

ORDINANCE NO. 2016-24

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM HB/HIGHWAY BUSINESS DISTRICT TO LI/LIGHT INDUSTRIAL DISTRICT, COMMONLY KNOWN AS ZA 441/16: BCFI, LLC, S25-T17N-R1W, MIDDLE TOWNSHIP, PARCEL TOTALING 51.92 ACRES, LOCATED ON THE NORTH SIDE OF INTERSTATE 74, APPROXIMATELY 0.26 MILE WEST OF COUNTY ROAD 275 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 LI/Light Industrial District, the following described real estate located in the County of Hendricks, Indiana, namely: ZA 441/16: BCFI, LLC, S25-T17N-R1W, 51.92 acres, Middle Township, located on the north side of Interstate 74, approximately 0.26 mile west of County Road 275 East.

SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 441/16: BCFI, 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.

9th Approved by the Board of County Commissioners of Hendricks County, Indiana, the day of August, 2016.

Board of Commissioners

Bob Gentry, President

Phyllis A. Palmer
Phyllis A. Palmer, Vice-President

Matthew D. Whetstone
Matthew D. Whetstone, Member

Attest:

Cinda Kattau
Cinda Kattau, Auditor

ZONING AMENDMENT PROJECT DATA

DATE	July 6, 2016			
AGENCY REVIEWS	Hendricks County Board of Commissioners Hendricks County Area Plan Commission			
PROJECT	ZA 441	2016	BCFI, LLC	
REQUEST	EXISTING	PROPOSED	STAFF RECOMMENDATION	
	HB	LI		
SURROUNDING LAND USE	NORTH	SOUTH	EAST	WEST
	Agriculture	Industrial (Steel Dynamics)	Ag/SF Residential	Agriculture
SURROUNDING ZONING	NORTH	SOUTH	EAST	WEST
	HB	I-3 (Town of Pittsboro)	HB	AGR
DESCRIPTION	AREA	TOWNSHIP	SECTION	OTHER
	51.92	Middle	S25-T17N-R1W	N/A
ROAD	ROAD	FUNCTIONAL CLASS	R/O/W	SETBACK
	Frontage Road	Rural Local Road	40 feet (1/2)	35 feet
SEWER AND WATER	SEWER		WATER	
	Town of Pittsboro		Town of Pittsboro	
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 complies with the Hendricks County Comprehensive Plan.			

Staff Comments: This 51.92 acre parcel is located on the north side of Frontage Road adjacent to I-74, approximately 0.26 mile west of County Road 275 East. The applicant is requesting to rezone the property from HB/Highway Business to LI/Light Industrial to permit the relocation his existing business known as Fleece Performance Engineer, Inc. currently located in the Town of Brownsburg. The business consists primarily of design, light manufacturing, and wholesale distribution of vehicle components and parts. The applicant is seeking property that will allow him to remain in and expand his business in Hendricks County.

Compatibility with current uses. The immediate area is currently agricultural on the north side of I-74 with the steel mill (Steel Dynamics) and Love's Truck Stop to the south. The proposed LI zoning classification is consistent with the development trend at this interchange.

Compatibility with futures uses. The Comprehensive Plan recommends that the area on the north side of I-74 around the CR 275 E interchange be reserved for high-intensity non-residential land uses. The proposed zoning district is consistent with the Comprehensive Plan's recommendation.

Other considerations. If this request for a rezone is approved, a Development Plan Review Approval will be required prior to any construction.

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 441/16: BCFI, 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 HB/Highway Business to LI/Light Industrial District. 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 Commercial on the Future Land Use Map and High Intensity (Commercial, Industrial) on the Land Use Intensity Map. The proposed zoning classification is consistent with the Comprehensive Plan's recommendation.

(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. There is currently a steel mill and a truck stop to the south of this property. The proposed industrial zoning classification is consistent with the development trend at this interchange.

(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. This site is located near the interchange of I-74 and County Road 275 East where commercial and industrial uses are likely to develop because of the existing commercial/industrial zoning and land uses.

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

The Commission finds that the proposal does conserve property values in the jurisdiction. The proposed zoning is an appropriate and desirable classification for this interchange area. Further, the proposed use is consistent with the existing land uses along the south side of the interstate at the interchange.

(5) Responsible development and growth.

The Commission finds that the proposal does represent responsible development and growth. The proposed use is consistent with the Comprehensive Plan for high intensity uses in this area.

For all the foregoing reasons, the Commission recommends approval of this request for a zoning map amendment on the 12th day of July, 2016.

AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA



Don F. Reitz, AICP