

PLAN COMMISSION MINUTES

Monday, June 28, 2010

7:00 P.M.

A. ROLL CALL

Members Present:

Mike Hall – President
Dennis Kraus, Jr. – Vice-President
Mark Lehmann
Mike Hornbach
Dan Lansing
Ken Nelson
Jake Hoog
Ralph Thompson
Russell Beiersdorfer – arrived late 7:14pm

Mark McCormack – Director of Planning
Arnold McGill – Attorney

Members Absent:

None

B. ACTION ON MINUTES

Mr. Thompson makes a motion to approve the February 22, 2010 minutes, as amended. Mr. Lehmann seconds. All in favor. None opposed. Motion carries.

Mr. Thompson makes a motion to approve the April 26, 2010 minutes, as amended. Mr. Lehmann seconds. All in favor. None opposed. Motion carries.

C. OLD BUSINESS SCHEDULED TO BE RE-OPENED

There was no old business.

D. OLD BUSINESS TO REMAIN TABLED

- 1. Request:** Primary Approval for a 19-lot subdivision, Havencrest Subdivision.
Applicant: Bayer-Becker / Owner: Larry Rutenschroer
Site Location: Georgetown Road
Legal: Sec. 15, T6, R1, Map #06-15, Parcel #043
Township: Miller Size: 11.53 Acres
Zoning: Residential (R)
Note: *Tabled pending letter for water service.*

E. NEW BUSINESS

- 1. Request:** Major revision to the previously approved Roadway and Drainage Plans for Laurel Valley Subdivision.
Applicant/Owner: Jeff Tucker
Site Location: Laurel Valley Drive
Legal: Sec. 26, T7, R1, Map #01-26
Township: Harrison
Zoning: Agricultural (A)

Mr. McCormack states that the applicant was requesting to make major changes to the originally-approved Improvement Plans for the Laurel Valley Subdivision—specifically, the applicant was seeking to utilize the current county road standards for the construction of Laurel Valley Drive, instead of adhering to the specifications set forth in the aforementioned construction plans. He explains that Laurel Valley Subdivision received Primary Plat Approval for the 14.994 acre, five (5) lot residential subdivision in July of 2000. The Improvement Plans and Secondary Plat were approved in the following three (3) months. He states that the current condition of Laurel Valley Drive, the Subdivision’s only roadway, meets or exceeds the current thickness and material requirements set forth in Appendix B of the Dearborn County Subdivision Control Ordinance. He further explains that after he and the County Engineer examined Laurel Valley Drive, it was found that the road width did not meet the County Standards by being 1.5 feet deficient. There is an additional deficiency with the cul-de-sac, which is deficient by a 10-foot diameter. He states that the applicant is seeking Waivers of the originally-approved thickness and material construction standards—and now, additionally the width of the road—so that he may subsequently submit a petition for road acceptance to the County Commissioners. Mr. McCormack presents the staff report and shows slides.

Mr. Hall clarifies that there are two Waiver requests tonight: 1) for pavement depth, 2) for pavement width.

Mr. Nelson asks if there is a significant concern for a 5-lot subdivision having a 60ft. cul-de-sac diameter for the purposes of turning around.

Mr. McCormack states that 60 feet is sufficient for this size of development. He cautions the possibility of future development in this area that would require additional waivers or variances.

Mr. Lansing asks what the current cul-de-sac requirement is.

Mr. McCormack states that the current requirement is a 50-foot of right-of-way and 40 feet of pavement for residential uses. He states that the applicant's proposal is larger than the previous Ordinance required.

Mr. Jeff Tucker, of Tucker Development, states that he did make a mistake on the original plans with regards to the pavement thickness; however, he is uncertain of why the width is less than the designed (and required) amount. He explains that he may have also made mistakes in planning this development while he was constructing the Picnic Woods Development, which has smaller cul-de-sacs. He is sorry for the concerns associated with this development and has not been trying to mislead the County. He states that he is willing to talk with the County Engineer to rectify the width situation, and is willing to place pavement down one side of the road to widen the road to meet the approved standards.

There was no public to comment.

Mr. Thompson suggests tabling to allow the County Engineer and developer time to discuss a course of action on how to resolve the issue.

Mr. Kraus agrees, and states that Mr. Listerman needs to recommend what needs to be done.

Mr. Nelson states that he respects the right of Mr. Listerman to make the recommendation; however, the waivers being requested do not jeopardize the health, safety, and welfare of the County. He states that he does not want a split down the road causing a joint, and he feels the waivers should be granted tonight.

Mr. Hall and Mr. Hoog agree with Mr. Nelson.

Mr. McCormack states that Mr. Listerman is not in favor of having a joint in the road.

Mr. Hoog states that he is concerned with the blueprint not being read right and adhered to.

Mr. Kraus asks if this would set precedent.

Mr. McGill states that this Board's decisions do not set precedent.

Mr. Beiersdorfer states that he has seen Laurel Valley Drive and it is wider than Van Wedding Road at 16 feet.

Mr. Beiersdorfer makes a motion to grant the waivers for the depth of the road, width of the road, and width of the cul-de-sac for Laurel Valley Drive, as this road more than adequately serves a 5-lot subdivision. Mr. Nelson seconds. Mr. Kraus, Mr. Hoog, Mr. Beiersdorfer, Mr. Lansing, Mr. Lehmann, Mr. Hornbach, Mr. Nelson in favor. Mr. Thompson opposes. Motion carries.

F. ADMINISTRATIVE

Mr. McCormack presents the financial guarantee report.

Mr. McCormack gives a brief update regarding:

- Scheduling the July 26, 2010 meeting as a working session (no application)
- New office intern for next six (6) week—which is paid for entirely by Work One.
- St. Leon updates
- Employee work hours

Mr. Thompson makes a motion to adjourn the meeting. Mr. Beiersdorfer seconds. All in favor. None opposed. Motion carries.

Meeting adjourned at 8:09 P.M.

Mike Hall, President

Mark McCormack, Director of Planning & Zoning