

ORDINANCE 3-C-26

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HUNTINGTON: WATERWORKS ROAD BETWEEN ETNA AVENUE & WILLOW BEND

Synopsis: This Ordinance, if adopted, would amend the Official Zoning Map of the City of Huntington by changing the zoning of a specified parcel of real estate, located North of Waterworks Road, East of Etna Avenue, West of Willow Bend and South Schulz Drive from B-2 (Business) and R-1 (Residential) to entirely R-2 (Residential).

BE IT ORDAINED, by the Common Council of the City of Huntington, Indiana ("Council"), in meeting duly assembled;

WHEREAS, the Huntington City Plan Commission considered an application filed by Jonathan Weber, as member on behalf of MBN Properties, LLC to amend the Official Zoning Map to change the zoning of certain real estate from B-2 (Business) and R-1 (Residential) to entirely R-2 (Residential). Specifically, the Parcel No.: 35-05-22-300-330.900-005 which is more particularly described as:

Being a certain parcel of land situated in the Southwest Quarter of the Southwest Quarter of Section number Twenty-two (22), Township Twenty-eight (28) North, Range Nine (9) East, Huntington Township, Huntington County, Indiana, and more particularly described as follows:

Beginning on the Section line between Sections Twenty-two (22) and Twenty-seven (27), Township twenty-eight (28) North, Range Nine (9) East, at a point 280.0 feet Westerly, as measured on said section line, from the Southeast Corner of the Southwest Quarter of the Southwest Quarter of said Section 22; thence S. 89 degrees. 30' W along said Section line, 262.40 feet to railroad spike; thence N. 0 degrees 18' W., 332.45 feet to a steel pin; thence N. 87 degrees 04' W. 43" W. 158.18 feet to an iron pipe located on the Easterly right of way line of State Road Number 9 and 37; thence N 0 degrees 33' W. along said right of way line, 50 feet to a steel pin; thence S. 87 degrees 04' 43" E., 158.48 feet to a steel pin; thence N. 0 degrees 18' W., 129 feet to a steel pin; thence N. 88 degrees 31' 27" E., 553.46 feet to a point; thence S. 1 degree 04' W., 185.65 feet to a point; thence S. 88 degrees 09' 26" W., 64.6 feet to a point; thence S. 0 degrees 37' 20" W., 132.21 feet to a point; thence S. 88 degrees 45' 11" W., 216.68 feet to a point; thence S. 0 degrees 37' 42" W., 198.82 feet to the point or place of beginning: All to contain 5 .18 Acres of land more or less.

EXCEPTING THEREFROM the following, to-wit:

A part of the Southwest Quarter of Section 22, Township 28 North, Range 9 East, and bounded and described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of the Southwest Quarter of said Section 22; thence South 89 degrees 30 minutes West, along the South line of said Southwest Quarter, 698.92 feet to a "PK" nail located on the Easterly right of way line of Etna Avenue; thence North 0 degrees 01 minutes 33 seconds East, along said Easterly right of way line of Etna Avenue, 342.00 feet to a railroad spike, said spike being the point of beginning of this description; thence

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continuing North 0 degrees 01 minutes 33 seconds East, along said right of way line, 50.00 feet to an iron pipe; thence South 87 degrees 19 minutes 21 seconds East, 158.48 feet to an iron pipe; thence South 0 degrees 17 minutes 49 seconds West, 50.00 feet to an iron pipe; thence North 87 degrees 19 minutes 21 seconds West, 158.18 feet to the point of beginning. Containing therein 0.18 acres, more or less. All in the City of Huntington, Huntington Township, Huntington County, Indiana.

EXCEPTING THEREFROM:

Part of the property described as; Instrument Number 2002232228 recorded in the Huntington County Recorder's Office, located in the Southwest Quarter of Section 22, Township 28 North, Range 9 East, Huntington County, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section to (Point 1014); thence South 89 degrees 08 minutes 23 seconds West along the South line of said Southwest Quarter, 282. 60 feet to (Point #1016), the Point of Beginning (the following two (2) courses West, along the South and West lines of the property described in Instrument Number 2002232228 as Recorded in the Office of the Recorder of Huntington County, Indiana); (1) thence South 89 degrees 08 minutes 23 seconds West along the South line of said quarter Section, 259.89 (Point #1002); (2) thence North 00 degrees 48 minutes 55 seconds West, a distance of 46. 00 feet {Point # 1010}; thence North 89 degrees 08 minutes 23 seconds East, a distance of 99. 86 feet (Point #1009); thence South 85 degrees 30 minutes 16 seconds East, a distance of 160.70 feet (Point #1017); thence South 00 degrees 51 minutes 3 7 seconds East, a distance of 31. 00 feet to the Point of Beginning, containing 0 .24 7 acres of land, more or less, inclusive of the existing Right of Way which contains 0.075 acres of land, more or less for a total net additional taking of 0.172 acres of land, more or less.

WHEREAS, the Huntington City Plan Commission, by a 6 - 0 vote, issued a favorable recommendation to Docket PC-26-001, at a meeting duly held on February 26, 2026. A record of the zoning map and Plan Commission Certification of the favorable recommendation of the Zoning Map amendment is attached hereto and incorporated by reference as Exhibit "A".

WHEREAS, the Council, in considering this proposed rezoning, now pays reasonable regard to:

1. The Comprehensive Plan;
2. Current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

NOW, THEREFORE, BE IT ORDAINED THAT, the Common Council of the City of Huntington

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hereby amends the Official Zoning Map of the City of Huntington to rezone the above described real estate from B-2 (Business) and R-1 (Residential) to R-2 (Residential).

BE IT FURTHER ORDAINED THAT, this Ordinance shall be in full force and effect following its adoption and in accordance with applicable law.

SIGNATURE PAGE FOLLOWS

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A motion to consider for final adoption on the same day of introduction was [NOT OFFERED or NOT SUSTAINED or SUSTAINED] by a vote of ___ in favor and ___ in opposition.

Duly adopted on first reading this ___ day of _____, 2026, by a vote of ___ in favor and ___ in opposition.

Duly adopted on final reading this ___ day of _____, 2026, by a vote of ___ in favor and ___ in opposition.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting in Favor:

Voting in Opposition:

_____	Charles Chapman (President)	_____
_____	Paul Pike	_____
_____	Todd Johnson	_____
_____	Dave Funk	_____
_____	Dwight Brautigam	_____
_____	Andrew Rensberger	_____
_____	PJ Felton	_____

Attest:

Christi A. McElhaney, Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this ___ day of _____, 2026.

Christi A. McElhaney, Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED or VETOED], this _____ day of _____, 2026.

Richard Strick, Mayor