



*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: Winding Oaks - Rezone  
Petitioner: Winding Oaks, LLC  
Project Location: Approx. 1200 S 250 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 zoning ordinance is a true and accurate record of the meeting of the Plan Commission on September 24, 2019. The attached ordinance received a favorable recommendation by a vote of seven (7) ayes, zero (0) nays, and two (2) 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

**ORDINANCE NO. 2019 - 10D**

AMENDING  
HANCOCK COUNTY ZONING ORDINANCE NO. 2007-1B

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

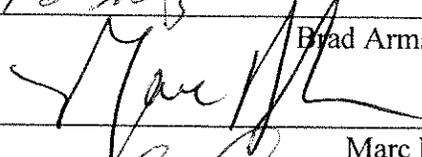
SECTION I

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 Agricultural (A) to Rural Residential (RR). The subject area is described herein as Exhibit A.

ADOPTED THIS 15<sup>th</sup> DAY OF OCTOBER, 2019.

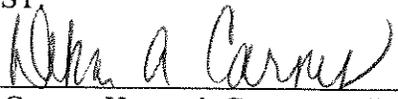
BOARD OF COMMISSIONERS OF  
HANCOCK COUNTY, INDIANA

  
\_\_\_\_\_  
Brad Armstrong

  
\_\_\_\_\_  
Marc Huber

  
\_\_\_\_\_  
John Jessup

ATTEST:

  
\_\_\_\_\_  
Debra Carnes, Hancock County Auditor

Petitioner: Winding Oaks, LLC

FILED

EXHIBIT 'A'

APR 2009

LEGAL DESCRIPTION

PETITIONER: WINDING OAKS, LLC

HANCOCK COUNTY  
PLANNING COMMISSION

REZONE A. TO RR

Commencing at a point on the east line of the East Half of the Northwest Quarter of Section Ten (10), Township Fifteen (15) North, Range Six (6) East, 57 and 1/3 Rods south from the northeast corner of said Half and running thence west 30 Rods; thence south on a line parallel with the east line of said Half to a point 49 Rods and 8 Links north of the south line of said East Half of said Northwest Quarter; thence east 30 Rods to a point 49 Rods and 8 Links North of the southeast corner of said East Half of said Northwest Quarter and thence north on the east line of said Half to the place of beginning, containing 11 acres, more or less.

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

**PLAN COMMISSION MINUTES**

**DATE: SEPTEMBER 24, 2019 TIME: 6:30 P.M.**

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4. Winding Oaks

Approx. 1200 S 250 W  
10 - 15 - 6

Agricultural  
Rezoning 19-1934  
Sugar Creek

Rezoning 11.0 acres from A (Agricultural) to RR (Rural Residential) for a proposed five (5) lot major subdivision located approximately 1200 S 250 W. Mr. Dale stated the site is surrounded by A (Agricultural) zoning with R1.0 further to the north and west and RR zoning just east, which he believes is the only RR zoning in the county. He stated the Comp Plan shows the area as low density suburban residential. He stated within the petitioner's statement the purpose is to rezone for dividing the parcel into five single family home sites with a minimum 1,900 SF ground floor area and believes the proposal is consistent with the Comp Plan as it will promote and maintain agricultural operations while allowing minimal residential development and that the proposed lot shape and sizes are consistent with the RR district. Mr. Dale stated the petitioner's intention is to develop a five lot major subdivision (too many lots to be considered a minor subdivision) and a major subdivision cannot be located in the A zone. He stated the conceptual plan meets or exceeds the RR zoning district lot standards. He stated the proposal is consistent with the Comp Plan, with the most desirable use of land, with conservation of property values and with responsible growth and development but is not consistent with the current conditions and character of current structures. He stated staff recommends approval. Mr. Mike Terry, H. Gibson Land Surveying and Mr. Dave Segó, owner and developer were present. Mr. Terry stated Mr. Segó lives across the road from this proposal and has also developed to the north of this site. He stated these will all be custom homes built by Mr. Segó. He stated they have increased the county's minimum home size of 1,200 SF to 1,900 SF and will have a 75 ft front setback with more R/W for future widening of the road. Mr. Segó stated he developed Winding Oaks Subdivision with this company name and his accountants told him to keep the name for future developments. He stated he wants to down size from his two-story to a ranch and will be building his own home here. Mr. Craig asked if there were public utilities. Mr. Segó said they would use Duke Energy but would have individual septic systems. There was no further discussion. Ms. Willard made the motion for a favorable recommendation to the County Commissioners. Mr. Holden seconded. Motion carried. Seven (7) approved the recommendation, Zero (0) denied.

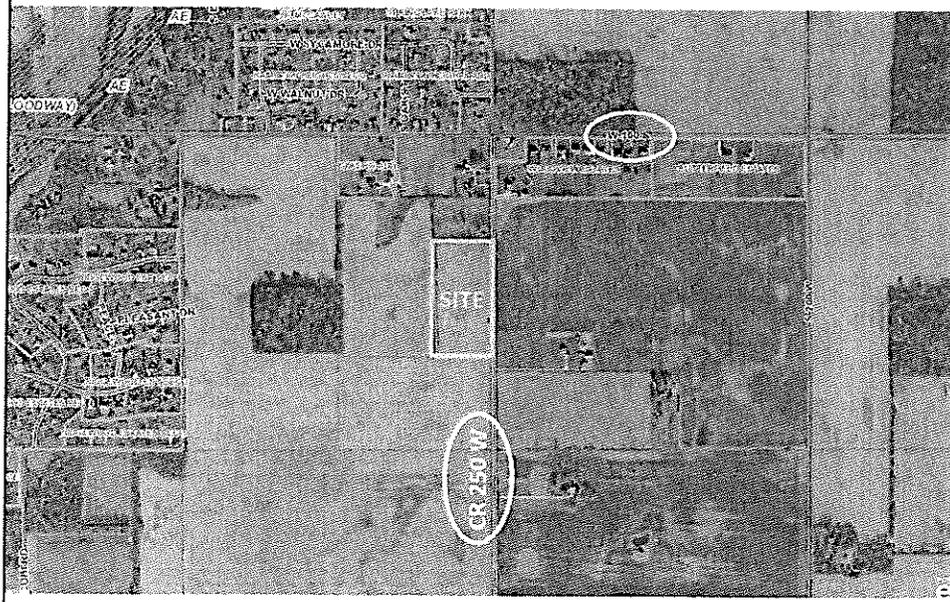
## Item 4: Winding Oaks

- Rezone 11.0 acres from Agricultural (A) to Rural Residential (RR) zone.
- Location: Approx. 1200 S 250 W
  - ◆ Sugar Creek Township

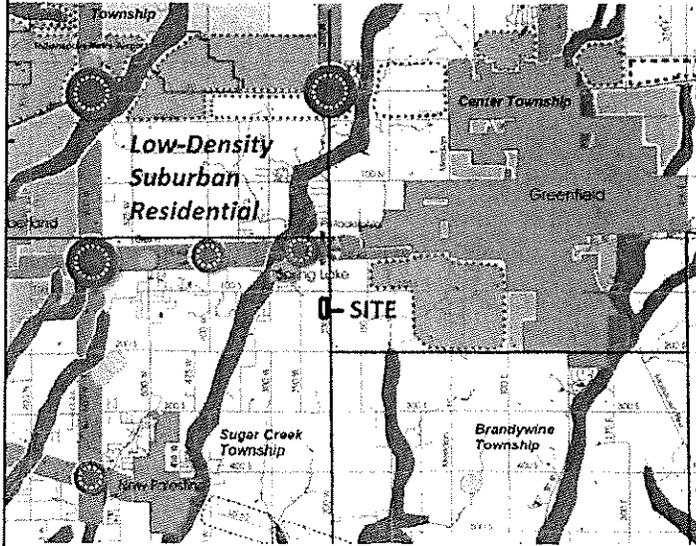
9/25/2019

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## Winding Oaks / Vicinity



# Winding Oaks / Comprehensive Plan

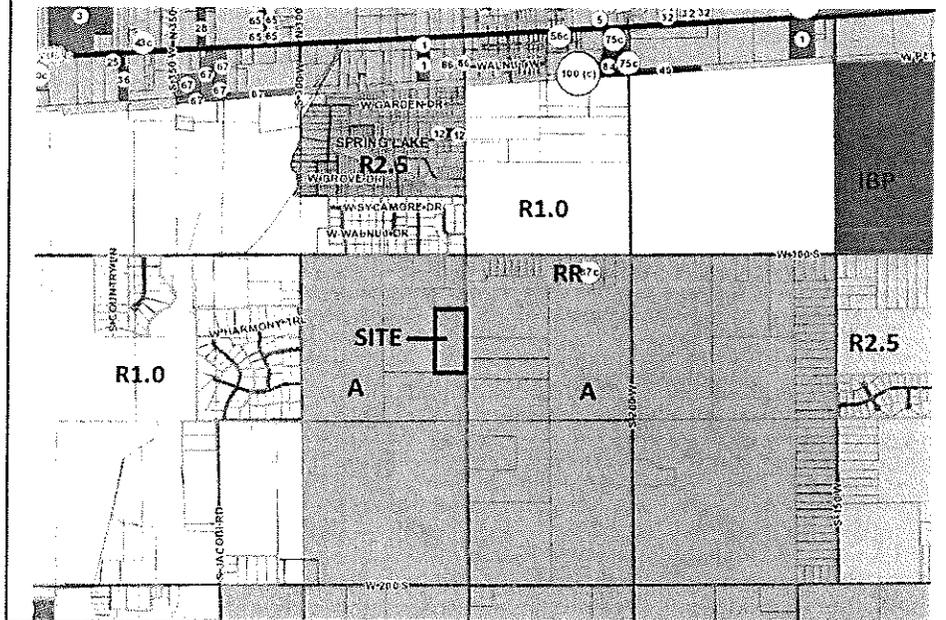


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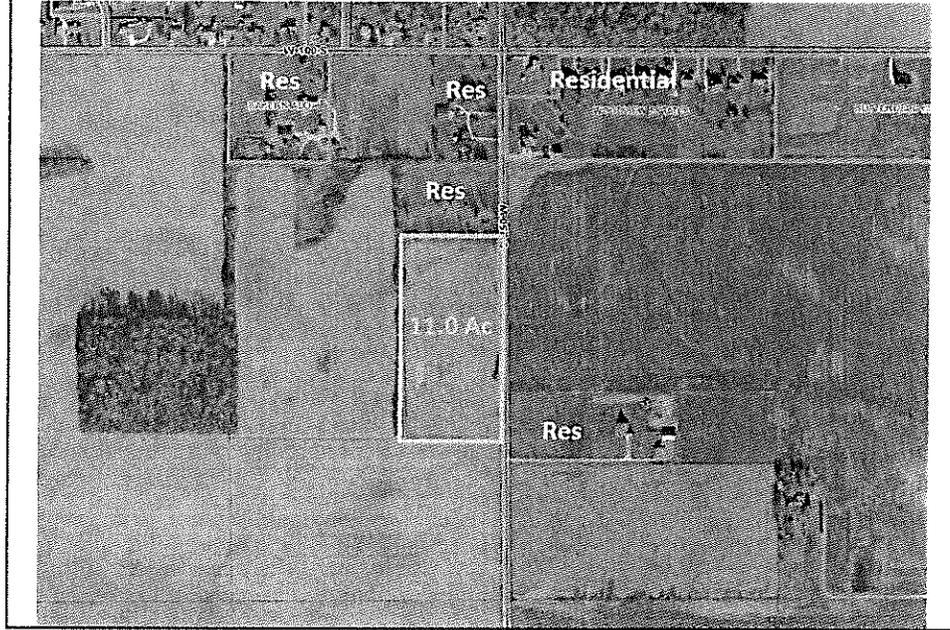
Low Density Suburban Residential:  
 Primarily intended for single-family detached homes; a diversity of home sizes and styles is encouraged in these areas; density should not exceed 2.5 du/ac with access to utility services, transportation facilities, and commercial opportunities.

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# Winding Oaks / Zoning Map



## Winding Oaks / Neighborhood



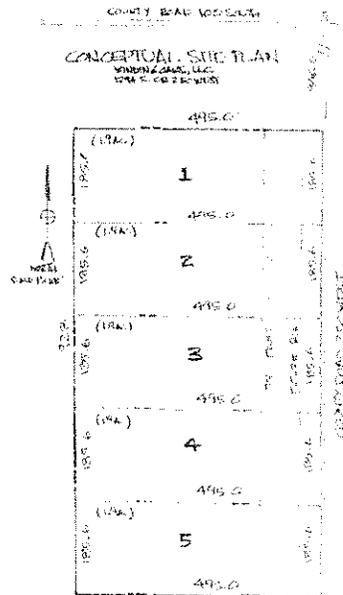
## Winding Oaks / Ground Photos



## Winding Oaks / Proposed Plat

### ■ Petitioner's Statement

- ◆ Rezone for purposes of dividing the parcel into five single family home sites.
- ◆ Proposing homes 1,900 sf minimum ground floor area.
- ◆ Proposal is consistent with Comp Plan: "promote and maintain agricultural operations while allowing minimal residential development."
- ◆ Proposed lot shape and sizes are consistent with RR district.



9/25/2019

## Winding Oaks / Zoning Code and SCO

- 155.004 Definitions
  - ◆ Major Subdivision: Any subdivision not classified as a minor subdivision.
  - ◆ Minor Subdivision: The division of a parcel of land into not more than three parcels, including the remainder of the original tract, any one of which is less than ten acres, for the purpose of transfer of ownership.
    - ★ Proposal will result in the formation of five lots, thereby qualifying as a Major Subdivision.
- 156.023: Agricultural (A)
  - ◆ Single-family dwellings are permitted in the "A" district except that major residential subdivisions are not permitted.
- 156.022 Lot Standards – RR Zoning District
  - ◆ Minimum Lot Area: 1.5 acres on septic system, excluding rights-of-way and similar dedications to the public
  - ◆ Minimum Road Frontage (Lot Width): 125' along CR 250 W
  - ◆ Front/Side/Rear Yard Setbacks: 50'/15'/15'

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## Winding Oaks / Consistency with Comp Plan

- 1) Consistent with the Comprehensive Plan: Yes
  - ◆ The proposed RR zoning is consistent with the "Low Density Suburban Residential" land use designation that promotes densities not exceeding 2.5 du/ac.
- 2) Consistent with current conditions & character of current structures: No
  - ◆ The proposed RR zoning is not in keeping with the current use of the property that is presently occupied by agricultural uses.
- 3) Consistent with most desirable use of land: Yes
  - ◆ The proposed RR zoning is in keeping with the owner's intended land use and the "LD Suburban Residential " designation of the Comp Plan.
- 4) Consistent with conservation of property values? Yes
  - ◆ The proposed RR zoning is not anticipated to adversely affect the values of the surrounding land uses.
- 5) Consistent with responsible growth and development: Yes
  - ◆ Subject to application of the county's development standards and permitting procedures.
- Staff Recommendation: Yes

9/25/2019

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