36-7-4-608, the Lebanon City Council, having considered the Application and the recommendation of the Lebanon Area Plan Commission now adopts the proposal and approves the requested rezoning.

IT IS THEREFORE CONSIDERED, ORDAINED AND ADOPTED as follows:

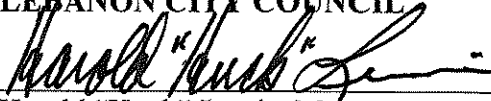
1. The Petitioners, Tosh Dental is the Owner of the Property.
2. The Petitioner seeks to have the Property, comprised of approximately 0.48 acres, and located at 905 North Lebanon Street and 136 Tripps Avenue, Lebanon, Indiana, and more particularly described as Lots 38, 39, and 40 in Tripp's Addition to the City of Lebanon, as Recorded in Plat Book 4, Page 104 in the Office of the Boone County Recorder (the "Property"), re-zoned from the Multi-Family and Single Family-3 (MF/SF-3) to Neighborhood Business (NB) Classification; and
3. That the Lebanon City Council has paid reasonable regard to applicable comprehensive plans; 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. Additionally, the Petitioner has agreed to execute and be bound by Voluntary Commitments attached here to as Exhibit "A".

4. That from and after this date, the official zoning maps of the City of Lebanon, Indiana shall be changed to rezone the subject Property from the MF and SF-3 Zoning Classifications to the NB Zoning Classification, subject to and in reliance of the Commitments as attached in Exhibit "A". Further, the Plan Director of the City of Lebanon Plan Commission is hereby authorized to change the official zoning maps consistent with this ordinance.

ALL OF WHICH IS ADOPTED this 26th day of October, 2015
by the Lebanon City Council of the City of Lebanon, Indiana.


LEBANON CITY COUNCIL

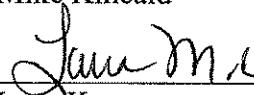

Harold "Huck" Lewis, Mayor

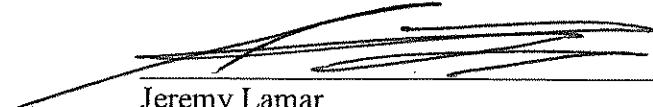

Keith Campbell

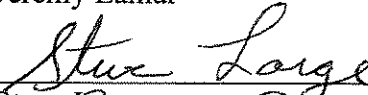
ABSENT

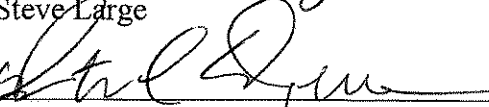
John Copeland


Mike Kincaid

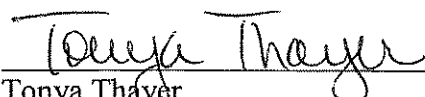

Lana Kruse


Jeremy Lamar


Steve Large


Preston Myers

ATTEST:


Tonya Thayer,
Clerk-Treasurer, City of Lebanon, Indiana