AGENDA

KOKOMO COMMON COUNCIL

CITY OF KOKOMO, INDIANA

PUBLIC INFORMATIONAL MEETING AT 5:30 P.M.

COUNCIL MEETING IMMEDIATELY FOLLOWING APRIL 26TH, 2021 @ 6:00 P.M.

COUNCIL CHAMBERS CITY HALL 100 S. UNION ST

CALL TO ORDER:

INVOCATION:

PLEDGE:

ROLL CALL:

APPROVAL OF MINUTES:

COMMUNICATIONS:

COMMITTEE REPORTS:

Ordinance #6981: An Ordinance amending Ordinance #6187

Ordinance #6985: Amend the Zoning Ordinance #6279, Case P05-Z-21 is the petition ok Kokomo Howard County Plan Commission requesting the Kokomo City Plan Commission petition and recommend the Kokomo Common Council to amend the Kokomo Zoning Ordinance #6279. To add another year to sunset provision for pole signs along S. R. 931
Ordinance #6989: Rezone from C2 (medium to large scale general commercial) to IS (institutional uses) Case P07-Z-21 located 3437 W. Sycamore Rd. Kokomo IN. 46901

Ordinance #6990: Case P08-Z-21 rezone from C2 (medium to large scale general commercial) to R1 (very low density residential) located at 3439 W. Sycamore Rd. Kokomo IN. 46901

Ordinance #6991: Case P09-Z021, Rezone from AG (agricultural) to C2 (medium to large scale general commercial) in the US 931 OIA-OL (office/industrial/agricultural overlay) located at 1441 E. 400 S. Kokomo IN 46902

Ordinance #6992: Case P10-Z-21, Rezone from C2 (medium to large scale general commercial) NC (neighborhood commercial) located at 2389 S. Dixon Rd. Kokomo IN. 46902
The Common Council of the city of Kokomo, Indiana met Monday April 12\textsuperscript{th}, 2021 at 6:00 p.m. in the City Hall Council Chambers.

President Grecu called the meeting to order.

Councilwoman Sanders states those who wish to stand may, or you may remain seated.

Pastor Jeff Bradley, Brookside Free Methodist Church offered invocation.

Pledge.

Present: Rudolph, R. Stewart, Grecu, McKibben, Sanders, Miklik

Absent: Collins, Acord, T. Stewart

Communications: Councilman Miklik states the following checks written in the calendar year 2018 and still outstanding as of 03/31/2021, are now cancelled.

Steve Long from Kokomo came before the Council to share information on noiseless fireworks. Inquired as to the status of a firework ordinance.

Charles Rossi from Kokomo came before the Council to share more information on a complaint he has.
John Roberts from Kokomo came before the Council to share his concerns on fireworks. He stated he would like to see the city limit fireworks to June 29th thru July 9th, and not have them on Memorial Day, Labor Day. He stated, the city should not follow Russiaville or Greentown IN., The city should take the lead.

Ordinance #6987 (case P03-Z-21)

The Clerk read ordinance #6987 by title only. Councilwoman Sanders moved for suspension of the rules, and pass ordinance #6987 on first and second reading, seconded by Councilman Miklik.

Vote for suspension of the rules:

Aye: All

Nay: None

The vote was 6-0 for suspension of the rules.

Councilwoman Sanders moved for passage on Ordinance #6987 on second reading. Seconded by Councilman Miklik. Councilwoman Sanders states, the petitioner is requesting a change in zone classification from LI to R5 for property located at 2152 N Plate St. Kokomo IN 46901 Councilwoman Sanders, states there were no remonstrators.

Vote for passage follows:

Aye: All

Nay: None
The vote was 6-0 for passage on first and second reading.

Ordinance #6988 (case P04-Z-21)

The Clerk read Ordinance #6988 by title only. Councilwoman Sanders moved for suspension of the rules, and pass Ordinance #6988 on first and second reading, seconded by Councilman Miklik.

Vote for suspension of the rules:

Aye: All

Nay: None

The vote was 6-0 for suspension of the rules.

Councilwoman Sanders moved for passage on Ordinance #6988 on second reading. Seconded by Councilman Miklik. Councilwoman Sanders states, the petitioner is requesting a change in zone classification from LI to M1 for property located at 2141 N. Elizabeth St. Kokomo IN 46901. Councilwoman Sanders, states there were no remonstrators.

Vote for passage follows:

Aye: All

Nay: None

The vote was 6-0 for passage on the first and second reading.
President Grecu states this marks the end of this Council Meeting. Our next meeting will be held April 26\textsuperscript{th}, 2021

Adjourned at 6:21 p.m.

____________________________

Presiding Officer

ATTEST:

______________________

City Clerk
ORDINANCE NO. 6981

AN ORDINANCE AMENDING ORDINANCE #6187

WHEREAS, the City of Kokomo, Indiana has determined to restrict the use of fireworks which create excessive noise and disturbances within the City. This ordinance is designed to encourage the responsible and courteous use of consumer fireworks in the City of Kokomo.

AND WHEREAS, the Common Council of the City of Kokomo deems it necessary to enact legislation concerning fireworks usage and displays as provided for by Indiana Code: 22-11-14-10.5

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO THAT PURSUANT TO THE ORDINANCE, CHAPTER 132, SECTIONS 01 and 03 OF THE KOKOMO CODE OF ORDINANCES SHALL BE AMENDED TO READ AS FOLLOWS:

SECTION I

§132.01 DEFINITIONS

“FIREWORKS.” A firework shall be defined in this ordinance pursuant to I.C. 22-11-14-1.

SECTION II

§132.03 PROHIBITED NOISES

(B) Prohibited Noises.

(12) Use of fireworks is expressly forbidden except for the following dates:

(a) (NEW YEAR’S EVE) December 31st between the hours of 10:00 A.M. and 1:00 A.M. on January 1st.
(b) (MEMORIAL DAY) Last Monday of May between the hours of 5:00 P.M. and 2 hours after sunset.
(c) (ONLY OTHER DAYS ALLOWED) On June 29th, June 30th, July 1st, July 2nd, July 3rd, July 5th, July 6th, July 7th, July 8th and July 9th between the hours of 5:00 P.M. and 2 hours after sunset.
(d) (INDEPENDENCE DAY) July 4th between the hours of 10:00 A.M. and 12:00 A.M. (MIDNIGHT)
(e) (LABOR DAY) First Monday in September between the hours of 5:00 P.M. and 2 hours after sunset.
(f) The Common Council may authorize additional days and times if requested in writing and approved by the Common Council.

Nothing in this ordinance shall prohibit the local Fire Chief, State Fire Marshal, or any duly authorized law enforcement official from further restricting, or prohibiting, the use of fireworks during the aforementioned periods of time for any weather related or public safety reasons.
Consumer fireworks may be used, ignited, or discharged during the permitted times set forth above only on the users’ own property, with the permission of the property owner, or at special discharge locations designated by the State Fire Marshal, Kokomo Fire Chief or the Kokomo Common Council. No person may use, ignite, or discharge fireworks on any public street, public sidewalk, alleys, parks, public right of way or on any City property without written permission of the State Fire Marshal, Kokomo Fire Chief or the Kokomo Common Council. Any such request must be submitted to the Kokomo City clerk at least 30 days prior to the fireworks event. Users shall be responsible for all debris resulting from the discharge of consumer fireworks. It is a violation of this Ordinance if fireworks land upon property owned or occupied by another person from which permission was not obtained, or upon public streets or City property, and which fireworks and/or all related debris is not removed by the user withing twenty-four (24) hours of such use or discharge. Notwithstanding the foregoing, nothing in this ordinance shall be interpreted to grant permission to any person to discharge, place, or land debris on property occupied or owned by another, and the twenty-four (24) hour removal period required by this ordinance shall not relieve any such user of any applicable civil liability, including but not limited to a cause of action for trespass or nuisance.

This Ordinance shall be in full force and effect from and after it’s passage, signature by the Members of the Common Council of the City, and publication as provided by law.

Ordinance #6981

PASSED AND ADOPTED by the Common Council of the City of KOKOMO, Howard County, Indiana, this ___ day of _________, 2021.

COMMON COUNCIL

______________________________
Matthew Grecu, President

ATTEST:

______________________________
Diane Howard, City Clerk

Presented by me to the Mayor of Kokomo, Indiana, this ___ day of _________, 2021 at the hour of _______ o’clock P.M.

______________________________
Diane Howard, City Clerk
This Ordinance approved and signed by me this ___ day of__________, 2021 at the hour of______________ o'clock P.M.

__________________________

Tyler Moore, Mayor
ORDINANCE NO. 6981

AN ORDINANCE AMENDING ORDINANCE #6187

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(b) (MEMORIAL DAY) Last Monday of May between the hours of 5:00 P.M. and 2 hours after sunset.
(c) (ONLY OTHER DAYS ALLOWED) On June 29th, June 30th, July 1st, July 2nd, July 3rd, July 5th, July 6th, July 7th, July 8th and July 9th between the hours of 5:00 P.M. and 2 hours after sunset.
(d) (INDEPENDENCE DAY) July 4th between the hours of 10:00 A.M. and 12:00 A.M. (MIDNIGHT)
(e) (LABOR DAY) First Monday in September between the hours of 5:00 P.M. and 2 hours after sunset.
(f) The Common Council may authorize additional days and times if requested in writing and approved by the Common Council.

Nothing in this ordinance shall prohibit the local Fire Chief, State Fire Marshal, or any duly authorized law enforcement official from further restricting, or prohibiting, the use of fireworks during the aforementioned periods of time for any weather related or public safety reasons.
Consumer fireworks may be used, ignited, or discharged during the permitted times set forth above only on the users' own property, with the permission of the property owner, or at special discharge locations designated by the State Fire Marshal, Kokomo Fire Chief or the Kokomo Common Council. No person may use, ignite, or discharge fireworks on any public street, public sidewalk, alleys, parks, public right of way or on any City property without written permission of the State Fire Marshal, Kokomo Fire Chief or the Kokomo Common Council. Any such request must be submitted to the Kokomo City clerk at least 30 days prior to the fireworks event. Users shall be responsible for all debris resulting from the discharge of consumer fireworks. It is a violation of this Ordinance if fireworks land upon property owned or occupied by another person from which permission was not obtained, or upon public streets or City property, and which fireworks and/or all related debris is not removed by the user withing twenty-four (24) hours of such use or discharge. Notwithstanding the foregoing, nothing in this ordinance shall be interpreted to grant permission to any person to discharge, place, or land debris on property occupied or owned by another, and the twenty-four (24) hour removal period required by this ordinance shall not relieve any such user of any applicable civil liability, including but not limited to a cause of action for trespass or nuisance.

This Ordinance shall be in full force and effect from and after it’s passage, signature by the Members of the Common Council of the City, and publication as provided by law.

**Ordinance #6981**

PASSED AND ADOPTED by the Common Council of the City of KOKOMO, Howard County, Indiana, this ___ day of ______, 2021.

COMMON COUNCIL

__________________________
Matthew Grecu, President

ATTEST:

__________________________
Diane Howard, City Clerk

Presented by me to the Mayor of Kokomo, Indiana, this ___ day of ______, 2021 at the hour of ______ o’clock P.M.

__________________________
Diane Howard, City Clerk
This Ordinance approved and signed by me this ___ day of __________, 2021 at the hour of _______ o’clock P.M.

__________________________

Tyler Moore, Mayor
April 15, 2021

TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: P05-Z-21
Amend the Zoning Ordinance, No. 6279

Ordinance No. 6985
Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, April 13, 2021 considered and voted unanimously to forward a favorable recommendation of the above captioned case to the Kokomo Common Council.

Case P05-Z-21 is the petition of Kokomo-Howard Co Plan Commission requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council to amend the Kokomo Zoning Ordinance, No. 6279. To add another year to the sunset provision for pole signs along the S.R. 931.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Respectfully Submitted,

Michael Besser, President
Kokomo City Plan Commission
Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 13th day of April, 2021, after due notice of such public hearing being published in the Kokomo Tribune Newspaper at least ten (10) days prior to the date of the public hearing; and

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this 20th day of April, 2021.

Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this 20th day of April, 2021.

Diane Trobaugh
Notary Public
A resident of Howard County

My commission expires: January 27, 2028.

This instrument was prepared by Jessica Calderon, Secretary, City Plan Commission. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.
ORDINANCE NO.: 6985
Case: P05-Z-21

City Council Copy
Kokomo-Howard Co. Plan Commission
Amend the Kokomo Zoning Ordinance No.6279
S.R. 931 Overlay District

City of Kokomo
100 South Union Street
Kokomo, IN 46901
Amendments to KZO, 6279, as amended.

AN ORDINANCE AMENDING CITY OF KOKOMO ZONING ORDINANCE 6279, AS AMENDED

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended with all subsequent amendments, be and is hereby further amended as follows:

SECTION I. The following text shall be modified in Article Eight, Nonconforming Structures, Lots, and Uses, as follows:

A. Pole signs are not a permitted use in the SR 931 Overlay District. See Zoning Ordinance §§ 4.24.2 to 4.24.8. Any lawfully nonconforming pole sign existing in the SR 931 Overlay District on or after November 1, 2016 shall be discontinued over a reasonable period of time, and by no later than January 1, 2021, all lawfully nonconforming pole signs in the SR 931 Overlay District shall be brought into compliance with the Kokomo Zoning Ordinance. After January 1, 2021, all lawfully nonconforming pole signs in the SR 931 Overlay District shall lose their lawful nonconforming status.

This section does not apply to multi-tenant structure signs or lawfully nonconforming signs greater than 100 square feet.

SECTION II. The above changes shall be duly entered on the filed copies of the zone map, which is part of the Kokomo Zoning Ordinance No. 6279.

SECTION III. This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor, and publication as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, this ___ day of ___, 2021.

Matthew Grecu, President,
Kokomo Common Council

ATTEST:

Diane Howard, City Clerk

PRESENTED by me, the undersigned City Clerk of the City of Kokomo, Indiana, to the Mayor, for approval and signature, this ___ day of ___, 2021.

Diane Howard, Kokomo City Clerk
The foregoing Ordinance No. is hereby APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Kokomo, Indiana, this ___ day of __________, 2021.

____________________________________
Tyler O. Moore, Mayor
City of Kokomo, Indiana

____________________________________
Diane Howard, City Clerk
City of Kokomo, Indiana

This instrument was prepared by Jessica Calderon, City Plan Commission Secretary. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Jessica Calderon, Plan Commission Secretary
April 19, 2021

TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: P07-Z-21
Rezone from C2 (Medium to Large Scale General Commercial) to IS (Institutional Uses)
3437 West Sycamore Road.

Ordinance No. 6989
Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, April 13, 2021 considered and voted unanimously to forward a favorable recommendation of the above captioned case to the Kokomo Common Council.

Case P07-Z-21 is the petition of Robert & Roseann Aechliman requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from C2 (Medium to Large Scale General Commercial) to IS (Institutional Uses) for property described as Part of the Northwest Quarter of Section 34, Township 24 North, Range 3 East of the Second Principal Meridian, containing 2.93 acres, more or less, City of Kokomo, Center Township, Howard County, Indiana, at 3437 W. Sycamore Rd.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Respectfully Submitted,

Michael Besser, President
Kokomo City Plan Commission
Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 13th day of April, 2021, after due notice of such public hearing being published in the Kokomo Tribune Newspaper at least ten (10) days prior to the date of the public hearing; and

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this 20th day of April, 2021.

Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this 20th day of April, 2021.

Dianne Trobaugh
Notary Public
A resident of Howard County

My commission expires: January 27, 2028.

This instrument was prepared by Jessica Calderon, Secretary, City Plan Commission. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.
AN ORDINANCE AMENDING ORDINANCE NO. 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended, with all subsequent amendments be and is hereby amended as follows:

SECTION I.

The following described tract of land shall be changed from **C2 (Medium to Large Scale General Commercial) to IS (Institutional Uses)** for property described: A part of the Northwest Quarter of Section 34, Township 24 North, Range 3 East of the Second Principal Meridian, Howard County, Indiana, as shown on the survey certified by Jason R. Henderson, PS #LS20300025 on March 5th, 2021, being described as follows:

Commencing at the Southwest corner of the said Northwest Quarter, thence North 00 degrees 10 minutes 50 seconds East (Indiana State Plane Coordinate System - East Zone) along the West line of said Northwest Quarter, a distance of 1606.75 feet; thence North 89 degrees 15 minutes 06 seconds East a distance of 527.08 feet; thence South 00 degrees 10 minutes 50 seconds West parallel with said West line, a distance of 65.62 feet to a 5/8 inch rebar with orange plastic identifying cap stamped "FIRM 0047" hereinafter referred to as "pin"; on the South right of way line for State Road 22; thence North 89 degrees 51 minutes 52 seconds East along said South line, a distance of 219.98 feet to the Point of Beginning, marked by a 5/8 inch rebar with red plastic identifying cap stamped "HENDERSON LS20300025" hereinafter referred to as "rebar"; thence continuing North 89 degrees 51 minutes 52 seconds East along said South line, a distance of 6.88 feet to a rebar; thence South 85 degrees 48 minutes 02 seconds East along said South line, a distance of 43.22 feet to a pin; thence South 00 degrees 10 minutes 50 seconds West parallel with said West line, a distance of 139.22 feet to a pin; thence North 89 degrees 15 minutes 06 seconds East a distance of 60.00 feet to a pin; thence South 00 degrees 10 minutes 50 seconds West parallel with said West line, a distance of 520.00 feet to a rebar; thence South 89 degrees 15 minutes 06 seconds West a distance of 280.00 feet to a rebar; thence North 00 degrees 10 minutes 50 seconds East parallel with said West line, a distance of 276.23 feet; thence North 89 degrees 15 minutes 06 seconds East a distance of 103.00 feet to a rebar; thence North 00 degrees 10 minutes 50 seconds East parallel with said West line, a distance of 247.00 feet to a rebar; thence North 89 degrees 15 minutes 06 seconds East a distance of 67.00 feet to a rebar; thence North 00 degrees 10 minutes 50 seconds East parallel with said West line, a distance of 139.79 feet to the Point of Beginning, containing 2.93 acres, more or less.

25' INGRESS - EGRESS EASEMENT DESCRIPTION (RESERVED FOR REMAINDER OF PARENT TRACT)

A 25' wide Ingress - Egress Easement, the centerline of which is a part of the Northwest Quarter of Section 34, Township 24 North, Range 3 East of the Second Principal Meridian, Howard County, Indiana, as shown on the survey certified by Jason R. Henderson, PS #LS20300025 on March 5th, 2021, being described as follows:

Commencing at the Southwest corner of said Northwest Quarter, thence North 00 degrees 10 minutes 50 seconds East (Indiana State Plane Coordinate System - East Zone) along the Qwest line of said Northwest Quarter, a distance of 1606.75 feet; thence North 89 degrees 15 minutes 06 seconds East a distance of 527.08 feet; thence South 00 degrees 10 minutes 50 seconds West parallel with said West line, a distance of 65.62 feet to the South right of way line for State Road 22; thence North 89 degrees 51 minutes 52 seconds East along said South line, a distance of 226.86 feet; thence South 85 degrees 48 minutes 02 seconds East along said South line, a distance of 43.22 feet; thence South 00 degrees 10 minutes 50 seconds West parallel with said West line, a distance of 139.22 feet; thence North 89 degrees 15 minutes 06 seconds East a distance of 60.00 feet; thence South 00 degrees 10 minutes 50 seconds West parallel with said West line, a distance of 12.50 feet to the Point of Beginning; thence South 89 degrees 15 minutes 06 seconds West a distance of 132.69 feet; thence South 00 degrees 10 minutes 50 seconds West parallel with said West line, a distance of 102.00 feet; thence North 89 degrees 49 minutes 10 seconds West perpendicular to said West line, a distance of 44.30 feet to the Point of Terminus, with the sidelines of said easement being extended or shortened to intersect with the East and West line of the Grantor's land, containing 2.93 acres, more or less, Center Township, Howard County, Indiana, at 3437 W Sycamore Rd..
SECTION II.

The above changes shall be duly entered on the filed copies of the zone map, which is a part of Kokomo Zoning Ordinance No. 6279.

SECTION III.

This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor, and publication as provided by law.

PASSED by the Kokomo Common Council this ___ day of ____________, 2021.

Attest:

______________________________
Diane Howard, City Clerk

______________________________
Matthew Grecu, President,
Kokomo Common Council

PRESENTED by me to the Mayor this ___ day of ____________, 2021.

______________________________
Diane Howard, City Clerk

APPROVED by me this ___ day of ____________, 2021.

______________________________
Tyler Moore, Mayor
City of Kokomo, Indiana

Attest:

______________________________
Diane Howard, City Clerk

This instrument was prepared by Jessica Calderon, City Plan Commission Secretary.
I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document, unless, required by law. 

Jessica Calderon, Plan Commission Secretary
Paul Wyman of The Wyman Group, on behalf of Robert and Roseann Aeschliman, is requesting a change in zone classification for the property listed above, to be used as a "church".

The adjoining property uses and zoning(s) are:

<table>
<thead>
<tr>
<th>North</th>
<th>South</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIR (Agricultural/Rural Residential)</td>
<td>AIR (Agricultural/Rural Residential)</td>
</tr>
<tr>
<td>and R1 (Very Low density Residential)</td>
<td></td>
</tr>
<tr>
<td>East: A/R (Agricultural/Rural Residential)</td>
<td></td>
</tr>
<tr>
<td>West: IS (institutional Uses)</td>
<td></td>
</tr>
</tbody>
</table>

*According to the City of Kokomo Zoning Ordinance, the "AR" zoning is not an "appropriate adjacent district" within the area specified.

According to the City of Kokomo Comprehensive Plan "Future Land Use Map", the property (outlined above), is located in an area proposed for "GENERAL COMMERCIAL" (this is an area designated to accommodate a wide variety of large and small scale commercial use. Typically, this category is for commercial uses that cater to vehicle traffic with high visibility from major roadways) and "MEDIUM DENSITY RESIDENTIAL" (this is an area designed for single family housing of varying types between 3 to 6 dwelling units per acre. Typically, medium density would be single family detached, duplexes, triplexes, condominiums, townhomes and cluster housing).

Land Use Goals:

1. Encourage orderly and responsible development to promote health, safety and quality of life of residents in the City of Kokomo, while maintaining Kokomo as a leading community for affordable housing.

Relevant Land Use Objectives are:

1. Encourage adequate land for residential, commercial, industrial, institutional and recreational uses.
2. Designate specific districts in the community suitable for residential, commercial, industrial, institutional and recreational uses.
The goal of the City of Kokomo Comprehensive Plan Transportation Map, is to enhance connections throughout the city for improved safety, function and efficiency for all modes of transportation including vehicular, bicycle and pedestrian networks.

According to the Transportation Map, this area of "West Sycamore Road" is defined as a "Minor Arterial"; which is a street that collects and distributes traffic to and from collector and primary arterial streets.

The traffic count for this area of West Sycamore Road is 11,550 (ADT) cars per day.

The requested zoning change is compatible with the "R1" and "IIS" zoning district. However, it is not compatible with the A/R zoning district. Therefore, the staff desires that the Board forward their own recommendation to the Kokomo Common Council, based on the information presented by the petitioner.

Kokomo City Plan Commission
Staff Report prepared by Rhonda Hill 3/22/2021, reviewed by Greg Sheline
TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: P08-Z-21
Rezone from C2 (Medium to Large Scale General Commercial) to R1 (Very Low Density Residential)
3439 W. Sycamore Rd.

Ordinance No. 6990
Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, April 13, 2021 considered and voted unanimously to forward a favorable recommendation of the above captioned case to the Kokomo Common Council.

Case P08-Z-21 is the petition of Robert & Roseann Aechliman requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from C2 (Medium to Large Scale General Commercial) to R1 (Very Low Density Residential) for property described as Part of the Northwest Quarter of Section 34, Township 24 North, Range 3 East of the second Principal Meridian, containing 1.53 acres, more or less, City of Kokomo, Center Township, Howard County, Indiana, at 3439 W. Sycamore Rd.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Respectfully Submitted,

Michael Besser, President
Kokomo City Plan Commission
Certification
Ordinance No.: 6990
Case: P08 - Z - 21

STATE OF INDIANA )
CITY OF KOKOMO ) SS:
COUNTY OF HOWARD )

Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 13th day of April, 2021, after due notice of such public hearing being published in the Kokomo Tribune Newspaper at least ten (10) days prior to the date of the public hearing; and

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this 20th day of April, 2021.

Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this 20th day of April, 2021.

Notary Public Dianne Trobaugh
A resident of Howard County

My commission expires: January 27, 2028.

This instrument was prepared by Jessica Calderon, Secretary, City Plan Commission. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.
AN ORDINANCE AMENDING ORDINANCE NO. 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED
BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended,
with all subsequent amendments be and is hereby amended as follows:

SECTION I.

The following described tract of land shall be changed from C2 (Medium to Large Scale
General Commercial) to R1 (Very Low Density Residential) for property described: A part of
the Northwest Quarter of Section 34, Township 24 North, Range 3 East of the Second Principal
Meridian, Howard County, Indiana, as shown on an exhibit certified by Jason R. Henderson, PS
#LS20300025 on March 11th, 2021, being described as follows:

Commencing at the Southwest corner of the said Northwest Quarter, thence North 00 degrees 10
minutes 50 seconds East (Indiana State Plane Coordinate System - East Zone) along the West line
of said Northwest Quarter, a distance of 1606.75 feet; thence North 89 degrees 15 minutes 06
seconds East a distance of 527.08 feet; thence South 00 degrees 10 minutes 50 seconds West
parallel with said West line, a distance of 65.62 feet to the South right of way line for State Road
22, also being the Point of Beginning; thence North 89 degrees 51 minutes 52 seconds East along
said South line, a distance of 219.98 feet; thence South 00 degrees 10 minutes 50 seconds West
parallel with said West line, a distance of 139.79 feet; thence South 89 degrees 15 minutes 06
seconds West a distance of 67.00 feet; thence South 00 degrees 10 minutes 50 seconds West
parallel with said West line, a distance of 103.00 feet; thence North 00 degrees 10 minutes 50 seconds East
parallel with said West line, a distance of 41.77 feet; thence South 89 degrees 15 minutes 06
seconds West a distance of 50.00 feet; thence North 00 degrees 10 minutes 50 seconds East
parallel with said West line, a distance of 347.38 feet to the Point of Beginning, containing 1.53
acres, more or less, Center Township, Howard County, Indiana, at 3439 W. Sycamore Rd..

SECTION II.

The above changes shall be duly entered on the filed copies of the zone map, which is a part of
Kokomo Zoning Ordinance No. 6279.

SECTION III.

This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor,
and publication as provided by law.

PASSED by the Kokomo Common Council this day of ____________, 2021.

Attest:

Diane Howard, City Clerk

Matthew Grecu, President,
Kokomo Common Council
PRESENTED by me to the Mayor this ___ day of ________________, 2021.

__________________________________________
Diane Howard, City Clerk

APPROVED by me this ___ day of ________________, 2021.

__________________________________________
Tyler Moore, Mayor
City of Kokomo, Indiana

Attest:

__________________________________________
Diane Howard, City Clerk

This instrument was prepared by Jessica Calderon, City Plan Commission Secretary. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document, unless, required by law. Jessica Calderon, Plan Commission Secretary
Staff Report
Case P08-Z-21
C2 (Medium to Large Scale General Commercial) to R1 (Very Low Density Residential)
34-03-34-151-004.000-002
3437 West Sycamore Road

Paul Wyman of The Wyman Group, on behalf of Robert and Roseann Aeschliman, is requesting a change in
zone classification for the property listed above, to be used as "Homestead".

The adjoining property uses and zoning(s) are:
- North: A/R (Agricultural/Rural Residential) and R1 (Very Low density Residential)
- South: A/R (Agricultural/Rural Residential)
- East: A/R (Agricultural/Rural Residential)
- West: IS (institutional Uses)

According to the City of Kokomo Zoning Ordinance, the "AR" zoning is not an "appropriate adjacent district" within the
area specified.

According to the City of Kokomo Comprehensive Plan "Future Land Use Map", this property (outlined to the
right), is located in an area proposed for "GENERAL COMMERCIAL" (this is an area designated to
accommodate a wide variety of large and small scale commercial use. Typically, this category id foe
commercial uses that cater to vehicle traffic with high visibility from major roadways) and "MEDIUM
DENSITY RESIDENTIAL" (this is an area designed for single family housing of varying types between 3 to 6
dwelling units per acre. Typically, medium density would be singe family detached, duplexes, triplexes,
condominiums, townhomes and cluster housing).

Land Use Goals:
1. Encourage orderly and responsible development to promote health, safety
   and quality of life of residents in the City of Kokomo, while maintaining
   Kokomo as a leading community for affordable housing

Relevant Land Use Objectives are:
1. Encourage adequate land for residential, commercial, industrial,
   institutional and recreational uses.
2. Designate specific districts in the community suitable for residential,
   commercial, industrial, institutional and recreational uses.
The goal of the City of Kokomo Comprehensive Plan Transportation Map is to enhance connections throughout the city for improved safety, function and efficiency for all modes of transportation including vehicular, bicycle and pedestrian networks.

According to the Transportation Map, this area of "West Sycamore Road" is defined as a "Minor Arterial"; which is a street that collects and distributes traffic to and from collector and primary arterial streets.

The traffic count for this area of West Sycamore Road is 11,550 (ADT) cars per day.

The requested zoning change is compatible with the "Rl" and "IS" zoning district. However, it is not compatible with the A/R zoning district. Therefore, the staff desires that the Board forward their own recommendation to the Kokomo Common Council, based on the information presented by the petitioner.
April 19, 2021

TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: P09-Z-21
Rezone from AG (Agricultural) to C2 (Medium to Large Scale General Commercial) in the US 931 OIA-OL (Office/Industrial/Agricultural Overlay) at 1441 E 400 S.

Ordinance No. 6991

Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, April 13, 2021, considered and voted unanimously to forward a favorable recommendation of the above captioned case to the Kokomo Common Council.

Case P09-Z-21 is the petition of Janice Lynn Myers requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from AG (Agricultural) to C2 (Medium to Large Scale General Commercial) with the US 31 OIA-OL (Office/Industrial/Agricultural Overlay) for property described A Part of the Northwest Quarter of Section 29, Township 23 North, Range 4 East of the Second Principal Meridian, Howard County, Indiana, containing 14.29 acres, more or less, City of Kokomo, Center Township, Howard County, Indiana, at 1441 E 400 S.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Respectfully Submitted,

Michael Besser, President
Kokomo City Plan Commission
Certification
Ordinance No.: 6991
Case: P09 - Z - 21

STATE OF INDIANA )
CITY OF KOKOMO ) SS:
COUNTY OF HOWARD )

Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 13th day of April, 2021, after due notice of such public hearing being published in the Kokomo Tribune Newspaper at least ten (10) days prior to the date of the public hearing; and

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this 20th day of April, 2021.

Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this 20th day of April, 2021.

Dianne Trobaugh
Notary Public
A resident of Howard County

My commission expires: January 27, 2028.

This instrument was prepared by Jessica Calderon, Secretary, City Plan Commission. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.
AN ORDINANCE AMENDING ORDINANCE NO. 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended, with all subsequent amendments be and is hereby amended as follows:

SECTION I.

The following described tract of land shall be changed from AG (Agricultural) to C2 (Medium to Large Scale General Commercial) with OIA-OL (US 31 Office/Industrial/Agricultural Over-Lay District) for property described: A Part of the Northwest Quarter of Section 29, Township 23 North, Range 4 East of the Second Principal Meridian, Howard County, Indiana, as shown on the survey certified by Jason R Henderson, PS #LS20300025 on October 16th, 2018, being described as follows:

Beginning at the Northeast corner of said Northwest Quarter, thence South 89 degrees 14 minutes 07 seconds West (Indiana State Plane Coordinate System - East Zone) along the North line of said Northwest Quarter, a distance of 368.40 feet to a magnetic nail; thence South 00 degrees 15 minutes 34 seconds East parallel with the East line of said Northwest Quarter, a distance of 406.00 feet to a 5/8 inch rebar with red plastic identifying cap stamped "HENDERSON LS20300025" hereinafter referred to as "rebar"; thence South 89 degrees 14 minutes 07 seconds West parallel with said North line, a distance of 149.00 feet to a rebar; thence South 00 degrees 15 minutes 34 seconds East parallel with said East line, a distance of 914.99 feet to 5/8 inch rebar with yellow plastic cap stamped "Weihe" hereinafter referred to as "pin"; thence North 89 degrees 05 minutes 00 seconds East a distance of 517.41 feet to a pin on the East line of said Northwest Quarter; thence North 00 degrees 15 minutes 34 seconds West along said East line, a distance of 1319.62 feet to the Point of Beginning, containing 14.29 acres, more or less, Taylor Township, Howard County, Indiana, at 1441 E 400 S.

SECTION II.

The above changes shall be duly entered on the filed copies of the zone map, which is a part of Kokomo Zoning Ordinance No. 6279.

SECTION III.

This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor, and publication as provided by law.

PASSED by the Kokomo Common Council this___day of_________________, 2021.

Attest:

Diane Howard, City Clerk

Matthew Grecu, President,
Kokomo Common Council

PRESENTED by me to the Mayor this____day of_________________, 2021.
Diane Howard, City Clerk

APPROVED by me this ___ day of _________________________, 2021.

Tyler Moore, Mayor
City of Kokomo, Indiana

Attest:

Diane Howard, City Clerk

This instrument was prepared by Jessica Calderon, City Plan Commission Secretary.
I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document, unless, required by law. Jessica Calderon, Plan Commission Secretary
Paul Wyman of The Wyman Group, on behalf of Janice Lynn Myers, is requesting a change in zone classification for the property listed above. This property will be used as an "Indoor Youth Sports Training Facility". The northern portion of this parcel is located within the US 31 OIA-OL (Office Industrial Agricultural Over-Lay; which is an area designated to preserve existing farm land in the area; however, the zone also allows future developments to occur such as industrial or technology park and corporate office campus that needs visibility and good accessibility to US 31. It is anticipated that the zone will serve as a future employment and production center in the region).

The adjoining property uses and zoning(s) are:

- North: IS (Institutional Use)
- South: AG (Agricultural)
- East: AG (Agricultural)
- West: AG/R (Agricultural/Rural Residential)

According to the City of Kokomo Comprehensive Plan "Future Land Use Map", this property is located in an area proposed for Office/High Tech/Light Industry. This area is designed for employment centers that utilize medium to large-scale buildings with medium to large-scale parking lots. Also, these facilities have low traffic, environmental or aesthetic impact on surrounding areas.

Land Use Goals:

1. Encourage orderly and responsible development to promote health, safety and quality of life of residents in the City of Kokomo, while maintaining Kokomo as a leading community for affordable housing.

Relevant Land Use Objectives are:

1. Encourage adequate land for residential, commercial, industrial, institutional and recreational uses.
2. Designate specific districts in the community suitable for residential, commercial, industrial, institutional and recreational uses.
The goal of the City of Kokomo Comprehensive Plan Transportation Map is to enhance connections throughout the city for improved safety, function and efficiency for all modes of transportation including vehicular, bicycle and pedestrian networks.

According to the Transportation Map, this area of "400S" is defined as a "Minor Arterial"; which is a street designated primarily to provide access to abutting properties and discourage through traffic.

The traffic count for this area of East 400S is 11,626 (AADT) cars per day.

The requested zoning change is compatible with all surrounding zonings. Therefore, the staff desires that the Board forward a favorable recommendation to the Kokomo Common Council.
April 19, 2021

TO THE MEMBERS OF THE
HONORABLE KOKOMO COMMON COUNCIL

Re: P10-Z-21
Rezone from C2 (Medium to Large Scale General Commercial) to NC (Neighborhood Commercial at 2389 S Dixon Rd.

Ordinance No. 6992
Dear Honorable Members:

Please be advised the Kokomo City Plan Commission, at their public hearing held Tuesday, April 13, 2021 considered and voted unanimously to forward a favorable recommendation of the above captioned case to the Kokomo Common Council.

Case P10-Z-21 is the petition of Brett Head requesting the Kokomo City Plan Commission petition and recommend to the Kokomo Common Council for a change in zone classification from C2 (Medium to Large Scale General Commercial) to NC (Neighborhood Commercial) for property described as D C S/D Lot 2, containing 0.58 acres, more or less, City of Kokomo, Harrison Township, Howard County, Indiana, at 2389 S Dixon Rd.

The Commission believes that said amendment promotes the health, safety, and general welfare of the community and would not adversely affect the values of the surrounding properties.

Respectfully Submitted,

Michael Besser, President
Kokomo City Plan Commission
Greg Sheline, being first duly sworn upon his oath, according to law, disposes and says:

1) That he is duly elected, qualified, and acting Secretary of the Kokomo City Plan Commission, and,

2) That the above and foregoing is a true and exact copy of an amendment to the Kokomo City Ordinance No. 6279, as amended, and the same was considered by the Kokomo City Plan Commission at a public hearing held in the Neal Council Chamber in Kokomo City Hall at 5:00 p.m. on the 13th day of April, 2021, after due notice of such public hearing being published in the Kokomo Tribune Newspaper at least ten (10) days prior to the date of the public hearing; and

3) By a resolution adopted by the majority of its members at said public hearing, the Kokomo City Plan Commission gave a favorable recommendation to the passage of said amendatory ordinance by the Common Council of the City of Kokomo, Indiana.

DATED this 20th day of April, 2021.

Greg Sheline, Secretary
Kokomo City Plan Commission

Subscribed and sworn to before me this 20th day of April, 2021.

Dianne Trobaugh
Notary Public
Howard County

My commission expires:

January 27, 2028.

This instrument was prepared by Jessica Calderon, Secretary, City Plan Commission. I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document unless required by law.
AN ORDINANCE AMENDING ORDINANCE NO. 6279, AS AMENDED, NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KOKOMO, INDIANA, that Ordinance No. 6279, as amended, with all subsequent amendments be and is hereby amended as follows:

SECTION I. The following described tract of land shall be changed from C2 (Medium to Large Scale General Commercial) to NC (Neighborhood Commercial) for property described: D C S/D Lot 2, containing .58 acres, more or less, Harrison Township, Howard County, Indiana, at 2389 S Dixon Rd.

SECTION II. The above changes shall be duly entered on the filed copies of the zone map, which is a part of Kokomo Zoning Ordinance No. 6279.

SECTION III. This Ordinance shall be in full force and effect from and after its passage, signature by the Mayor, and publication as provided by law.

PASSED by the Kokomo Common Council this_____day of______________ , 2021.

Attest:

Diane Howard, City Clerk
Matthew Grecu, President,
Kokomo Common Council

PRESENTED by me to the Mayor this_____day of______________ , 2021.

Diane Howard, City Clerk

APPROVED by me this_____day of______________ , 2021.

Attest:

Diane Howard, City Clerk
Tyler Moore, Mayor
City of Kokomo, Indiana

This instrument was prepared by Jessica Calderon, City Plan Commission Secretary.
I affirm, under the penalty for perjury, that I have taken reasonable care to redact each social security number in this document, unless, required by law. Jessica Calderon, Plan Commission Secretary
Paul Wyman of The Wyman Group, on behalf of K & R Farms, LLC, is requesting a change in zone classification for the property listed above, to be used as a "Motorcycle Engine Repair Shop with upper live in quarters".

The adjoining property uses and zoning(s) are:

- **North:** C2 (Medium to Large Scale General Commercial)
- **South:** C2 (Medium to Large Scale General Commercial)
- **East:** R1 (Very Low Density Residential)
- **West:** C2 (Medium to Large Scale General Commercial)

According to the City of Kokomo Comprehensive Plan “Future Land Use Map”, this property (outlined to the right), is located in an area proposed for “GENERAL COMMERCIAL” (this is an area designated to accommodate a wide variety of large and small scale commercial use. Typically, this category is for commercial uses that cater to vehicle traffic with high visibility from major roadways) and “MEDIUM DENSITY RESIDENTIAL” (this is an area designed for single family housing of varying types between 3 to 6 dwelling units per acre. Typically, medium density would be single family detached, duplexes, triplexes, condominiums, townhomes and cluster housing).

**Land Use Goals:**
1. Encourage orderly and responsible development to promote health, safety and quality of life of residents in the City of Kokomo, while maintaining Kokomo as a leading community for affordable housing

**Relevant Land Use Objectives are:**
1. Encourage adequate land for residential, commercial, industrial, institutional and recreational uses.
2. Designate specific districts in the community suitable for residential, commercial, industrial, institutional and recreational uses.

The goal of the City of Kokomo Comprehensive Plan Transportation Map, is to enhance connections throughout the city for improved safety, function and efficiency for all modes of transportation including vehicular, bicycle and pedestrian networks.

According to the Transportation Map, this area of "S. Dixon Road" is defined as a "Minor Arterial"; which is a street that collects and distributes traffic to and from collector and primary arterial streets.

The traffic count for this area of South Dixon Road is 7,802 (ADT) cars per day.

The requested zoning change is compatible with all surrounding zonings. Therefore, the staff desires that the Board forward a favorable recommendation to the Kokomo Common Council.