

ORDINANCE NO. 2014-43

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM RB/SINGLE FAMILY RESIDENTIAL DISTRICT, RE/MULTIFAMILY RESIDENTIAL DISTRICT, & GB/GENERAL BUSINESS DISTRICT TO RB/SINGLE FAMILY RESIDENTIAL DISTRICT AND RC/SINGLE FAMILY RESIDENTIAL DISTRICT, COMMONLY KNOWN AS ZA 426/14: WOODCREEK CROSSING DEVELOPMENT, LLC, S26-T16N-R1E, WASHINGTON TOWNSHIP, PARCEL TOTALING 8.714 ACRES, LOCATED ON THE SOUTHWEST CORNER OF COUNTY ROAD 800 EAST AND NORTHFIELD DRIVE.

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 RB/Single Family Residential District and RC/Single Family Residential District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 426/14: Woodcreek Crossing Development, LLC, S26-T16N-R1E, 8.714 acres, Washington Township, located on the southwest corner of County Road 800 East and Northfield Drive.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 426/14: *Woodcreek Crossing Development LLC*, 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.

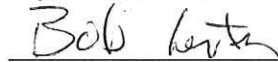
SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the County Commissioners.

Approved by the Board of County Commissioners of Hendricks County, Indiana, the 25th day of November, 2014.

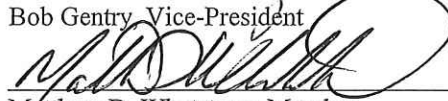
Board of Commissioners



Phyllis A. Palmer, President



Bob Gentry, Vice-President



Matthew D. Whetstone, Member

Attest:



Cinda Kattau, Auditor

ZONING AMENDMENT PROJECT DATA

DATE	November 5, 2014			
AGENCY REVIEWS	Hendricks County Board of Commissioners Hendricks County Area Plan Commission			
PROJECT	ZA 426	2014	WOODCREEK CROSSING DEVELOPMENT, LLC	
REQUEST	EXISTING	PROPOSED	STAFF RECOMMENDATION	
	RE, RB & GB	RB & RC	Approval	
SURROUNDING LAND USE	NORTH	SOUTH	EAST	WEST
	Vacant	Single Family Residential	Single Family Residential/Vacant	Single Family Residential
SURROUNDING ZONING	NORTH	SOUTH	EAST	WEST
	PD (Town of Brownsburg)	Single Family Residential	PUD (Town of Avon)	Single Family Residential
DESCRIPTION	AREA	TOWNSHIP	SECTION	OTHER
	8.71 acres	Washington	S26-T16N-R1E	Primary plat approval 1-15-02
ROAD	ROAD	FUNCTIONAL CLASS	R/O/W	SETBACK
	C.R. 800 East (Town of Avon)	Secondary Arterial (Town of Avon)	120 feet (Town of Avon)	50 feet
SEWER AND WATER	SEWER		WATER	
	West Central Conservancy District		Citizens Energy	
RECENT ZONING AMENDMENTS IN THIS AREA	ZONING AMENDMENT	NAME	FROM	TO
	ZA 325 2004	WCC Equity Partners, LLC	RA, RB & PUD	RE & GB
COMPLIANCE	This project has complied with the applicable application and/or notification requirements.			
	This project complies with the Hendricks County Comprehensive Plan.			

Staff Comments: The site under consideration is located on the southeast quadrant of Northfield Drive and County Road 800 East (Dan Jones Road). The applicant proposes to rezone 8.71 acres to RB & RC Single Family Residential Districts. These parcels received rezoning approval in 2005 for multifamily residential and commercial uses which never developed. This property also received primary plat approval for single family residential lots in 2001. The new developer proposes to develop this property as was originally approved with a few minor changes.

Compatibility with current uses. This proposal is compatible with the existing single family residential uses and will not alter the appearance of the neighborhood. This property is part of the Woodcreek Crossing Subdivision.

Compatibility with futures uses. The Comprehensive Plan recognizes this area as Urban Residential on the Future Land Use Plan and as High Intensity on the Land Use Intensity Map. The proposed single family residential land use is consistent with the Comprehensive Plan's recommendations.

Other considerations. If this request is granted, the developer must seek approval from the Town of Avon for access onto County Road 800 East (Dan Jones Road) prior to secondary plat approval.

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

Hendricks County Area Plan Commission

Findings of Fact/Law

ZA 426/14: Woodcreek Crossing Development, LLC

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 RB/Single Family Residential, RE/Multifamily Residential & GB/General Business Districts to RB/Single Family Residential and RC/Single Family Residential Districts. 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 Urban Residential on the Land Use Plan. The residential use of this property is consistent with the recommendation of the Comprehensive Plan.

(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. This proposal is consistent with the conditions that currently exist.

(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.

(4) The conservation of property values throughout the jurisdiction;

The Commission finds that the proposal does conserve property values in the jurisdiction. The proposal reflects the already established residential uses and will not have a negative effect on property values.

(5) Responsible development and growth.

The Commission finds that the proposal does represent responsible development and growth. The proposed location is an appropriate one and is compatible with the surrounding land uses.

For all the foregoing reasons, the Commission recommends approval of this request for a zoning map amendment on the 12th day of November, 2014.

AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA



Don F. Reitz, AICP