

**ORDINANCE NO. 2024-27  
AN ORDINANCE TO AMEND THE ZONING MAP  
OF THE CITY OF AUBURN, INDIANA**

**SUMMARY**

An Ordinance to reclassify the zoning of 38.202 acres of land located south of Bear Creek Estates and north of County Road 56 from DeKalb County R2 (Medium Density Residential District) to City of Auburn R2 (Medium Density Single-Family Residential District).

<input type="checkbox"/>	Recorder's Office	<input type="checkbox"/> Publish Public Hearing
<input type="checkbox"/>	Auditor's Office	<input type="checkbox"/>
<input type="checkbox"/>	Clerk's Office	<input type="checkbox"/> Publish O/R after Adoption
<input type="checkbox"/>	Other	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Building Department	
<input type="checkbox"/>	Engineering Department	
<input type="checkbox"/>	DeKalb County Plan Commission	
<input checked="" type="checkbox"/>	Internet Code Site – Council Ordinances	

**ORDINANCE NO. 2024-27**  
**AN ORDINANCE TO AMEND THE ZONING MAP**  
**OF THE CITY OF AUBURN, INDIANA**

**WHEREAS**, Ordinance No. 2018-24, as amended, adopted an Official Zoning Map for the City of Auburn, Indiana; and

**WHEREAS**, Indiana Code section §36-7-4-600 et. seq provides for amendments to the zoning map of a municipality by ordinance of the municipality; and

**WHEREAS**, this amendment to the Zoning Map assigns a zoning district that will accommodate single-family residential uses; and

**WHEREAS**, the City of Auburn Plan Commission at its September 10, 2024 meeting held a legally advertised Public Hearing regarding a request to amend the Zoning Map of the City of Auburn, Indiana; and

**WHEREAS**, the Inter-Local Cooperation Agreement between DeKalb County and the City of Auburn, Indiana regarding Planning, Zoning, Subdivision Control, Permitting and Enforcement Jurisdiction, establishes the extra-territorial zoning jurisdiction of the City of Auburn for properties intended to be served by City utilities; and

**WHEREAS**, the City of Auburn Plan Commission, on September 10, 2024, heard input from the public and ultimately forwarded a *favorable recommendation* to the Auburn Common Council, with 11 votes in favor of the favorable recommendation and 0 votes against the favorable recommendation concerning the rezoning of said real estate.

**NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA, THAT:**

The Zoning Map of the City of Auburn shall be amended in the following manner:

*That the 38.202-acre tract of land located south of Bear Creek Estates and north of County Road 56 as illustrated in Exhibit A and legally described as follows:*

*Part of the Southwest Quarter of the Southeast Quarter of Section 9, Township 33 North, Range 13 East, DeKalb County, Indiana, being more particularly described as follows, to-wit:*

*Commencing at the South Quarter corner of said Section 9, being marked by a cast iron monument; thence North 88 degrees 56 minutes 00 seconds East (GPS grid bearing and basis of all bearings in this description), on and along the South line of said Southeast Quarter, being within the right-of-way of County Road 56, a distance of 200.00 feet to a survey nail at the Southeast corner of a 1.00 acre tract of real estate described in a deed to Joseph J. Wohlfert and Caren Hernandez in Document Number 202302701 in the Office of the Recorder of DeKalb County, Indiana, this being the true point of beginning; thence North 88 degrees 56 minutes 00 seconds East, continuing on and along said South line and within said right-of-way, a distance of 918.06 feet to a survey nail at the Southwest corner of Jackson's Square, as recorded in Plat Record 6, page 51, in the Office of said Recorder; thence North 01 degrees 50 minutes 36 seconds West, on and along the West line of said Jackson's Square, a distance of 209.09 feet to a #5 rebar at the Northwest corner*

*thereof; thence North 89 degrees 01 minutes 42 seconds East, on and along the North line of said Jackson's Square, a distance of 209.27 feet to a #5 rebar at the Northeast corner thereof, being a point on the East line of the Southwest Quarter of said Southeast Quarter; thence North 01 degrees 39 minutes 13 seconds West, on and along said East line, a distance of 1113.40 feet to a #5 rebar at the Northeast corner of the Southwest Quarter of said Southeast Quarter; thence South 88 degrees 56 minutes 54 seconds West, on and along the North line of the Southwest Quarter of said Southeast Quarter, a distance of 1322.49 feet to a #5 rebar at the Northwest corner of the Southwest Quarter of said Southeast Quarter; thence South 01 degrees 28 minutes 26 seconds East, on and along the West line of said Southeast Quarter, a distance of 1104.15 feet to a #5 rebar at the Northwest corner of said 1.00 acre tract; thence North 88 degrees 56 minutes 24 seconds East, on and along the North line of said 1.00 acre tract, a distance of 200.00 feet to a #5 rebar at the Northeast corner thereof; thence South 01 degrees 28 minutes 26 seconds East, on and along the East line of said 1.00 acre tract, a distance of 218.27 feet to the true point of beginning, containing 38.202 acres of land, subject to legal right-of-way for County Road 56, and subject to all easements of record.*

*be reclassified from DeKalb County zoning designation of R2 (Medium Density Residential District) to City of Auburn zoning designation of R2 (Medium Density Single-Family Residential District).*

Said area to be rezoned includes one-half of the County Road 56 right-of-way adjacent to the tract of land.

**BE IT FURTHER ORDAINED** that this Ordinance be in full force and effect after its passage by the Common Council and after the occurrence of all other actions required by law.

Received electronically 09/23/2024


1<sup>st</sup> READING 10/01/2024

2<sup>nd</sup> READING \_\_\_\_\_

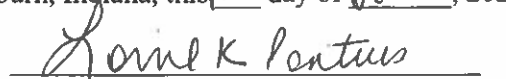
**PASSED AND ADOPTED** by the Common Council of the City of Auburn,  
Indiana, this 15<sup>th</sup> day of October, 2024.

  
James Finchum, Councilmember

**ATTEST:**

  
Lorrie K. Pontius, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 15<sup>th</sup> day of October, 2024.

  
LORRIE K. PONTIUS, Clerk-Treasurer

**APPROVED AND SIGNED** by me this 15<sup>th</sup> day of October, 2024.

  
DAVID E. CLARK, Mayor

**VOTING:**

**AYE**

**NAY**

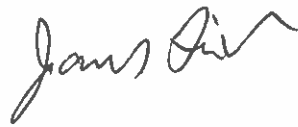
Natalie DeWitt, President



Rod Williams



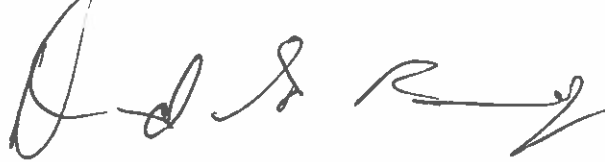
James Finchum



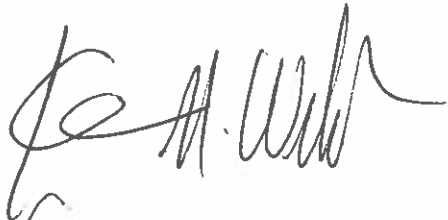
Dan Braun



David Bundy



Kevin Webb



Emily Prosser



**EXHIBIT A**  
**Location Map**

