

ORDINANCE NO. BR _____

AN ORDINANCE TO AMEND ORDINANCE NO. PC 2016-03 KNOWN AS THE ELKHART COUNTY ZONING ORDINANCE BY REZONING THE AREA OF REAL ESTATE HEREINAFTER DESCRIBED FROM GPUD R-1 TO GPUD M-2, TO BE KNOWN AS ORCHARD HILLS AWT GPUD, AND BY CHANGING THE ZONE MAPS INCORPORATED BY REFERENCE IN SECTION 4.1.2.A. OF THE ELKHART COUNTY ZONING ORDINANCE.

WHEREAS, AWT Inc., represented by Jones Petrie Rafinski, submitted a petition to change the zone maps for the real estate described in **SECTION 1** of this ordinance from **GPUD R-1** to **GPUD M-2** on November 6, 2023;

WHEREAS, The Staff for the Elkhart County Advisory Plan Commission did cause the publishing of the legal advertisements for the Public Hearing in **The Middlebury Independent** on the 29th day of November 2023 and in **The Goshen News** on the 1st day of December 2023 and did mail as prescribed by Rule and Law the Notice of Public Hearing to all persons of record within 300 feet;

WHEREAS, The Elkhart County Advisory Plan Commission did hold a public hearing as provided by law on the 14th day of December 2023 and did take public input at that meeting;

WHEREAS, The Elkhart County Advisory Plan Commission did give reasonable regard to the criteria established by IC 36-7-4-603 and Section 3.4 General Planned Unit Development of the Elkhart County Zoning Ordinance;

WHEREAS, The petition was sent to the Town Council of Bristol, Indiana, with a Favorable Recommendation;

**THEREFORE, BE IT ORDAINED BY
THE TOWN COUNCIL OF BRISTOL, INDIANA, AS FOLLOWS:**

SECTION 1. That the legal description of the real estate attached hereto as **Attachment “A”** be made a part of this ordinance and incorporated herein by this reference.

SECTION 2. That the real estate described in **SECTION 1** of this Ordinance be rezoned from **GPUD R-1** to **GPUD M-2** effective immediately and the zone maps adopted by reference in the Elkhart County Zoning Ordinance for Elkhart County, Indiana, be amended and ordered amended and changed to reflect the said rezoning of said real estate.

SECTION 3. That the General Planned Unit Development be granted for the real estate described in **SECTION 1** of this Ordinance. Unless this Ordinance specifies to the contrary, all Development Standards for the **M-2** Zoning District detailed in the Elkhart County Zoning Ordinance will be enforced and govern the use of the real estate, though the Development Plan and Site Plan/Support Drawing will supersede all otherwise applicable Use Standards, District Developmental Standards, and General Development Standards under the **M-2** zoning district.

SECTION 4. That the Site Plan / Support Drawing be made part of this Ordinance by this reference and shall be maintained in the files of the Elkhart County Advisory Plan Commission.

SECTION 5. That this General Planned Unit Development Ordinance will limit the use of this real estate to what has been shown on the Site Plan / Support Drawing.

- SECTION 6.** List of additional documentation and supporting information:
- Orchard Hills AWT GPUD Narrative & Support Documents – 12-21-2023.
- SECTION 7.** That the following conditions and/or specified limitations for this Planned Unit Development have been adopted and imposed:
- None.
- SECTION 8.** That the additional documentation and supporting information listed in Section 6 of this Ordinance must be supplied and the conditions and/or specified limitations in Section 7 of this Ordinance must be satisfied prior to any permits for construction being issued.
- SECTION 9.** In the event any covenant, restriction, provision or section of this Ordinance or any portion thereof is declared invalid or void, such declaration shall in no way affect any other covenant, restriction, or section.
- SECTION 10.** This Ordinance shall be in full force and effect from and after its passage and approval in accordance with the law.

**ORDAINED AND ADOPTED THIS 4TH DAY OF JANUARY 2024 BY
THE TOWN COUNCIL OF BRISTOL, INDIANA**

By
Jeff Beachy

By
Cathy Burke

By
Gregg Tuholski

By
Dean Rentfrow

By
Doug DeSmith

Attest: _____
Cathy Antonelli, Bristol Clerk-Treasurer

Ordinance prepared by Daniel Dean. I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

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Attachment "A"

A part of the Southwest Quarter of Section 26, Township 38 North, Range 6 East, Washington Township Elkhart County, Indiana, and being more particularly described as follows: Beginning at the southeast corner of Lot 1 of Bristol Industrial Park Partial Replat, recorded in Plat Book 22, page 17, Elkhart County Recorder; thence North 0 degrees 37 minutes 26 seconds West, said bearing being the basis of bearing of the description with all other bearings herein relative thereto, 145.8 feet along the east line of said Lot to the northwest corner of Deed Record 2004-01775, Elkhart County Recorder; thence North 89 degrees 11 minutes 25 seconds East 566.7 feet along the north line of said Deed Record to the northeast corner thereof; thence South 0 degrees 20 minutes 39 seconds East 152.5 feet, more or less, along the east line of said Deed Record to the south line of said Section; thence westerly 566.0 feet, mor or less, along said south line to the point of beginning and containing 1.9 acres, more or less.