

**MONTGOMERY COUNTY PLAN COMMISSION  
CASE REPORT**

**Case Number: RZ2020-2**

**Date: 5/12/20**

**Petitioner- RATCLIFF INC**

**Location – 1800 W BLOCK OF 650 N IN NORTHERN MONTGOMERYCOUNTY**

**Type of Case: Re zone of agricultural zoned property to Residential**

**Standard: Discretionary**

**Introduction**

At the May 27<sup>th</sup> 2020 meeting you will conduct a public hearing to consider Re- zoning a 14 acre property owned by Ratcliff INC for the purpose of residential development. Specifically, the petitioner requests an amendment to the zoning classification from Agriculture to Residential for the purpose of a residential subdivision. The existing use of the property is row crop agriculture. The petitioner wishes to sub divide the 14 acre tract into 13 one acre or more lots. The property is accessed from County Road 650 N and is located .7 of a mile west of 100 W in Coal Creek Township.

**Procedural Status of Case**

Notice of the public hearing was published on May 17<sup>th</sup> 2020. Notice to adjoining landowners and landowners within 100 feet of property were sent on prior to May 13<sup>th</sup>, 2020. The general use of the area is agricultural and residential. If the Re-zone is approved the Subdivision process will begin with the Conceptual approval. This Conceptual Subdivision is on the May agenda for concept approval.

**Factors to be considered**

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses in area.
3. The most desirable use for which the land in each area is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Is the proposed development responsible development.

**Staff Recommendation**

**Staff recommends approval** of Re zone requested based on the criteria above. The area is comprised of residential dwellings and agriculture and is consistent with the Montgomery County Comprehensive Plan.

**Making a Motion and Discussion**

After hearing the statement of the case provided by the petitioner, the statement of the case by staff, any statements of the public and discussing the case, the Commission can approve the zoning amendment, approve the amendment with commitments or deny the amendment to the Montgomery County zone classification of the property. A member of the Commission should make a motion to approve, approve with commitments or deny the petition. Each motion requires a second. After a

motion is made and seconded, the Commission may discuss the motion. Form motions are below. A minimum of 5 voting members are required to vote in favor of motion in order to take official action. After the vote, members will certify its action with signatures at the time of the vote or end of meeting.

### **Sample Motion to Approve**

Based upon the staff report, the evidence presented by the petitioner, and statements made by the public, the Board makes the following findings:

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community.
2. The use and value of the area adjacent to the property included in amendment will not be affected in a substantially adverse manner, because the improvement of the property as proposed will likely increase the value of property in the area adjacent to the subject property.
3. The proposed amendment is consistent with the Comprehensive plan

Therefore, I move to approve the Re-zone of the subject property from Agricultural to Residential.