

ORDINANCE NO. 2020 - 1215

AMENDING
HANCOCK COUNTY ZONING ORDINANCE NO. 2007-1B

AMENDING TITLE XV, CHAPTER 156, ZONING
OF THE HANCOCK COUNTY CODE OF ORDINANCES

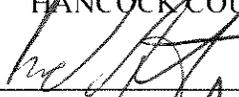
SECTION I

Title XV, Chapter 156 of the Hancock County Code, is amended as follows: The Zoning Map referenced in Section 156.020 for Sugar Creek Township is hereby amended by rezoning the subject area from Commercial Neighborhood (CN) to Residential (R2.5).

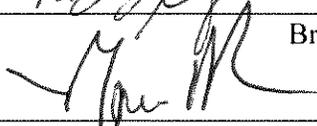
The subject area is described herein as Exhibit A.

ADOPTED THIS 3rd DAY OF DECEMBER 2020.

BOARD OF COMMISSIONERS OF
HANCOCK COUNTY, INDIANA



Brad Armstrong

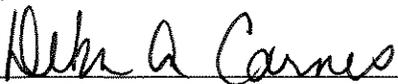


Marc Huber



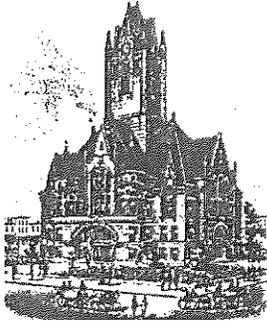
John Jessup

ATTEST:



Debra Carnes, Hancock County Auditor

Petitioner: Limited Developments, LLC



*The Hancock County Area Plan Commission
Court House Annex
111 American Legion Place, Suite 146
Greenfield, IN 46140
Phone: (317) 477-1134
Fax: (317) 477-1184*

CERTIFICATION

Hancock County Area Plan Commission

Project Name: Limited Development LLC - Rezone
Petitioner: Limited Development LLC
Project Location: 3804 S 700 W
Township: Sugar Creek

I, Michael Long, being the Secretary of the Hancock County Area Plan Commission of Hancock County, Indiana, do hereby certify that the attached rezoning ordinance is a true and accurate record of the meeting of the Plan Commission on 24 December 2020. The attached ordinance received a favorable recommendation by a vote of six (6) ayes, zero (0) nays, and one (1) absent.

The attached ordinance is hereby certified to the Board of Commissioners, Hancock County, Indiana.

HANCOCK COUNTY AREA PLAN COMMISSION
HANCOCK COUNTY, INDIANA

Michael Long, Secretary

EXHIBIT A

Hendryx Subdivision Lot 1
of Section 23, Township 15 North, Range 5 East
in Sugar Creek Township, Hancock County, Indiana

**HANCOCK COUNTY AREA PLAN COMMISSION
111 AMERICAN LEGION PLACE
GREENFIELD, IN 46140**

PLAN COMMISSION MINUTES

DATE: November 24, 2020 TIME: 6:30 P.M.

I.Limited Development LLC
3804 S 700 W
23 - 15 - 5

Commercial Neighborhood
Rezoning 20-2058
Sugar Creek

Rezoning Lot 1 of Hendryx Subdivision (approximately 1.13 acres) from CN (Commercial: Neighborhood) to R2.5 (Residential) at 3804 S 700 W. Mr. Dale stated this parcel was rezoned in 2007 by the county from B-3 to CN (after further investigation, the property was zoned R-2 prior to being rezoned in 2007 to CN). He stated the platted covenants refer to 'only single-family dwellings shall be permitted'. He stated there is floodplain on west end of the property and INDOT took a large portion of the lot on the north side (for a proposed widening of US 52). He stated he has spoken to Hancock County Highway and the current driveway is an agricultural driveway and will need to apply for a residential driveway permit. Dr. Trevor Lloyd-Jones was present and stated when he purchased the parcel it was zoned CN but could not obtain a commercial driveway permit from the state or the county and a single-family home is not permitted in the CN zone so he wishes to rezone to R2.5 in order to construct a single-family home. Mr. Nigh asked if the state was going to widen the road. Mr. Armstrong stated the state was going to widen US 52 to four lanes but that has died. There was no further discussion. There were no remonstrators. Mr. Armstrong made the motion for a favorable recommendation to County Commissioners. Ms. Oldham seconded. Motion carried. Six (6) approved the favorable recommendation, Zero (0) denied.

Item 1: Limited Development LLC

Rezone 1.13 acres from Commercial Neighborhood (CN) to Residential (R2.5).

Location: 3804 S 700 W

- ◆ Sugar Creek Township

Purpose

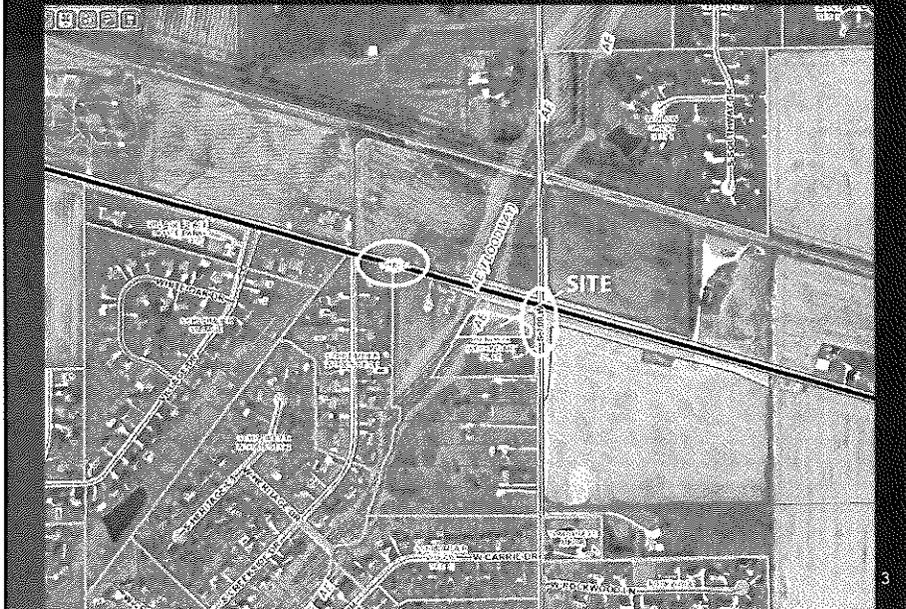
- ◆ To accommodate a single-family dwelling at this location.

12/1/2020

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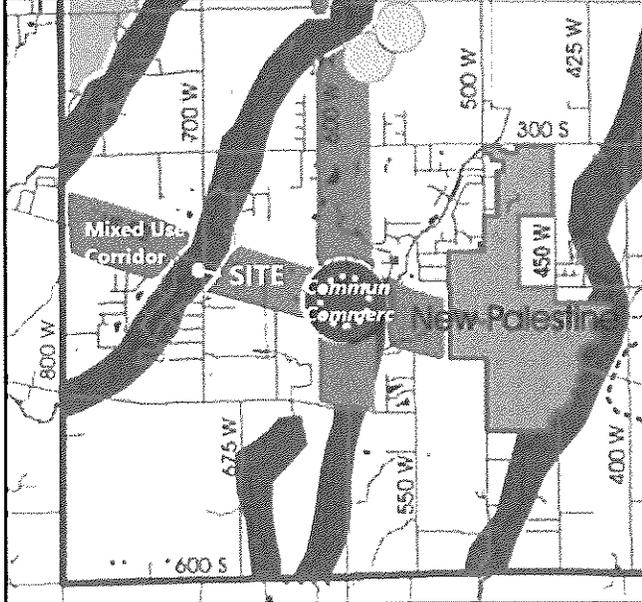
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Limited / Vicinity



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Limited / Comprehensive Plan

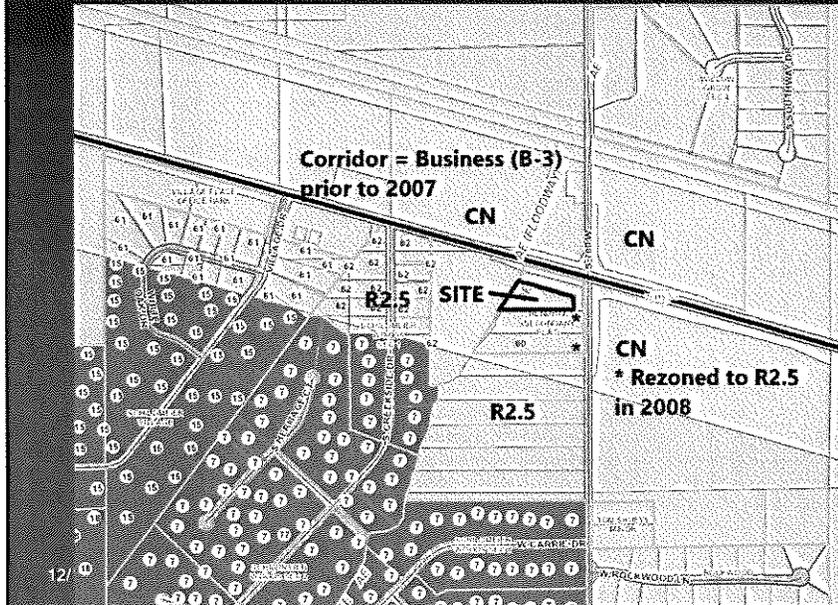


Mixed-Use Corridor
 Intended primarily for higher-density (multi-family) residential uses and higher-intensity commercial uses, professional offices, and limited light-industrial uses. The visual prominence of this corridor places a strong emphasis on attractive site design.

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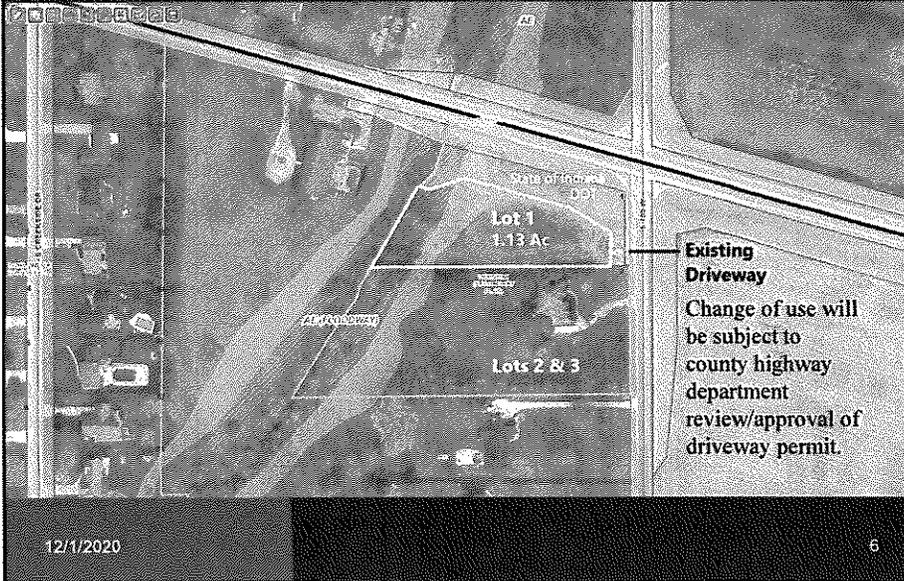
Limited / Zoning Map



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Limited / Site



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Limited / Ground Photos



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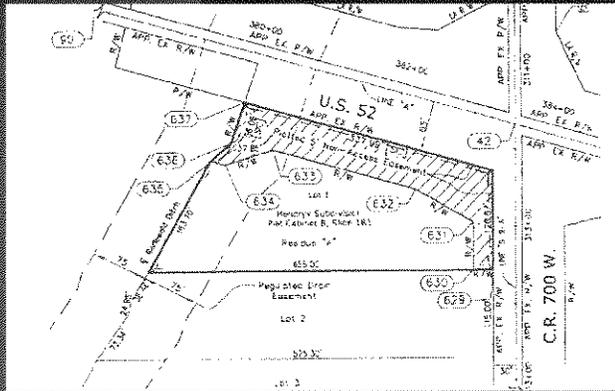
Limited / Statement of Intent

Owner's Statement of Intent

- ◆ This lot has been a residential lot since when it was developed.
- ◆ The county rezoned it to CN.

Note: County rezoned the site from B-3 to CN in 2007.

- ◆ Seek to rezone the site back to residential and propose to have a single-family home on it.



Hendryx Subdivision
plat recorded 1993:
All lots "shall be
designated as residential
lots. Only one single
family dwelling with an
attached two or three car
garage shall be
permitted on one lot."

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Limited / Consistency with Comp Plan

- 1) Consistent with the Comprehensive Plan? No
 - ◆ The proposed R2.5 zoning does not conform to the "Mixed-Use Corridor" land use designation that supports more intensive residential and commercial uses at this location.
- 2) Consistent with current conditions/character of current structures? No
 - ◆ The proposed R2.5 zoning does not conform to the current condition of the property.
- 3) Consistent with most desirable use of land? Yes
 - ◆ The proposed R2.5 zoning is in keeping with the petitioner's objectives and is likely more compatible with the adjoining residential land uses.
- 4) Consistent with conservation of property values? Probably
 - ◆ The proposed R2.5 zoning is likely to help preserve the value of the adjoining residential properties.
- 5) Consistent with responsible growth and development? Yes
 - ◆ The proposed R2.5 zoning is compatible with the recorded plat and the adjoining residential land uses.

12/1/2020

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Limited / Staff Position

Summary

- ◆ Proposal is consistent and compatible with the adjoining residential land uses and zoning.
- ◆ Staff has received no word of opposition to this proposal.
- ◆ The proposal is consistent and compatible with the recorded plat.

Staff Position

- ◆ Favorable

12/1/2020

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