

ORDINANCE NO. 2018-23

AN ORDINANCE TO AMEND THE ZONING MAP OF HENDRICKS COUNTY, FROM MI/MAJOR INDUSTRIAL DISTRICT TO LI/LIGHT INDUSTRIAL DISTRICT, COMMONLY KNOWN AS ZA 458/18: DUANE R. & PATRICIA J. LANE, S11-T15N-R1W, CENTER TOWNSHIP, PARCEL TOTALING 10 ACRES, LOCATED ON THE SOUTH SIDE OF EAST COUNTY ROAD 75 SOUTH, BETWEEN SOUTH COUNTY ROAD 150 EAST AND SOUTH COUNTY ROAD 200 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 458/18: Duane R. & Patricia J. Lane, S11-T15N-R1W, 10 acres, Center Township, located on the south side of East County Road 75 South, between South County Road 150 East and South County Road 200 East.


SECTION 2. As inducement for this Zoning Map Amendment, all terms found in the conditions for approval of ZA 458/18: Duane R. & Patricia J. Lane 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.

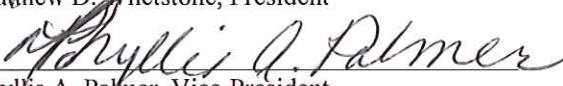
SECTION 3. All building or uses permitted and placed upon the described real estate shall fully conform with all the provisions of the County of Hendricks Zoning Ordinance and shall have obtained the proper permits.


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

23rd Approved by the Board of County Commissioners of Hendricks County, Indiana, the _____ day of October, 2018.

Board of Commissioners


Matthew D. Whetstone, President


Phyllis A. Palmer, Vice-President


Bob Gentry, Member

Attest:


Nancy Marsh, Auditor

Hendricks County Area Plan Commission
Findings of Fact/Law
ZA 458/18: Lane

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 MI/Major Industrial to LI/Light Industrial. 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 proposal does substantially comply with the recommendations of the Hendricks County Comprehensive Plan. The Comprehensive Plan designates this area for Airport Special Use. LI (Light Industrial) zoning is a compatible use which could be associated with the Airport District.
- (2) Current conditions and the character of current structures and uses in each district;**
The proposed zone change will not change the current conditions or character of the property as the use is similar to surrounding zoning.

- (3) **The most desirable use for which the land in each district is adapted;**
The most desirable use for this property would be an Airport District use or a similar compatible use.
- (4) **The conservation of property values throughout the jurisdiction;**
Property values probably would not be affected negatively due to the mix of uses and different zoning districts in the area.
- (5) **Responsible development and growth.**
The proposed rezone would be responsible development and growth as it follows a recommended pattern from the Comprehensive Plan because this area is designated as "Airport Special Use."

For all the foregoing reasons, the Commission recommends approval of this request for a zoning map amendment on the 9th day of October, 2018.

AREA PLAN COMMISSION
HENDRICKS COUNTY, INDIANA


Tim Dombrosky

ZONING AMENDMENT PROJECT DATA

| | | | | | | |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------|----------------|-------------|-----------|
| DATE | October 9, 2018 | | | | | |
| AGENCY REVIEWS | Hendricks County Board of Commissioners Hendricks County Area Plan Commission | | | | | |
| PROJECT | ZA 458 | 2018 | DUANE LANE | | | |
| REQUEST | EXISTING | PROPOSED | STAFF RECOMMENDATION | | | |
| | MI | LI | Approval | | | |
| SURROUNDING LAND USE | NORTH | SOUTH | EAST | WEST | | |
| | Farm Field | Farm Field | Farm Field/ Residence | Farm Field | | |
| SURROUNDING ZONING | NORTH | SOUTH | EAST | WEST | | |
| | MI | AD | LI | MI | | |
| DESCRIPTION | AREA | TOWNSHIP | SECTION | OTHER | | |
| | 10 Acres | Center | S11-T15N-R1W | | | |
| ROAD | ROAD | FUNCTIONAL CLASS | R/O/W | SETBACK | | |
| | E 75 S | Urban Local Road | 40' from CL | 35' from ROW | | |
| SEWER AND WATER | SEWER | | WATER | | | |
| | Septic | | Well | | | |
| RECENT ZONING AMENDMENTS IN THIS AREA | ZONING AMENDMENT | | DETAILS | | FROM | TO |
| | 449 | 2017 | Adjacent property to the east | | MI | LI |
| | Applicant also owns this adjacent property and is proposing to develop a self-storage facility on both lots. | | | | | |
| COMPLIANCE | This project has complied with the applicable application and/or notification requirements. | | | | | |
| | This project does comply with the Hendricks County Comprehensive Plan. | | | | | |

-Staff Comments-**Background;**

The request concerns a property located on the south side of County Road 75 South, situated between 150 and 200 East. The applicant has interest in requesting a self-storage facility on this property, which includes indoor and outdoor storage.

The surrounding properties are mostly agricultural with a single-family home in the immediate area. Most of the adjacent properties are zoned MI (Major Industrial) and AD (Airport District), which mostly allow for more "intense" uses.

The comprehensive plan;

The proposal does substantially comply with the recommendations of the Hendricks County Comprehensive Plan. The Comprehensive Plan designates this area for Airport Special Use. LI (Light Industrial) zoning is a compatible use which could be associated with the Airport District.

Current conditions and the character of current structures and uses in each district;

The proposed zone change will not change the current conditions or character of the property as the use is similar to surrounding zoning.

The most desirable use for which the land in each district is adapted;

The most desirable use for this property would be an Airport District use or a similar compatible use.

Responsible development and growth.

The proposed rezone would be responsible development and growth as it follows a recommended pattern from the Comprehensive Plan because this area is designated as "Airport Special Use."

Other considerations.

The proposal for a self-storage facility would require Development Plan Review approval.

-Staff Recommendation-

Based on the information provided, staff recommends the Plan Commission recommend: **APPROVAL**