

Findings of Fact and Ruling

PETITION FOR DEVELOPMENT PLAN APPROVAL: **A09-04-01 (APC office creates this #)**

OWNER OF REAL ESTATE: **John H. Doe**

LOCATED AT: **100 S File St**

DESCRIPTION: **3 Acres in the NE ¼ of S12T26NR12E**

CURRENT ZONING CLASSIFICATION: **I-1**

PROPOSED DEVELOPMENT PLAN: **New 100' X 400' manufacturing structure**

PRINT DATE: **April 23, 2009**

Comes now the Wells County Area Plan Commission and in support of granting John H. Doe's Petition for Development Plan makes the following Findings of Fact, to wit:

John H. Doe filed a Petition for a Development Plan as to the following described real estate located in Harrison Township, Wells County, Indiana; more particularly described on Exhibit A attached hereto.

Notice of the scheduled May 7, 2009 public hearing on the Petition was duly published in accordance with I.C. 5-3-1 more than ten (10) days prior to the public hearing.

The sign as required by the Wells County Area Plan Commission has been duly posted in accordance with the Rules of Procedure of the Wells County Area Plan Commission more than fourteen days prior to the Wells County Area Plan Commission hearing.

On May 7, 2009, the Wells County Area Plan Commission conducted a public hearing on the Petition in accordance with the Rules of Procedure of the Wells County Area Plan Commission and the following evidence was heard.

14-02 This petition meets the jurisdiction requirements of a Development Plan due to the fact that it will be new construction of an industrial structure.

14-05 (1) This petition shall be compatible with the surrounding land uses due to the fact that that the neighboring properties are zoned I-1.

14-05 (2) This petition shall be sited, oriented, and landscaped to produce a harmonious relationship with the adjacent buildings and grounds due to the fact it will be developed in same basic design as the neighboring properties. The structure will be a standard industrial structure that is substantially similar to the neighboring industrial structures.

14-05 (3) This petition shall allow for a total visual impression and environment that is consistent with the environment of the neighborhood due to the fact that the land uses,

building materials, scale of the structures, and building style will be similar to the neighboring structures.

14-05 (4) This petition’s traffic management plan shall create conditions favorable to public health, safety, convenience and are harmonious with the comprehensive plan due to the fact that it’s acceleration / deceleration lane, drive way, and parking lot are substantially designed to handle the proposed traffic load and the plan allows for the proposed expansion of the public street listed in the comprehensive plan. Details of the traffic management plan are shown on the Plat for the petition.

14-05 (5) This petition’s vehicle access and parking are organized to minimize congestion in the neighborhood due to the fact that they meet the minimum requirements of the Wells County Zoning Ordinance for parking requirements and have ample room for the movement of car and truck traffic on the site.

14-05 (6) The petitioner has obtained written approval from the City of Bluffton for the connections to the public utilities shown on the Plat for this petition.

14-05 (7) (A) This petition meets the required setbacks for the I-1 zoning district as shown on the plat for this petition. The petition also meets the permitted use requirement of the I-1 zoning district due to the fact they are proposing a light manufacturing land use.

14-05 (7) (B) This petition is in zone “C” according to the 1983 FIRM map.

14-05 (7) (C) This petition will not violate any of the performance standards of the Wells County Zoning and Floodplain Management Ordinance.

14-05 (7) (D) This petition will meet the storm water control standards as shown by the storm water calculations, elevation data, detention calculation, and drainage outlet sizing shown on the plat for this petition.

14-05 (7) (E) This petition does not involve any filings required by the Subdivision Control Ordinance.

14-05 (7) (F) This petition is granting a half right-of-way to the City of Bluffton as required by the Subdivision Control Ordinance.

14-05 (8) This petition does not involve the excavation of minerals.

Wells County Board of Zoning Appeals Variance: _____

Wells County Area Plan Commission Modification: _____

Conditions or Commitments: _____

Wherefore, based upon the above findings of fact and upon the Motion of _____, duly seconded by _____, the Petition for a Development Plan by John H. Doe is hereby granted by a vote of _____ in favor and _____ opposed.

Granted this 7th day of May, 2009.

Wells County Area Plan Commission President

Wells County Area Plan Commission Secretary