

PLAN COMMISSION MINUTES

Monday, July 24, 2017
7:00pm

Andrew Baudendistel’s reading of Voluntary Title VI Public Involvement Survey—As a recipient of federal funds, and in support of Dearborn County’s efforts to ensure nondiscrimination and equal access to all citizens, the County gathers statistical data regarding participants in county activities. Therefore, we have provided a Voluntary Title VI public Involvement Survey at this meeting. You are not required to complete this survey. However, the form is anonymous and will be used solely for the purpose of monitoring our compliance with Title IV and ADA.

A. ROLL CALL

Members Present:

Dennis Kraus Jr.—President
Mark Lehmann—Vice President
Jim Thatcher
Russell Beiersdorfer
Eric Lang
Dan Lansing
John Hawley

Mark McCormack—Director of Planning & Zoning
Nicole Daily—Zoning Administrator
Andrew Baudendistel—Attorney

Members Absent: Art Little
Jake Hoog

B. ACTION ON MINUTES—

Mr. Beiersdorfer made a motion to approve the minutes as written for May 22, 2017. Mr. Lehmann seconded the motion. All in favor. None opposed. Motion carried.

Mr. Beiersdorfer made a motion to approve the minutes, as corrected, to show that Dan Lansing was absent at the meeting on June 12, 2017. All in favor. None opposed. Dan Lansing abstained. Motion carried.

C. OLD BUSINESS SCHEDULED TO BE RE-OPENED—None

D. OLD BUSINESS TO REMAIN TABLED—None

E. NEW BUSINESS—None

F. ADMINISTRATIVE—

Mr. McCormack gave a presentation on proposed changes to Article 20—Signs, of the Zoning Ordinance. The items that are highlighted in blue are the new changes that have been added since the Board reviewed the (yellow-highlighted) changes at prior meetings. The noticeable changes include signs being allowed for Home Occupations, signs within commercial and industrial multiple lot developments, off premise signs, and Section 2015, with respect to Signs Not Requiring a Permit.

Mr. Lehmann asked about businesses that advertise with using people to twirl signs.

Mr. McCormack stated he believes that type of advertisement would be prohibited according to Section 2035—Signs Prohibited in All Districts; those could be considered animated signs. Any type of animation is prohibited / discouraged by the ordinance.

Mr. Beiersdorfer made a motion to forward a favorable recommendation to the County Commissioners for the proposed changes as presented for Article 20—Signs, of the Zoning Ordinance. Seconded by Mr. Lehmann. All in favor. None opposed. Motion carried.

Mr. McCormack presented proposed changes to Article 11—Business Districts of the Zoning Ordinance. The primary changes are based on changing the names of the B-1 district to “Local Business” instead of “Restricted Business” Districts and B-2 to “Community Business” instead of “General Business” Districts. The other proposed change involves repealing Article 12—regarding Highway Interchange Districts, since it involves the same uses and standards as a B-2 district. Mr. McCormack notes that if this repeal is approved, the zoning map would change the Highway Interchange districts to B-2. Mr. McCormack also presented proposed changes to Article 13, regarding Manufacturing Districts. The primary change to this Article is to rename these districts as Industrial Districts and add some commercial uses as permitted uses. Additionally, related to Article 13, some of the proposed setbacks, frontage, and minimum lot and district sizes have been proposed for Table 25.1 in Article 25.

Mr. McCormack asked the Board members if they feel that staff should send letters to the property owners that would be affected by the repeal of Article 12.

Mr. Kraus stated that he felt that this action item should be tabled, so that staff can send letters out to the property owners that would be affected by the potential change in zoning as a courtesy.

Mr. Beiersdorfer made a motion to table the proposed changes to Articles 11 and 13, and the repeal of Article 12, until the next meeting so that letters can be sent out to affected property owners. Mr. Lansing seconded the motion. All in favor. None opposed. Motion carried.

Mr. McCormack presented potential changes to Article 2, Section 200 and Article 3, Section 300 of the Zoning Ordinance—which would allow for alternate Board members to be appointed to take the place of members in case of absences and / or disqualifications to meetings. The proposed changes would allow alternate members for both the Plan Commission and the Board of Zoning Appeals.

There was discussion on whether to wait for these changes to be made, as additional changes could be proposed for these Articles in the near future (related to the findings of facts for motions). The board decided that the changes can be done separately since they are minor changes to the Articles.

Mr. Lehmann made a motion to forward a favorable recommendation for the proposed changes to Article 2, Section 200 and Article 3, Section 300 regarding appointing alternate board members for the Plan Commission and the Board of Zoning Appeals. Mr. Hawley seconded the motion. All in favor. None opposed. Motion carried.

Mr. McCormack stated to the Board that the updated Financial Guarantee Report will be finalized in the next couple of weeks and will be emailed to all the Board members.

Mr. McCormack discussed with the Board that the part time Administrative Assistant, Hayley Miller, has taken a full time job elsewhere and the office will be conducting interviews for the open position soon.

Mr. McCormack presented to Board a potential change to the fee schedule, specifically in reference to the fee for legal advertisements required for the public meetings. He stated that staff was thinking of raising the fee from \$12.00 to \$20-\$25 per case. The second fee item that would be proposed is a Zoning verification fee for the staff to generate or complete letters / reports pertaining to property. For the average person/property owner, basic questions would not constitute a charge. Zoning verifications are typically done more for businesses, banks, realtors, etc. that are requesting items such as the zoning, floodplain, permit records, and enforcement-related information with a letter by staff certifying the information. This includes questionnaires that staff members have received from companies in the past related to properties being sold or refinanced. Mr. McCormack stated that staff will develop one or more forms for zoning verification letters / reports and will present them to the Board to review at the next meeting.

Mr. McCormack stated there will be some proposed changes within the next month or two for the Subdivision Control Ordinance. These changes would be more concentrated on the requirements for surveys and various types of plats.

There were discussions on the requirement of showing right-of-way on a retracement survey when it is truly unknown if there is even right-of-way on the roadway.

Mr. Beiersdorfer made a motion to adjourn the meeting. Mr. Lehmann seconded the motion. All in favor. None opposed. Motion carried.

Meeting adjourned at 9:16 PM

Dennis Kraus, Jr., President

Mark McCormack, Planning Director