



Dearborn County Plan Commission

215 B. West High Street Lawrenceburg, IN 47025
Phone: (812) 537-8821 Fax: (812) 532-2029
www.dearborncounty.org

PLAN COMMISSION AGENDA

Monday, February 23rd, 2015

7:00 P.M.

A. ROLL CALL

B. ACTION ON MINUTES

C. OLD BUSINESS

D. NEW BUSINESS

1. Request: Review of the Preliminary Plat for a 92-lot
Major Subdivision, **Woodridge Estates Subdivision**
Applicant: Bayer Becker; Owner: Landhill Development Company
Site Location: Stateline Road (Between Lakeview Dr. & Georgetown Rd.)
Legal: Sec. 13 & 14, T6, R1, Map #06-13, & 06-14, Parcel # 004.000,
008.000 & 002.000
Township: Miller Size: 126.749 Acres
Zoning: Residential (R)

2. Request: Vacate a portion of public road-right-of-way(s) in the platted
Town of Morgantown

Applicant: Dennis Kraus / The Hountz Family
Site Location: LaFayette Street
Legal: Section 7, Map #02-07, T-7, R-3
Township: Jackson Size: 0.227 Acres
Zoning: Agricultural (A)

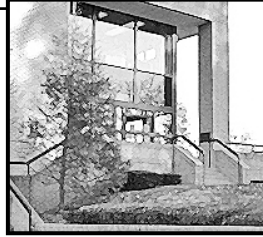
E. ADMINISTRATIVE

1. Proposed changes to the Dearborn County Zoning Ordinance

DEARBORN COUNTY PLAN COMMISSION

WOODRIDGE PRIMARY

STAFF REPORT



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DEARBORN COUNTY PLAN COMMISSION
FEBRUARY 23RD, 2015 MEETING

PRIMARY & WAIVER REQUESTS

BAYER BECKER, *Applicants*
LANDHILL DEVELOPMENT COMPANY, *Owners*

Primary Plat Request:

The Applicants are requesting Primary Plat approval for the Woodridge Subdivision—a single-family (detached) residential project proposal designed to accommodate 92 units / lots.

- 1) **Please refer to Article 2, Section 200 of the Dearborn County Subdivision Control Ordinance** regarding the classifications of Subdivisions.

SECTION 200 - Subdivisions Types

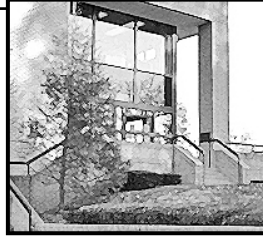
“The following applies to Subdivisions or the divisions of land which are used for commercial, industrial, office, residential, or other types of uses. The Subdivision of land can occur in the following three forms:

2. **Major Division of Land** - A Major Subdivision of land involves eight (8) or more buildable lots in addition to the Parent Tract and can include public improvements such as streets, grading, utilities and stormwater detention. *The review procedure for a major division of land involves a **Primary Plat**, Improvement Plan, and a Secondary Plat as outlined in this Article...*”
3. **Minor Division of Land** - A Minor Subdivision of land involves the division of seven (7) buildable lots or less in addition to the Parent Tract, and is located along an existing public street or a private drive as specified in this Ordinance and involves minimal grading. The review procedure for a minor division of land involves a Primary Plat and a Secondary Plat as outlined in this Article. *The minor division of land involves no widening or extension of a public street or stormwater detention. The procedures and application requirements are outlined in this Article...*”

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- 2) Please refer to Article 2, Section 204 of the Dearborn County Subdivision Control Ordinance regarding the Major Subdivision Review Process.

SECTION 204 – Summary of Major Subdivision Review Process

“Major Subdivisions involve three separate review steps before the proposed property can be developed and then recorded. *The first step, the Primary Plat, involves a Public Hearing before the Commission as required in this Article 2. This step allows a conceptual review of the layout of the proposed development.* The second step, the Improvement Plan, involves detailed construction plans of how the Subdivision will be developed as set forth in this Article 2. The Secondary Plat involves the recording of the Subdivision as set forth in this Article 2.

After the Commission has approved the Primary Plat and, if the development includes public improvements, an Improvement Plan approval is required before any construction on the site can begin. Improvement Plans are the construction plans for the Subdivision and any public improvements that are to be dedicated to the County. If the Improvement Plan complies with the requirements of this Ordinance and the Dearborn County Zoning Ordinance, the Improvement Plan will be approved by the Commission. After this approval, construction can begin on the property as indicated by the Improvement Plan. Before any property can be recorded through the Secondary Plat procedure, thus allowing the transfer of the property, all required public improvements must be completed and inspected and approved or a surety must be in place to guarantee the completion and approval of the improvements...”

- 3) Please refer to Article 2, Section 208 of the Dearborn County Subdivision Control Ordinance regarding the Primary Plat Procedure.

SECTION 208–Primary Plat Procedure

“*The purpose of Primary Plat approval is to determine whether a proposed plat complies with all relevant development requirements set forth, or incorporated, in this Ordinance, and to identify the relevant development standards with which the proposal does not comply, if any. The Primary Plat is intended to be a conceptual layout of the proposed Subdivision and not a construction level detailed review.*”

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- 4) Please refer to **Article 2, Section 216 of the Dearborn County Subdivision Control Ordinance** for the Primary Plat Requirements.

SECTION 216 - Primary Plat Requirements

“The Primary Plat shall meet the minimum acceptable design standards set forth in Article 3 of this Ordinance and the general applicable regulations for the construction of public improvements as set forth in this Ordinance, and the Dearborn County Zoning Ordinance...”

In addition to the aforementioned requirements, the Primary Plat must contain the information set forth in this Section.

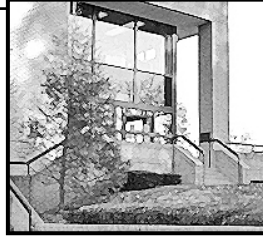
Technical Report

- 5) This property—Miller Township, Township 6N, Range 1W, Parcel #'s 004 and 008 in Section 13 and Parcel # 002 in Section 14—located approximately 2100-2200 feet north of the Lakeview Drive and Stateline Road intersection—is currently situated within a Residential (R) District.
- 6) Please refer to **Article 25, Table 25.1 of the Zoning Ordinance** regarding the minimum dimensional standards and maximum density requirements for Residential Districts. 1. *Please note that a Residential (R) zoning classification allows for a maximum density of 4 units per acre. The Applicant’s proposed density is approximately .76 units per acre, when excluding road right-of-way acreage.*
- 7) *Please refer to the Technical Review Report / letter from the January 20th, 2015 Technical Review Committee Meeting.* **Please note that the only item in this report that remains to be addressed, as far as the Primary Plat (document) submittal, is:**
- *All existing structures within 100-feet of the proposed subdivision boundary must (yet) be identified, at least as scaled from aerial photography. There are some structures across from the proposed entrance area of the development that appear to be within 100 feet of the Subdivision boundary (that should be identified on any final, revised documentation).*

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Waiver Requests

- 8) As a part of this request, the Applicants are seeking Waivers of the Subdivision Control Ordinance, specifically pertaining to 1) the length of the dead-end street / street system; 2) the number of lots served by the dead-end street / street system (if the proposed alternative access is not acceptable); and 3) the width of the proposed emergency access.

Please refer to Article 3, Section 305N of the Subdivision Control Ordinance regarding Dead-end Street requirements:

“...The regulations set forth in this Section shall apply to dead-end streets, portions of streets, or street systems—as created following the effective date of this Ordinance (April 7th, 2009). Proposed streets or street systems that do not conform with this Section shall require a Waiver, as outlined in Article 1...

- 1) Dead-end streets or street systems shall not serve more than 30 dwelling units for residential Subdivisions unless an acceptable alternative access is approved by the Plan Commission. An acceptable access alternative may include, but is not necessarily limited to: connectivity to an existing or planned open street or street system, wider streets, navigable sidewalks or medians, stub streets or an emergency access—as set forth later in this Section.

Waiver request: 62 additional dwelling units—as there are 92 total dwelling units off of the proposed single point of access into the Subdivision (off of Stateline)

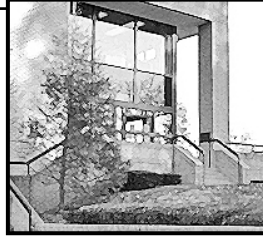
- 2) A dead-end street or street system shall not be more than twelve hundred (1200) feet in length. The length of a dead-end street or street system shall be the cumulative distance measured from the intersection of the centerlines of the dead-end street and the intersecting public street to the center of the radial turnaround(s) provided at the terminus of the street or street system. Please refer to Figures 3.1 & 3.2. This 1200-foot length requirement may be waived by the Plan Commission...”

Waiver request: 2,078 feet—as the total length of Madison Ridge is 3,278 feet.

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Please refer to Article 3, Section 305X of the Subdivision Control Ordinance regarding Emergency Access requirements:

“All Subdivisions will be evaluated individually to determine the type of emergency entry that may be appropriate to the access interior lots of a dead-end street or street system. The Plan Commission may permit the use of emergency accesses to address issues associated with dead-end streets or street systems that exceed the length, dwelling unit, and use requirements set forth in this Order—although no emergency access may be used for lot frontage. All final emergency access designs and materials shall be reviewed and approved by the Technical Review Committee and should generally conform to the following performance standards:

Surface:

Any approved all-weather driving surface that is designed to support the weight of up to 40,000 lbs. may be permitted. This may include asphalt, concrete, grass-crete, paving blocks, etc.

3) Width:

The minimum width shall be 12 feet...”

Waiver request: 3 feet—as the proposed emergency access width is 9 feet.

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- 9) Please refer to Article 1, Section 160 of the Dearborn County Subdivision Control Ordinance regarding Waiver requests.

SECTION 160– Waivers and Appeals

Appeals of this Ordinance may be made to the Commission by any person or entity claiming to be injuriously affected or aggrieved by an official action, order, requirement, interpretation, grant, refusal, or decision of the Planning Director or his designated staff. Such appeal shall be made within thirty (30) days of such person's written receipt of the Staff decision by filing with the Commission office an application for a notice of appeal specifying the grounds upon which the appeal is being sought. Public notice of such appeal shall be given to any and all parties of record at least ten (10) days prior to the public hearing. The Planning Director shall transmit to the Commission all the papers constituting the record for the appeal.

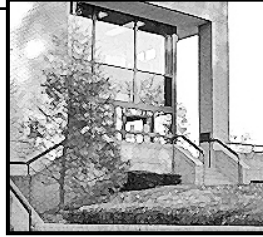
Upon written request to the Plan Commission, an applicant can seek a waiver of any of the Subdivision regulations in this Ordinance. The individual request shall be reviewed and granted only under unusual or extreme circumstances or if an equal or better alternative can be provided that is not in agreement with this Ordinance. The Planning Director or his designee shall review the request and provide a recommendation to the Commission regarding the merits of the request.

The Plan Commission shall review and take action on all waiver requests that involve the Subdivision Control Ordinance. The Board of Zoning Appeals shall review and take action on all variances—**including those involving subdivision setbacks**—and conditional uses to the Dearborn County Zoning Ordinance. As a condition of granting a waiver under this Section, the Plan Commission may allow or require a commitment to be made (as outlined in IC 36-7-4-1015).

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Background & Related Documents

10) This property was rezoned in September of 1999 (with a concept plan) and a Primary Plat for 230 residential units (156 single-family units and 74 condos) was approved by the Plan Commission in January of 2000. The Primary Plat for the 230 lots / units expired on January 31st, 2001.

Current Primary Plat Proposal vs. 2000-2001 Approved Primary Plat (Summary)

The proposed entrance to the Applicants' development proposal is the same in both plans. The current proposal contains a slightly shorter dead-end street / street system than the originally-approved Primary Plat. (The Dead-end Street codes / standards in the Dearborn County Subdivision Control Ordinance were amended in June of 2005, November of 2008, and April of 2009. The Emergency Access codes / standards in the Dearborn County Subdivision Control Ordinance were amended / added in November of 2008.) There are 138 fewer lots and residential units associated with the current Primary Plat submittal—and no condos.

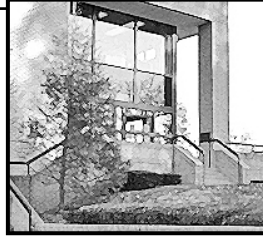
11) Please refer to the Applicants' Primary Plat submission and enclosures.

12) Please refer to the County Engineer's letter in reference to the proposed entrance and road improvements in association with the Applicants' proposal.

DEARBORN COUNTY PLAN COMMISSION

MORGANTOWN VACATION

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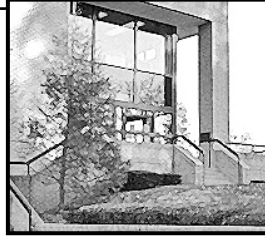
Plat Vacation Background:

- 1) The subject property— Jackson Township, Township 7N, Range 2W, Section 7, identified as right-of-way within the Town of Morgantown—is located within an Agricultural (A) Zoning District. This portion of the platted Town is situated approximately 400-500 feet east of the State Road 46 / St. Peters Road intersection.
- 2) **The Applicant is requesting to vacate the remaining western portion of La Fayette Street, an unimproved thirty-three-foot (33') road right-of-way in the Town of Morgantown. La Fayette Street, as platted in 1837, does not meet the minimum County road right-of-way width requirements and is not improved to current specifications.**
- 3) The Petitioners, the Hountz family (estate), own more than half (1/2) of the property affected by this proposed vacation request. *The only other affected property owner, Ronald Getz, has existing property access available from State Road 46. Mr. Getz's approximately 62-foot frontage onto La Fayette Street does not connect to State Road 46 or the other streets that were previously platted within the Town of Morgantown (as these road right-of-ways have been vacated already).*

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- 4) Please refer to Article 2, Sections 280 and 282 of the Dearborn County Subdivision Control Ordinance regarding vacation procedures.

SECTION 280 –Vacation of Plats

In a case in which all of the owners in a plat are in agreement regarding a proposed vacation, the owners may file a written instrument to vacate all or part of that plat as prescribed in IC 36-7-3-10.

In a case in which all of the owners in a plat are NOT necessarily in agreement regarding a proposed vacation, one (1) or more owners of land in a plat may file a petition with the Plan Commission to vacate all or part of the plat pertaining to the land owned by the petitioner.

The petitioner's application must:

1. State the reasons for and the circumstances prompting the request;
2. Include a survey that meets all of the requirements for a Certified Survey, as set forth in Article 2, Section 260 of this order and as prepared by a registered Indiana Land Surveyor; and
3. Give the names and addresses of every other owner of land in the plat;

Within thirty (30) days after receipt of a petition for a vacation of a plat, the plan commission staff shall schedule the petition to be heard by the Plan Commission at a public hearing. The Plan Commission shall follow the same public hearing procedure(s) to review proposed plat vacations as those requirements outlined (earlier) in this Article for the review of Primary Plats.

After hearing the petition, the Plan Commission shall approve or deny the plat vacation request. The Commission may approve the vacation of all or part of a plat only upon a determination that:

- 1) Conditions of the platted area have changed so as to defeat the original purpose of the plat;
- 2) It is in the public interest to vacate all or part of the plat; and
- 3) The value of that part of land in the plat not owned by the petitioner will not be diminished by the vacation.

The Plan Commission may impose reasonable conditions as part of any approval. The Commission shall furnish a copy of its decision to the County Recorder for recording.

A petitioner or other interested party may appeal the Plan Commission's approval or disapproval of a plat vacation in the manner prescribed by IC 36-7-4-1016."

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SECTION 282 –Vacation of Public Ways or Places

“As identified in IC 36-7-3-12, persons who:

- 1) Own or are interested in any lots or parts of lots; and
- 2) Want to vacate all or part of a public way or public place in or contiguous to those lots or parts of lots;

may file a petition for vacation with the Dearborn County Board of Commissioners.

The petitioner’s application must:

- 1) State the circumstances of the case;
- 2) Include a survey that meets all of the requirements for a Certified Survey, as set forth in Article 2, Section 260 of this order and as prepared by a registered Indiana Land Surveyor; and
- 3) Give the names and addresses of all owners of land that abuts the property proposed to be vacated.

The Dearborn County Board of Commissioners shall hold a hearing on a vacation petition within thirty (30) days after it is received. The clerk of the Commissioners shall give notice of the petition and of the time and place of the hearing:

- 1) In the manner prescribed in IC 5-3-1; and
- 2) By certified mail to each owner of land that abuts the property proposed to be vacated.

The petitioner shall pay the expense of providing the required notice.

The hearing on the petition is subject to IC 5-14-1.5. Any person(s) aggrieved by the proposed vacation may object but only on the following grounds:

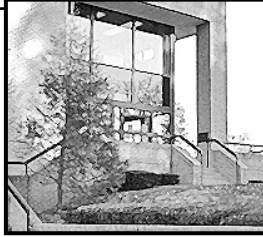
1. The vacation would hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous;
2. The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient;
3. The vacation would hinder the public's access to a church, school, or other public building or place;
4. The vacation would hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

After the hearing on the petition, the Board of Commissioners may, by ordinance, vacate the public way or public place. The clerk of the Commissioners shall furnish a copy of each vacation ordinance to the County Recorder for recording and to the County Auditor.

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Within thirty (30) days after the adoption of a vacation ordinance, any aggrieved person may appeal the ordinance to the circuit court of the county. The court shall try the matter de novo and may award damages.”

Enclosed Reports & Statements

- 5) *The Technical Review Committee reviewed the Applicants’ proposed vacation request at its meeting on January 21st, 2015 and had no significant issues or concerns at that time—although there were some technical findings that were identified at that time that should be addressed prior to the submittal of a final plat. ****Please note that all of the materials and modifications required from the Technical Review Committee to the Applicants appear to have been addressed in the updated, revised submittal.***
- 6) **Please refer to the Applicant’s statement(s) and enclosures.**

ARTICLE 22

LANDSCAPING, BUFFERING, SCREENING & FENCES

SECTION 2200 – Intent

~~The purpose of this Article is to provide landscaping regulations that will enhance the environment and visual character as development occurs within the county limits. The preservation of existing trees and vegetation, and the planting of new trees and vegetation will protect public and private investments, and promote high quality development. Areas of transition will be created between land uses, in order to minimize adverse visual impacts, noise, light and air pollution. Landscaping will be required to provide separation between parking areas and buildings, which will define pedestrian and vehicular circulation areas and diminish the visual impact of continuous building facades. Therefore, this Article requires landscaping to be planted between uses, around buildings, within and around parking lots and along street frontages in order to:~~

- ~~1. Encourage the preservation of existing trees and vegetation and replenish vegetation that is removed;~~
- ~~2. Facilitate the creation of attractive and harmonious communities with the intent to enhance property values;~~
- ~~3. Improve the visual quality of the county by minimizing the negative impacts of development;~~
- ~~4. Reduce environmental impacts, such as, noise, air and light pollution, reduce stormwater runoff and decrease soil erosion, improve water quality, protect wildlife habitat, and reduce heat convection from impervious surfaces;~~
- ~~5. Minimize conflicts between land uses, reduce visual impacts to adjoining properties and public rights of way, create a transition between dissimilar land uses, promote and preserve the character and value of an area, and provide a sense of privacy;~~
- ~~6. Establish standards for the location, spacing, quantity, type, size, protection, planting and maintenance of landscape materials in order to accomplish the objectives listed above.~~

The purpose of this Article is to promote and protect the health, safety, and general welfare of the community through the reduction of noise, air, and visual pollution, the stabilization of soils, the containment of wind-blown dust and debris, and the provision of a wide variety of living plant material around buildings, adjacent properties, large expanses of paved areas, and transitional areas between land uses.

SECTION 2205 – Required Landscape Review

All developments that are subject to a Site Plan Review as defined by Article 23 of this ordinance must demonstrate that the requirements of this Article will be achieved. No new site development, building or structure shall be constructed, ~~or vehicular use area created or used,~~ unless landscaping is provided as required by this Article. Any improvements to an existing development, which includes building additions, ~~vehicular use area expansions,~~ and loading area expansions, shall be required to bring only the new improvements into compliance with this Article. Single-family residences and duplexes are not subject to the landscaping requirements of this ordinance.

SECTION 2210 - General Requirements

1. A Landscaping Plan will be required as part of the Site Plan Review process. The information required on this site plan is listed in Article 23, Section 2320, Item 12.
2. The owner of the property is responsible for the **installation** ~~and watering~~ of all landscaping materials **and required bufferyards. The maintenance of all landscaping materials and required bufferyards shall also be the responsibility of the owner of the property—unless documents establishing the maintenance and liability of these improvements have been recorded and approved by the Plan Commission (prior to recordation in the Office of the Dearborn County Recorder). Maintenance and liability can be designated or transferred to an established homeowners’ association, conservation trust, park board, the commercial management entity associated with a development, or another entity if approved by the Plan Commission.**
3. **All landscaping materials and required bufferyards shall be kept in a proper, neat and orderly appearance—regularly free of weeds or tall grass, refuse and debris.** All unhealthy or dead plant materials shall be replaced by the next planting season, or within one year, whichever comes first.
4. All plant material must be installed, according to the approved landscaping plan, no later than the next planting season or within 6 months from the date that a building occupancy permit is issued, season permitting. If no occupancy permit is required all plant material must be installed by the next planting season from the date of approval for the landscaping/site plan.
5. All plant materials selected should be able to tolerate their specific planting environment and be easily maintained. Also, all landscaping shall be designed and installed to permit access to any area where repairs, renovations or regular maintenance to site buildings, utilities, etc. are expected.
6. All trees from Plant Type D (See Section 2230) shall be a minimum of six (6) feet (not to include the root ball) in overall height at the time of planting. In addition, all trees from Plant Type A and B shall be a minimum of 2 inches in caliper size (at dbh) and all shrubs from Plant Type E shall be a minimum 24 inches B&B or 3 gallon size at planting.

7. In addition to the designated width of all landscaping strips and the types of plants that are required, some type of ground cover shall be incorporated in the design, which may include any combination of grass, low ground cover, shrubs, flowers, or mulch. ~~Hard surfaces, or gravel, shall not be permitted for use as ground cover.~~ ***Gravel, limestone, river rock or similar materials may only be used as mulching around plants or for the purpose of providing landscaping accents. These types of materials shall not exceed thirty percent (30%) of the ground cover associated with the required bufferyard area(s) for the site, unless approved by the Technical Review Committee during the Site Plan Review process.***
8. All bufferyards, landscaping strips, and planted areas that adjoin a street; and all vehicular use areas, shall install a minimum six (6) inch high curb along ~~the~~ landscaping strips to protect the planted area from vehicular traffic. If it is determined by the Planning Director or designee that damage from vehicles will not occur, curbing will not be necessary.
9. The ***Technical Review Committee*** may require additional landscaping, beyond the requirements of this Article if the developing use will create visual and aesthetic impacts, noise or light impacts, or other negative impacts that will not be reduced by the requirements of this Article.
10. All landscaping shall be located a minimum of 25 feet from the centerline of a public road if the right-of-way is less than fifty (50) feet total or 25 feet half right-of-way. Unless otherwise permitted within this Article or Ordinance the landscaping shall not be permitted within a right-of-way or easement.

SECTION 2215 – Landscaping Reductions

The ***Technical Review Committee*** shall have the authority to grant a ***twenty-five percent (25%) reduction*** of any of the requirements in this Article upon receipt of a written request that explains the reasoning for the ***reduction***. The ***Technical Review Committee*** shall review each written request, and a ***reduction*** shall only be granted if an unusual or extreme circumstance exists which causes an unreasonable hardship due to the size or irregular shape of the site and the use being proposed on the site. The ***Technical Review Committee*** may also approve an alternative approach if it is determined that the intent and purpose of this Article is achieved.

SECTION 2220 – Enforcement

Inspections shall be conducted by the Planning Director, or designee, before and after construction to assure compliance with the submitted and approved Site Plan. Post development site inspections will be conducted according to Article 23.

SECTION 2225 - Sight Triangles

All required landscaping plans must incorporate sight triangles (see Section 2412) that preserve the visibility of pedestrians and motorists. Any plant material taller than 3½ feet shall not be permitted within sight triangles. Plant material includes trees that are limbed up, because a mature tree trunk can impair motorist visibility.

SECTION 2230 – Plant Types

The Plant Types listed below are arranged by size of plant at maturity and evergreen or deciduous plant types. The height is measured from the surface of the planted area to the top of the plant (does not include the roots of the plant) or by container size. All plants selected from each plant type shall be indigenous to this region or capable of flourishing within the proposed planting area. Information about the proposed plants may be required for review and verification of the plant type from the nursery.

1. Plant Type A Large deciduous trees over 50 feet in height at maturity
2. Plant Type B Medium sized deciduous tree from 25 to 50 feet in height at maturity
3. Plant Type C Large shrubs or small trees 10 to 25 feet in height at maturity
4. Plant Type D Large evergreen trees over 50 feet in height at maturity
5. Plant Type E Shrubs that include all sizes and ground cover

*****Please refer to Article 22, Section 2280 for a listing of plants which are unacceptable within right-of-ways for streets, alleys, or required parking areas.***

SECTION 2235 –Berms or Earthen Mounds

Berms, which are earthen mounds that are designed to provide visual interest, screen undesirable views, and decrease noise, may be used as an effective method of landscaping and screening in accordance with the following guidelines:

1. A berm shall be located between the right-of-way and the building setback lines;
2. Berming shall generally vary in height, width and length to create a free-form naturalistic effect;
3. The slope of a berm shall not exceed a 2.5:1 ratio;
4. The use of berms may reduce the size and number of plants required by a specific bufferyard, if it is specified in Section 2260;
5. The design of berms shall include provisions for drainage that is tied into entire site system if necessary or applicable.

SECTION 2240 - Landscaping Along Street Frontages

When a developing use adjoins a street, regardless of whether it is public or private, landscaping shall be required *in accordance with a Bufferyard Level 2* (See Table 22.2) along the entire street frontage. *If parking is located between the street and a proposed use, the required bufferyard(s) will be increased by thirty percent (30%)—in terms of planting materials and the area needed to adequately maintain and support the additional plants—and will contain an approved architectural screen, plant materials screen, or earthen mound, berm—or an acceptable combination—between 36-42 inches in height unless the screening is 50% transparent.* The required landscaping is not required to be placed in a linear design, but shall be required to be dispersed throughout the street frontage and not clustered entirely at the ends of the property. The landscaping will provide screening for vehicular use areas, while also allowing flexibility for uses, which require high visibility from street frontages. If the street frontage (area between the building and the street) does not contain a vehicular use area or a parking area, then only *a Bufferyard Level 1* shall be required.

Activities, such as outside storage, loading/unloading areas, parking of semi-trailers and heavy equipment or other unsightly activities or operations which do not require public visibility for the operation of the use, shall be required to provide screening *that corresponds to the type of use being developed and the zoning of adjoining properties, as referenced in Article 22, Section 2270 Table 22.1* found within Bufferyard C. ~~The width of bufferyards required in this section shall be as identified in *Table 22.2*.~~

SECTION 2250 – Building Landscaping

Any building with a blank facade, or blank portion of a facade, that is not used for outdoor display, storage or loading shall be required to provide the following landscaping if the wall is visible from a public right-of-way. Blank facades shall be classified as any wall that does not have windows used for display or entry doors for customers or the general public. Buildings that are 10,000 square feet or smaller shall be exempt from the requirements within this section.

1. The plant types found within *Bufferyard Level 1* shall be required to break the mass and visual monotony of long blank facades. The landscaping is not required to be placed in a linear design, but shall be dispersed throughout the entire length of the blank facade. If the required *front yard* bufferyard can be used to adequately reduce the view of the facade from the public right-of-way, no building landscaping shall be required. The Planning Director shall make the determination of whether the required bufferyard can be used for building landscaping;
2. Facades that adjoin a vehicular use area shall have a minimum width of 8 feet for the required planting area. This planting area can be reduced to 4 feet if sidewalks are installed;
3. Landscaping should not be installed in an area that is planned for future expansion and shall not be installed in an area that is used for an emergency exit from the building.

SECTION 2255 – Loading, Storage, Utility & Trash Collection Areas

The loading/unloading areas, storage areas, utility and mechanical equipment and trash collection or compacting areas shall be screened from view of any public street right-of-way and from view of any adjoining residential use. The required screening can be accomplished by a continuous solid closed fence, masonry wall, earthen **mound or** berm, hedging, evergreen plant materials or combination, which is high enough to effectively screen the items mentioned above from view. Any wall or fence shall be the same or compatible, in terms of texture and quality, with the material and color of the principal building.

SECTION 2260 – Bufferyards

A bufferyard is defined as a planted area that is used to separate uses that are not compatible or provide an aesthetic separation between uses. This planted area should reduce or eliminate noise and light pollution and other adverse impacts, while providing a year-round or partial visual separation. Bufferyards shall consist of a continuous strip of land with screening that shall contain existing vegetation, planted vegetation, **an earthen mound or** berm, a wall or fence or any combination of these. Bufferyards may be required in addition to any other landscaping requirement defined by this Article except Section 2240. The following are general requirements:

1. The bufferyard shall extend along the entire property line, where the bufferyard is required.
2. A proposed development may reduce the required bufferyard width by one-half if the developing use adjoins an existing use that has an established mature buffer, which meets or exceeds the bufferyard requirements for the adjoining developing use. However, the same quantity of plant material shall still be required within the bufferyard if a healthy planting environment can be provided.
3. The elimination or reduction of bufferyard requirements can be made if a developing site contains healthy mature vegetation. The amount of reduction permitted will depend on the size, type and density of the trees and vegetation that exists on the site. ~~However, the maximum reduction that can be made to the bufferyard width is 50 percent of the required width.~~ The required plant material can be completely eliminated if the existing vegetation accomplishes the type of screening required by the prescribed bufferyard. If this is not accomplished by the existing vegetation, then evergreens, fencing, berming, masonry wall or combination shall be used to supplement the existing screening as required.

4. Bufferyards can be located within building setbacks. ~~and in some circumstances can be located within utility easements or right-of-ways.~~ However, this will require approval by the **Technical Review Committee** and shall only be permitted if the required amount of plant material can be accommodated in an area in which the plants will be permitted to flourish. Planting within these areas shall require a written agreement from the grantee of the easement or owner of the right-of-way. If the vegetation is removed or damaged because of necessary maintenance or construction, it will be the responsibility of the owner of the property to replace the required vegetation at their expense. No structures or activity **may be located or situated** within the bufferyard except for ingress and egress to the site (including driveway connections between adjoining sites), sidewalks, bicycle trails and passive recreation uses. In addition, detention and retention systems can also be located within the required bufferyards if the visual screening requirements are not altered or diminished.
5. The design and exact placement of the bufferyard shall be the decision of the designer or developer, but shall be reviewed during the Site Plan Review process to ensure compliance with this Article. Trees and shrubs will be planted a minimum of five (5) feet away from property lines, right-of-ways, and easements to ensure maintenance access and to avoid encroachment on neighboring property, **unless permitted otherwise by Section 2215 or Item 7 of this Section.**
6. When a proposed development adjoins an undeveloped parcel of land, the required bufferyard shall be determined by the **type of use being developed and the zoning of adjoining properties** and shall be installed in the time period required by this Article as if the adjoining property were developed.
7. Bufferyard **Levels 1 and 2, as referenced** in Table 22-2, can be shared between uses if an easement is provided and recorded which indicates how the maintenance and replacement of unhealthy plants will be accomplished. The width of the shared bufferyard can be reduced by 50 percent from the combined width of the required bufferyards. However, the number of plants required cannot be reduced within the shared bufferyard.

SECTION 2265 - Required Bufferyards

The type of bufferyard that is required is dependent upon the zoning **and use of the property that is being developed in comparison to the zoning and use** of the adjoining properties. If the zoning of the developing use is the same as the adjoining property, a bufferyard shall still be required. (See *Table 22.1*)

SECTION 2270 - Bufferyard Types

Each type of bufferyard is described by the minimum number of plants and the type of plants that are required for each 100 linear feet of bufferyard—*unless noted otherwise*. (See *Table 22.2*) Smaller trees may be replaced with larger trees if desired. ~~The required shrubs within *Table 22.2* shall have a minimum mature height of six (6) feet if not pruned or managed. The number of plants required for a given bufferyard shall be determined by dividing the actual length of the bufferyard by 100, and multiply that number by the number of plants from each plant list required, and rounding to the next higher whole number. A *minimum of two different plant species* that possess similar traits shall be used from each plant type required at an even ratio per 100 linear feet of bufferyard required.~~ Fences or walls that are used within bufferyards shall be located within the center or interior of the bufferyard and the plants shall be installed on both sides of the fence or wall. Fences *in the side and rear yards* shall be solid and provide 100 percent opacity. Chain link fences with slats shall not be permitted.

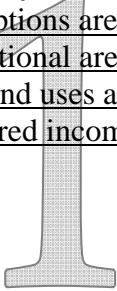
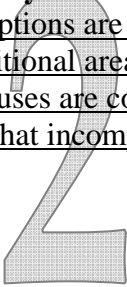
Find the row that corresponds to the use that is being developed, and match it to the column that corresponds to the zoning of the adjoining property.

Table 22.1 - Bufferyards Required by Zoning District and Use

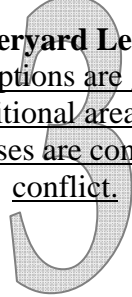
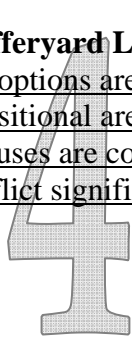
Type of Use Being Developed	Zoning and / or Use of Adjoining Property	Bufferyard Level Required**
SINGLE-FAMILY DWELLING UNIT SUBDIVISIONS	Residential (R), Local Business (B-1), General Business (B-2), all Manufacturing / Industrial (M)	1
	Agricultural (A)	2
MULTI-FAMILY DWELLINGS <i>For the purpose of this Section, multi-family dwelling units shall be units consisting of more than 2 units.</i>	Agricultural (A), All Manufacturing / Industrial (M)	1
	Residential (R), Local Business (B-1), General Business (B-2)	2
MANUFACTURED HOME PARK If the use being developed exceeds 50 home sites, and adjoins a <i>single-family</i> residential use, a Bufferyard 3 is required.	Agricultural(A)	1
	Local Business (B-1), General Business (B-2), all Manufacturing / Industrial (M)	2
	Residential (R)	3
COMMERCIAL USES	Local Business (B-1), General Business (B-2), all Manufacturing / Industrial (M)	1
	Agricultural(A)	2
	Residential (R)	3
INDUSTRIAL USES	All Manufacturing / Industrial (M)	1
	Agricultural (A), Local Business (B-1), General Business (B-2)	2
	Residential (R)	4

**** If parking is located between the street and a proposed use, the front yard bufferyard(s) will be increased by thirty percent (30%)—in terms of planting materials and the additional area needed to adequately maintain and support them—and will contain an approved architectural screen, plant materials screen, or earthen mound, berm—or an acceptable combination—between 36-42 inches in height unless the screening is 50% transparent.**

Table 22.2 - Bufferyard Types & Levels

BUFFERYARDS		
Description	Option 1	Option 2
<p style="text-align: center;">Bufferyard Level 1</p> <p style="text-align: center;"><u>*These options are generally for transitional areas, where the land uses are not considered incompatible.</u></p> <div style="text-align: center;">  </div>	<p>1 Plant Type A must be planted at a maximum of every 30 feet on center of linear distance along the bufferyard. The required trees may be grouped together; however, spacing(s) must be approved by the Technical Review Committee.</p> <p style="text-align: center;">This buffer must be at least 10 feet wide.</p>	<p>1 Plant Type B, C, or D must be planted at a maximum of every 20 feet on center of linear distance along the bufferyard. The required trees may be grouped together; however, spacing(s) must be approved by the Technical Review Committee. <i>A minimum of 50% of the Plant Types in this option must be a Plant Type B variety.</i></p> <p style="text-align: center;">This buffer may be 6-10 feet in width</p>
		Option 3
		<p>**Up to fifty-percent (50%) of the trees required in Option 2 can be replaced with 4 Type E shrubs per tree.</p>
<p style="text-align: center;">Bufferyard Level 2</p> <p style="text-align: center;"><u>*These options are generally for transitional areas, where the land uses are considered somewhat incompatible.</u></p> <div style="text-align: center;">  </div>	<p>Option 1 <u>or</u> Option 2 of Bufferyard Level 1</p> <p style="text-align: center;">AND +</p> <p>15 Type E Shrubs (for each 100 linear feet of bufferyard)</p> <p style="text-align: center;">This buffer must be at least 20 feet in width</p>	<p>Each 100 linear feet of bufferyard must include:</p> <ul style="list-style-type: none"> • 2 Plant Type A Trees for each 100 linear feet of bufferyard • 3 Plant Type B Trees for each 100 linear feet of bufferyard • A continuous 4-foot hedge, wall, or fence <p style="text-align: center;">This buffer must be at least 10 feet wide.</p>

BUFFERYARDS

Description	Option 1	Option 2
<p>Bufferyard Level 3 <u>*These options are generally for transitional areas, where the land uses are considered to conflict.</u></p> 	<p>A continuous, staggered double-row planting of trees from Plant Type D placed 20 feet on center.</p> <p>This buffer must be at least 35 feet in width</p>	<p>Each 100 linear feet of bufferyard must include:</p> <ul style="list-style-type: none"> • 3 Plant Type A Trees • 3 Plant Type B Trees • 3 Plant Type C Trees • A continuous 5-foot hedge, wall, or fence <p>This buffer must be at least 25 feet wide.</p>
<p>Bufferyard Level 4 <u>*These options are generally for transitional areas, where the land uses are considered to conflict significantly.</u></p> 	<p>Each 100 linear feet of bufferyard must include::</p> <ul style="list-style-type: none"> • 2 Plant Type A Trees • 3 Plant Type B or C Trees • 5 Plant Type D Trees • A continuous 6-foot hedge, wall, or fence <p>This buffer must be at least 60 feet wide.</p>	<p>A continuous, staggered double-row planting of trees from Plant Type D placed 15 feet on center.</p> <p><u>AND</u> +</p> <p>An earthen mound or berm that is 6-feet in height</p> <p>This buffer must be at least 50 feet in width</p>

**Alternative Bufferyard scenarios can be presented to the Technical Review Committee during the Site Plan Review process. The Committee may approve an alternative bufferyard scenario if it finds that an applicant's proposal meets the purpose of this Article, as well as other conditions that may apply.*

SECTION 2275 – Architectural Screens & Fences

1. All fences shall have the finished side facing out, with no structural supports visible from adjoining properties, or public street right-of-way unless the fence is designed so that such supports are visible from both sides.
2. Fences shall be permitted within all districts. Fences within Residential Zones shall not exceed six (6) feet in height, and shall be located within the side or rear yards, unless otherwise permitted by **item 5** of this section; fences within Business Zones shall not exceed eight (8) feet in height; and fences within Agricultural & Manufacturing Zones shall not exceed twelve (12) feet in height.
3. All fences shall be constructed of durable materials and shall be installed to withstand the natural weather conditions. Fences shall be maintained in good condition at all times.
4. No fence may be located within a public right-of-way nor can it be located in an area which will obstruct the sight triangle for any motorist or pedestrian as defined in Article 24 (*See Figure 24.1*).
5. All fences within front yards—***except those that are established for Agricultural Uses***—shall require a permit. In addition, fences within **Residential Districts** must be constructed in accordance with the following standards:
 - a. No solid fences may be built to exceed three (3) feet in height, above grade. Fences with “open views” (i.e. with an opacity level of fifty (50) percent or more) may be constructed a maximum of 4 feet in height, above grade (*See Figure 22.5*).
 - b. ~~Fences shall be of a decorative design—chain link, barbed wire, chicken wire and similar type fences are not permitted.~~ ***Fencing in the front yard shall consist of materials that are normally manufactured for, used as, and recognized as fencing materials, such as: wrought iron or other decorative metals suitable for the construction of fences, wood planking, vinyl or fiberglass composite or other similar type of materials. Chain link fences shall not be permitted between a street and a principal structure.***
6. In situations where fencing for outside storage is proposed or exists, a site plan must be submitted to, and approved by, the Planning Director or designee (See also Article 25, Section 2578). ***Fences constructed and installed for these purposes shall be solid and one-hundred percent (100%) opaque. Chain link fences with slats shall not be permitted.***

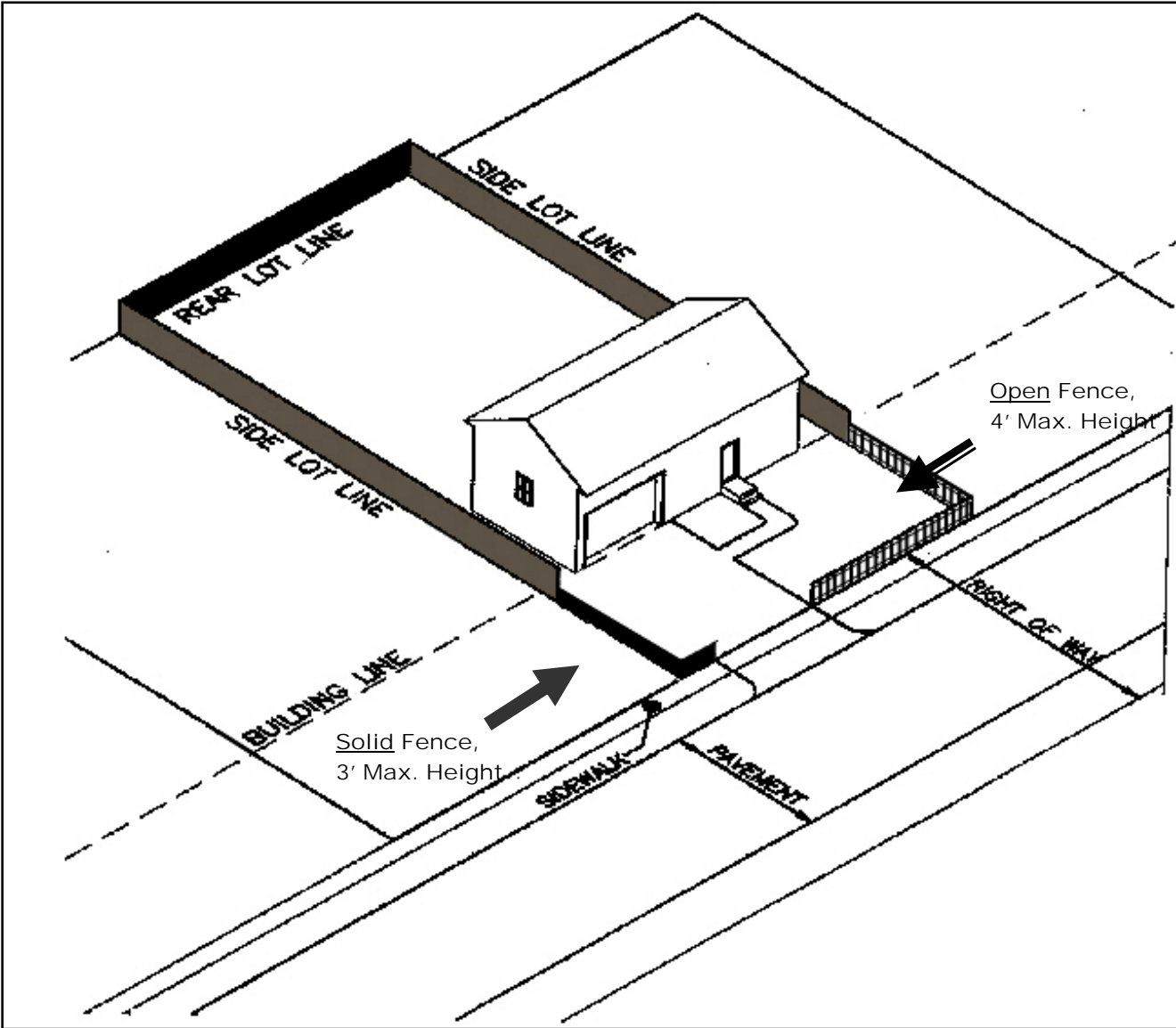
Footnotes:

Please refer to Article 25, Section 2546 of the Dearborn County Zoning Ordinance for fencing requirements for pools.

Please refer to Article 25, Section 2554 of the Dearborn County Zoning Ordinance for fencing requirements for ponds.

Please refer to Title 32, Article 26 of the Indiana Administrative Code for state fencing requirements (IC 32-26).

Figure 22.5 – Solid and Open Fences in Residential Districts



SECTION 2280 – Unacceptable Plants

The following plant species shall not be planted in a location or manner that causes any interference or obstruction within right-of-ways for streets, alleys, or required parking areas. The plants listed within this Section are not entirely prohibited; however, the use of these species should be limited to agricultural or residential areas where they can be properly installed, monitored and maintained in accordance with this Ordinance.

Non-bearing fruit cultivars or hybrids of the plants listed in this Section may be used as acceptable plants, provided that the plants do not present other unacceptable problems to the above-referenced restrictions (and locations). The Technical Review Committee will determine if a cultivar or hybrid is acceptable, if the plant has been listed as an ‘unacceptable plant’ as set forth in this Section.

***Plant materials shall not be installed or planted in utility and / or drainage easements.
(L) = Large trees*

SCIENTIFIC NAME	COMMON NAME	COMMENTS
<i>Acer negundo</i>	<i>Box Elder</i>	<i>Weak-wooded trees with extensive shallow root systems.</i>
<i>Acer platanoides</i>	<i>Norway Maple (L)</i>	<i>Invasive species with poor growth habits and susceptibility to disease.</i>
<i>Acer saccharinum</i>	<i>Silver Maple (L)</i>	<i>The use of this tree should be tempered because of its extensive shallow root system that will cause drain tiles to clog and sidewalks to buckle. The tree is also weak wooded, which causes it to become a liability with age.</i>
<i>Aesculus hippocastanum</i>	<i>Horse Chestnut (L)</i>	<i>These trees pose significant maintenance issues, which emanate from large fruit and low rates of leaf drop. Less hardy or tolerant in restricted areas.</i>
<i>Ailanthus altissima</i>	<i>Tree of Heaven (L)</i>	<i>Invasive species with weak-wood and extensive root systems that have been known to damage sewers and foundations.</i>
<i>Albizia julibrissin</i>	<i>Mimosa</i>	<i>Weak-wooded, invasive species that is not hardy in this area. It is not very disease and insect tolerant.</i>

SCIENTIFIC NAME	COMMON NAME	COMMENTS
<i>Alnus glutinosa</i>	Black Alder, European Alder, Common Alder	These trees pose significant maintenance issues and are prone to pests.
<i>Betula papyrifera</i>	Paper Birch (L)	Susceptible to Bronze Birch Borer. Life expectancy in a site with some stress (i.e. street tree) is short in an urban area.
<i>Betula pendula</i>	European White Birch (L)	Susceptible to Leaf Miners and Bronze Birch Borers. This tree is also intolerant of urban stress and is short-lived with a low-branching pattern.
<i>Castanea dentata</i>	American Chestnut (L)	Very susceptible to diseases. Flowers have an unpleasant odor. Less hardy or tolerant in restricted areas.
<i>Catalpa bignoniodes</i>	Southern Catalpa	Weak-wooded trees with messy fruit.
<i>Eleagnus angustifolia</i>	Russian Olive	Short-lived invasive species that is also disease-prone.
<i>Fraxinus americana</i>	American Ash, (L) White Ash (L)	In general, these types of ash trees require significant maintenance and are susceptible to the Emerald Ash Borer.
<i>Fraxinus excelsior</i>	Common Ash, (L) European Ash (L)	
<i>Fraxinus pennsylvanica</i>	Green Ash (L)	
<i>Ginkgo biloba</i> (Female)	Ginkgo (L)	The female of this species is unacceptable anywhere because of its fruit. The fleshy seed is extremely messy with a very unpleasant odor.
<i>Gleditsia triacanthos</i>	Common Honey Locust (L)	This weak-wooded tree is too thorny for use in the urban environment.
<i>Ligustrum</i>	Privets	If a high degree of maintenance is not provided, these shrubs become leggy and do not meet required opacities. These invasive species are also susceptible to severe winter damage.
<i>Maclura promifera</i>	Osage Orange	The large fruit of this tree makes it unsuitable for high-traffic areas.
<i>Malus</i>	Apple	The large fruit of these trees makes them generally unsuitable for high-traffic areas.

SCIENTIFIC NAME	COMMON NAME	COMMENTS
<i>Morus species</i>	Mulberry (L)	The mulberries are unsuitable because of the fruit that they produce, which is fleshy and extremely messy.
<i>Paulownia tomentosa</i>	Royal Paulownia, (L) Princess Tree (L)	Weak-wooded, invasive species with root systems known to damage sidewalks and driveways.
<i>Pinus nigra</i>	Austrian Pine, (L) Black Pine (L)	Highly susceptible to <i>Diplodia tip blight</i> .
<i>Populus nigre "Italica"</i>	Lombardy Poplar (L)	Poplars are generally unacceptable because they are disease-prone, weak-wooded, and their roots will clog drain tiles and storm and sanitary sewer lines.
<i>Populus deltoides</i>	Cottonwood	
<i>Populus deltoides</i>	Carolina Poplar (L)	
<i>Prunus cerasifera</i>	Cherry Plum	The fruit of these trees makes them generally unsuitable for high-traffic areas. Additionally, these trees experience serious disease problems and are disease-sensitive.
<i>Prunus persica</i>	Peach	The fruit of these trees makes them generally unsuitable for high-traffic areas. Additionally, these trees experience serious disease problems and are disease-sensitive.
<i>Pyrus</i>	Pear	The large fruit of these trees makes them generally unsuitable for high-traffic areas.
<i>Quercus palustris</i>	Pin Oak	Susceptible to Bacterial Leaf Scorch.
<i>Rhamnus catharica</i>	Common Buckhorn	Invasive species that is susceptible to winter die back.
<i>Rhamnus frangula</i>	Glossy Buckhorn	Invasive species that is susceptible to winter die back and serious diseases.
<i>Rosa multiflora</i>	Japanese Rose Multiflora Rose	This invasive shrub becomes leggy after harsh winters and in general is very difficult to maintain.
<i>Salix species</i>	Willows	Weak-wooded trees which are susceptible to canker disease and tap sewer and water lines.
<i>Sorbus species</i>	Mountain Ash	These trees are susceptible to a host of diseases and pests that should temper its use. Not considered urban tolerant.

SCIENTIFIC NAME	COMMON NAME	COMMENTS
<i>Lonicera maackii</i>	<i>Amur Honeysuckle</i>	<i>Very weedy, invasive species which are difficult to maintain.</i>
<i>Lonicera tartarica</i>	<i>Tartarian Honeysuckle</i>	
<i>Lonicera morrowii</i>	<i>Morrow Honeysuckle</i>	
<i>Ulmus americana</i>	<i>American Elm (L)</i>	<i>In general, these types of elms are disease-prone, weak-wooded, and messy—requiring significant maintenance.</i>
<i>Ulmus carpiniflora</i>	<i>Smoothleaf Elm (L)</i>	
<i>Ulmus fulva</i>	<i>Red Elm (L)</i>	
<i>Ulmus pumila</i>	<i>Siberian Elm (L)</i>	

ARTICLE 17

PLOT PLAN REVIEW

SECTION 1700 – Intent

The purpose of this article is to provide plot plan regulations that will enhance the **Improvement Location** Permitting process under Article 6. Plot plans are required for single-family residential uses, additions, accessory uses, and any other structure that requires an **Improvement Location** Permit.

SECTION 1705 – Authority

The purpose of Plot Plan Review is to protect the public health, safety and general welfare of Dearborn County. The provisions and requirements in this article are written and shall be administered to ensure orderly growth and development of Dearborn County. No building shall be erected, expanded or improved, on any lot, site, or parcel for uses where Plot Plan Review is required except in accordance with the regulations in this Zoning Ordinance and with the requirements stated in this article. All such Plot Plans shall be reviewed by the Planning Department and a determination either approving or rejecting such plans shall be made in accordance with the requirements of this article and other applicable, articles of this order.

The Planning Department shall not be permitted to reject any Plot Plan, which is in full conformance with the requirements, terms and conditions of this article and Zoning Ordinance. Nor can additional regulations be imposed which are not included within this order. All approved Plot Plans shall be binding upon the applicant, property owner, developer, or their successors and shall limit the development or project to the construction work as shown on the approved Plot Plan and to all conditions and limitations for such plans agreed to by the applicants. Amendments or changes to the approved Plot Plans shall be subject to the provisions of section 1735.

SECTION 1710 – Procedure

Before submitting an application for Plot Plan Review each applicant, property owner, or developer is encouraged to read the following categories to determine which level **the** construction proposal matches. If a determination cannot be ascertained the **applicant is** encouraged to have a pre-application meeting with the Dearborn county Plan Commission staff. ~~Both Minor Plot Plan Review and Major Plot Plan Review are described below.~~

Minor Plot Plan: A plot plan that requires no **significant** exterior utility construction (e.g., storm sewer, water, sanitary sewer, etc.), ~~no additional access points or curb cuts,~~ and no status as a residential living unit. Typically this review pertains to the construction of accessory uses and minor additions.

Major Plot Plan: A plot plan that involves **significant** exterior utility construction (e.g., storm sewer, water, sanitary sewer, septic sites, etc.), ~~any parcel within close proximity of flood zones A and B, access points or curb cuts,~~ and buildings constructed as a residential living unit. ~~Furthermore, this review involves any additions to utility construction, access points or curb cuts.~~ Typically this review pertains to the construction of a single family residence, mobile

home, and manufactured home. The Planning Director or Designee will determine the allowable distance from flood zones A and B that are exempt from flood certification.

SECTION 1715 – Application and Approval

An applicant, property owner, or developer is required to file an application with the Dearborn County Planning Department. Action in the form of approval or denial of a Minor Plot Plan or Major Plot Plan by the Planning Commission’s Staff shall occur within 7 working days of when the plan is officially submitted to the Planning Department’s office in complete form. Any incomplete Plot Plan or Application may result in delays.

An appeal of the Staff denial of a Minor / Major Plot Plan is possible before the Board of Zoning Appeals at its next regularly scheduled meeting after written notification is made by the applicant to the Planning Director within thirty (30) calendar days of the Staff denial. The Board of Zoning Appeals shall make final action for approval or denial on the appeal of a Minor / Major Plot Plan. Reasons for denial of a Minor / Major Plot Plan by the Board of Zoning Appeals shall be given to the applicant in written form

SECTION 1720 - Plot Plan Requirements

All Minor Plot Plans submitted to the Dearborn County Plan Commission shall be in accordance with this article and shall contain the following information:

1. A complete and accurate application form,
2. In order that all the required plot plan information be properly documented and correctly designed, it is necessary that all plot plans be drawn to a scale that allows all improvements and notes to be legible. Digital plans are preferred. Paper copies of plans should be submitted on standard paper sizes—either 8 ½ x 11 or 11 x 17. All plans larger than 11 x 17 must be submitted in an acceptable digital format (such as a .jpeg or .pdf file);
3. A graphic scale shall be noted on the plot plan along with the date and north arrow;
4. ~~A description of the proposed use for the structure;~~
5. ***Property boundaries / location reference(s)*** Dimensions of parcel or lot;
6. Location and width of all public and private streets, driveway ***entrances on the subject property***, and other vehicular circulation areas adjacent to the property;
7. ***Label and locate*** all existing and proposed structures;
8. Approximate location of all ***known*** utilities ***and associated easements*** (e.g., sewer lines, water lines, septic tanks, electric lines, gas lines, and so on). ****All applicants are advised to call 811, “Call-Before-You-Dig”.***
9. ~~Height of proposed building or addition;~~
10. ***Distances*** from ***the*** all four corners of the proposed structure(s) to the appropriate property lines—***sufficient to determine that all required setbacks, including those from easements and the identified floodplain, have been met;***

All Major Plot Plans submitted to the Dearborn County Plan Commission in accordance with this article shall contain the following information

1. A complete and accurate application form;
2. In order that all the required plot plan information be properly documented and correctly designed, it is necessary that all plot plans be drawn to a scale that allows all improvements and notes to be legible. Digital plans are preferred. Paper copies of plan should be submitted on standard paper sizes—either 8 ½ x 11 or 11 x 17. All plans larger than 11 x 17 must be submitted in an acceptable digital format (such as a .jpeg or .pdf file). In situations where the scaled lot is larger than the preferred paper size a large scale plot plan with a close up view of the major features is acceptable;
3. A graphic scale shall be noted on the plot plan along with the date and north arrow;
4. ~~A description of the proposed use for the structure;~~
5. ***Property boundaries / location reference(s)*** ~~Dimensions of parcel or lot; Property boundaries of the parcel or lot identified according to surveys or recorded deeds;~~
6. Location and width of all public and private streets, driveway ***entrances on the subject property***, and other vehicular circulation areas adjacent to the property;
7. Recorded easements identified;
8. ***Label and locate*** all existing and proposed structures;
9. Exterior dimensions of structure (including decks or porches and overhang measurements);
11. ~~Positive drainage away from structures must be shown, assumed elevation may be used unless flood elevations are an issue;~~
12. Elevation of the ~~basement and~~ ground floor noted on plan (***i.e. the distance of the floor of the improved area to the soil grade***). ***For structures within an identified flood-prone area, additional elevations will be required in accordance with Article 8;***
13. ***Distances*** from ~~the~~ all four corners of the proposed structure(s) to the appropriate property lines—***sufficient to determine that all required setbacks, including those from easements and the identified floodplain, have been met;***
14. ~~Height of proposed building or addition;~~
15. Location of structures on adjacent lots--***only when trying to acknowledge / establish*** a different building setback line exists other than the current ordinances;
16. Approximate location of all ***known*** utilities ***and associated easements*** (e.g., sewer lines, water lines, septic tanks, electric lines, gas lines, and so on). ****All applicants are advised to call 811, "Call-Before-You-Dig".***
17. Primary and Secondary On-Site Sewage Disposal System areas ~~identified meeting the applicable setback requirements of the health department;~~
18. ***A Plot Plan signed, dated, and approved by an appropriate Health Department Official, where an official Health Department Permit Release is not immediately available;***
19. Approximate boundaries of the 100-year flood plain using the Flood Insurance Rate Maps and Floodway Maps for Dearborn County. Properties located within the floodplain shall provide written documentation from the Indiana Department of Natural Resources regarding the Flood Protection Grade and location of the floodway (See article 8 of the Dearborn County Zoning Ordinance);

20. Sight Distance Note (Major Subdivisions that have proceeded through Primary, Improvement, and Secondary Plat Review may be exempt from this note if proper certification has already been performed);
- a. On _____ Day of _____, 200__ there are _____ feet of sight distance in the (easterly, westerly, northerly, southerly) direction and _____ feet of sight distance in the opposite (easterly, westerly, northerly, southerly) direction measured to meet the minimum sight distance requirements of Article 24, Section 2410 of the Dearborn County Zoning Ordinance.

SECTION 1725 – Expiration, Extension, and Completion of Approval Period

If the work described in a zoning permit has not been initiated within one (1) year from the date it was issued, the permit shall expire. The permit shall also expire if the described work has not been substantially completed within two (2) years of the date it was issued. If, for any reason, the Zoning Permit expires, all work must be stopped immediately until ***the permit has been renewed*** ***or*** a new permit has been obtained. The Planning Director or designee may grant an extension on a Zoning Permit, if the applicant can demonstrate a good cause for such an extension, prior to the date of expiration.

SECTION 1735 – Changes or Amendments

Any changes made to the approved Plot Plan before the development of the site or building shall require the approval of the Plan Commission staff. Any variations to an approved Site Plan that occurred in the development of the site or building will require that an “as built” Site Plan be submitted for review to the Planning Department. Depending on the extent of the changes, a new application may be required by the Planning Director or designee. If the “as built” site plan does not conform to the requirements in the Ordinance or if a Certificate of Occupancy is not granted, it will be handled as a violation of the ordinance under Article 6.