

Ordinance No. 2017-43

An Amendment to the Hendricks County Subdivision Control Ordinance by Amending Chapter 5.06 Exempt Subdivision

Whereas, the Board of County Commissioners of Hendricks County, Indiana adopted the Hendricks County Subdivision Control Ordinance on December 21, 2004; and

Whereas, the Hendricks County Area Plan Commission has recommended that the Subdivision Control Ordinance be amended as to Chapter 5.06 Exempt Subdivision; and

Whereas, the Hendricks County Area Plan Commission has conducted a public hearing on the proposed amendment TSA 01/17 and voted on a favorable recommendation to the County Commissioners; and

Whereas, the County Commissioners have received and reviewed the Plan Commission's report, have considered the Plan Commission's recommendations, and find that the adoption of the recommended amendment would promote the health, safety, and convenience of the people of Hendricks County; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HENDRICKS COUNTY, INDIANA AS FOLLOWS:

AMEND "Chapter 5.06 Exempt Subdivision Introduction" to read;

The Exempt Subdivision procedure applies only to divisions of land for the purpose of splitting off an existing legally established residence and accessory structures from a parent tract of land, provided that (1) the new residential parcel meets all current development standards applicable to a residential parcel in the relevant zoning district, and (2) the remaining parent parcel is at least 20 acres in size.

AMEND "Chapter 5.06 Exempt Subdivision Section 1.g." to read;

g. Development Standards – The lot shall meet all current development standards applicable to a residential parcel in the relevant zoning district. Existing structures do not have to meet development standards for setback, building height, distance between structures, or living area.

REMOVE from "Chapter 5.06 Exempt Subdivision Section 2";

b.M.3. Building setback lines

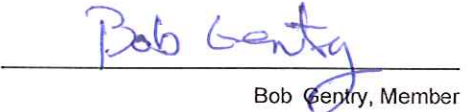
c.111. N. Building setback lines

APPROVED by the Board of Commissioners of Hendricks County, Indiana this 26th day of September 2017

BOARD OF COUNTY COMMISSIONERS


Matthew D. Whetstone, President


Phyllis A. Palmer, Vice President


Bob Gentry, Member

Attest:


Nancy Marsh, Auditor

FINDINGS OF FACT
HENDRICKS COUNTY AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA

WHEREAS, Hendricks County Area Plan Commission shall in all cases heard by it make written findings of fact which support their determinations in accordance with Indiana Code 36-7-4-306; and

WHEREAS, the Hendricks County Area Plan Commission has held a public hearing and has given consideration to application TSA 01/17: AMENDMENT TO THE 2004 HENDRICKS COUNTY SUBDIVISION CONTROL ORDINANCE; by Amending Chapter 5.06: Exempt Subdivision; and

WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their compliance with the comprehensive plan entitled "*Growing Smarter, The Hendricks County Quality Growth Strategy*," adopted December 19, 2006 established under Indiana Code 36-7-4-500 and that such a plan provides development policy within Hendricks County; and

WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their conformance with the Hendricks County Zoning Ordinance, adopted August 12, 2008, effective October 1, 2008, established under Indiana Code 36-7-4-600 and that such an ordinance for development, through zoning, of the County of Hendricks, Indiana, provides for enforcement and penalties for the violation thereof; and

WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their conformance with the Hendricks County Subdivision Control Ordinance, adopted December 21, 2004 established under Indiana Code 36-7-4-700 and that such an Ordinance provides for the subdivision of land within Hendricks County; and

WHEREAS, the Hendricks County Area Plan Commission has given consideration to the above referenced application for their compliance with the recommendations, stipulations or any necessary conditions, listed below, requested by the public, planning staff or any Area Plan Commission member(s)

WHEREAS, the proposed Subdivision Control Ordinance amendment: _____
TSA 01/17

Will not adversely affect the elements of the Hendricks County Comprehensive Development Plan;

THEREFORE BE IT RESOLVED, the Hendricks County Area Plan Commission submits A FAVORABLE


recommendation to the Board of County Commissioners for _____
TSA 01-17: Amendment to the 2004 Hendricks County Subdivision Control Ordinance by Amending Chapter 5.06 Exempt Subdivision

on this date SEPTEMBER 12, 2017.


FOREGOING RESOLUTION, submitted by MR. TIM WHICKER

and seconded by MR. O'RILEY.

<u>Members</u>	<u>For</u>	<u>Against</u>	<u>Abstained</u>
Bob Gentry	<u>X</u>	<u>0</u>	<u>0</u>
Sonnie Johnston	<u>X</u>	<u>0</u>	<u>0</u>
Brad Whicker	<u>X</u>	<u>0</u>	<u>0</u>
Walt O'Riley	<u>X</u>	<u>0</u>	<u>0</u>
Tim Whicker	<u>X</u>	<u>0</u>	<u>0</u>
Total	<u>5</u>	<u>0</u>	<u>0</u>



Brad Whicker, President



Tim Dombrosky, Secretary