

ORDINANCE NO. 2015-42

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM AGR/AGRICULTURE RESIDENTIAL DISTRICT TO RA/SINGLE FAMILY RESIDENTIAL DISTRICT, COMMONLY KNOWN AS ZA 437/15: CHRISTOPHER & DANIELLE JINKINS, S9-T15N-R1E, WASHINGTON TOWNSHIP, PARCEL TOTALING 0.79 ACRES, LOCATED ON THE NORTH SIDE OF COUNTY ROAD 550 EAST AND EAST OF COUNTY ROAD 525 EAST.

SECTION 1. Be it ordained by the Board of Commissioners of the County of Hendricks, Indiana, that the Zoning Ordinance (2008-16) adopted on the 12th day of August in the year 2008, be amended so as to include in the RA/Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 437/15: Christopher & Danielle Jinkins, S09-T15N-R1E, 0.79 acres, Washington Township, located on the north side of County Road 550 East and east of County Road 525 East.

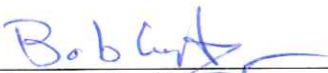
SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 437/15: *Christopher & Danielle Jinkins*, and the "Findings of Fact/Law" attached hereto and made a part hereof, and the Hendricks County Board of Commissioners having relied on those stipulations and required certain conditions of its own, does hereby adopt said "Findings of Fact/Law" as a part of this ordinance.

SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.

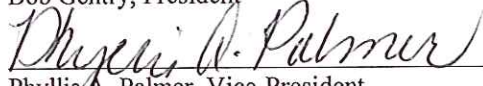
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 24th day of November, 2015.

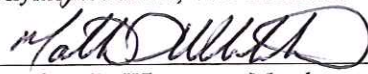
Board of Commissioners



Bob Gentry, President



Phyllis A. Palmer, Vice-President



Matthew D. Whetstone, Member

Attest:



Cinda Kattau, Auditor

Hendricks County Area Plan Commission

Findings of Fact/Law

ZA 437/15: Christopher & Danielle Jinkins

An application for the above noted zoning map amendment was filed in the office of the Hendricks County Department of Planning and Building (DPB). That application sought to rezone a property from AGR/Agriculture to RA/Single Family Residential. Acting in its role as staff to the Hendricks County Area Plan Commission, the DPB staff subsequently created a file containing all documentation of the request and made that file available for public inspection in the department's office at the Hendricks County Government Center.

In accordance with Indiana Code (IC) 5-3-1, the DPB staff published a legal notice in the *Hendricks County Flyer* and the *Danville Republican*. This notice advertised the public hearing scheduled in conformity with the Hendricks County Area Plan Commission Rules of Procedure Section 3.07(D)(1). The public hearing included the above zoning map amendment on its agenda.

In accordance with Section 3.07(D)(2) of the Rules of Procedure of the Hendricks County Area Plan Commission, the applicant also sent courtesy notices to certain surrounding property owners of record and other interested persons. A copy of this courtesy notice and a list of those receiving them were made a part of the file for this rezoning petition.

The Commission conducted the hearing as advertised and heard evidence and testimony on the above noted rezoning. Meeting in open session, the Commission subsequently considered the above noted request and its relationship to the requirements of IC 36-7-4 and the Hendricks County Zoning Ordinance. A tape recording of this proceeding has been on file and available to the public in the DPB office since the date of the hearing.

In its deliberations, the Commission weighed the evidence associated with the following requirements and made the following findings.

IC 36-7-4-603: Zoning ordinance; preparation and consideration of proposals. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

(1) The comprehensive plan;

The Commission finds that the proposal does substantially comply with the recommendations of the Hendricks County Comprehensive Plan. The Comprehensive Plan designates this area for Suburban Residential on the Future Land Use Plan and High Intensity on the Land Use Intensity Map. The proposal is of appropriate character and scale for the area and is consistent with current and future land uses in the area.

- (2) **Current conditions and the character of current structures and uses in each district;**
The Commission finds that the proposal is consistent and compatible with the character of current structures and uses in the zoning district. The establishment of the proposed district will not substantially change the nature of the area and the established residential and agricultural land uses.
- (3) **The most desirable use for which the land in each district is adapted;**
The Commission finds that the proposal does represent the most desirable use for which the land is adapted. The site under consideration is located within a well-established residential area. The proposed use is compatible with existing land uses and will not adversely alter the current or future recommended land use pattern in the area.
- (4) **The conservation of property values throughout the jurisdiction;**
The Commission finds that the proposal does conserve property values in the jurisdiction. The establishment of a two-family residential dwelling in this area is consistent with current residential uses and will have no deleterious effect on property values
- (5) **Responsible development and growth.**
The Commission finds that the proposal does represent responsible development and growth. The proposal is consistent with the land use recommendations of the Comprehensive Plan. It represents a predictable and reasonable expansion of the current and planned land use trend in the area.

For all the foregoing reasons, the Commission recommends approval of this request for a zoning map amendment on the 10th day of November, 2015.

AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA



Don F. Reitz, AICP

ZONING AMENDMENT PROJECT DATA

DATE	November 3, 2015				
AGENCY REVIEWS	Hendricks County Board of Commissioners Hendricks County Area Plan Commission				
PROJECT	ZA 437	2015	CHRISTOPHER & DANIELLE JINKINS		
REQUEST	EXISTING	PROPOSED	STAFF RECOMMENDATION		
	AGR	RA			
SURROUNDING LAND USE	NORTH	SOUTH	EAST	WEST	
	Residential/Utility Sub Station	Residential/Two-Family	Vacant	Residential/Nursing Home	
SURROUNDING ZONING	NORTH	SOUTH	EAST	WEST	
	AGR	PUD	AGR	PUD	
DESCRIPTION	AREA	TOWNSHIP	SECTION	OTHER	
	0.79 acres	Washington	S9-T15N-R1E	N/A	
ROAD	ROAD	FUNCTIONAL CLASS	R/O/W	SETBACK	
	C.R. 550 East	Urban Local Road	40 feet (1/2)	35 feet	
SEWER AND WATER	SEWER		WATER		
	West Central Conservancy District		Citizens Energy		
RECENT ZONING AMENDMENTS IN THIS AREA	ZONING AMENDMENT	NAME		FROM	TO
COMPLIANCE	This project has complied with the applicable application and/or notification requirements.				
	This project does not comply with the Hendricks County Comprehensive Plan.				

Staff Comments: This site is located on the north side of County Road 550E, approximately 0.09 mile east of County Road 525 East. The applicant is proposing to rezone 0.79 acres from AGR/Agriculture Residential to RA/Single Family Residential for the purpose of constructing a two-family dwelling. A two-family dwelling is a permitted use in the RA district. The applicant is required to receive Minor Plat approval and record said plat, prior to the issuance of an Improvement Location Permit for the dwelling.

Compatibility with current uses. The immediate area is a mix of residential, commercial and institutional uses. This site is surrounded by existing single family residential subdivisions (Prestwick PUD), as well as existing two family dwellings immediately to the south.

Compatibility with futures uses. The Comprehensive Plan recognizes this area as Suburban Residential on the Future Land Use Plan and Medium Intensity on the Land Use Intensity Map. However, in addition to medium density residential uses, this area also consists of commercial uses. The proposed development's character is similar to, and compatible with, current and likely future land uses in the area. Consequently, it will have no negative impact on the well-established land use trend in the area.

Other considerations. The applicant will have to comply with the Hendricks County Residential Subdivision Design Guidelines which was established to assist developers, designers and builders to understand the expectations for well-designed, quality residences in addition to the development standards of the RA zoning district. This property will be served by the West Central Conservancy District for sanitary sewer service.

Staff Recommendation: Based on the information provided at the time of application, staff recommends the Plan Commission recommend: APPROVAL