



# Dearborn County Plan Commission

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[www.dearborncounty.org/planning](http://www.dearborncounty.org/planning)

## PLAN COMMISSION AGENDA

**Monday, April 25<sup>th</sup>, 2022**

**7:00 P.M.**

**\*Location:** *Henry Dearborn Meeting Room; Dearborn County Government Center*

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

**C. ACTION ON MINUTES**

**D. OLD BUSINESS – NONE TO BE RE-OPENED**

**E. NEW BUSINESS – NONE**

**F. ADMINISTRATIVE**

- To review and discuss proposed ordinance amendments and updates to the Dearborn County Zoning Ordinance, specifically with respect to the text(s) of: *Articles 9 and 10, regarding Agricultural and Residential Zoning Districts; Article 25, regarding General Standards; Article 27, regarding Definitions*

## DEARBORN COUNTY PLAN COMMISSION MEETING

April 25, 2022

7:00 PM

**Andrew Baudendistel's reading of the 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 VI and ADA*

### **A. ROLL CALL**

#### **MEMBERS PRESENT:**

Dennis Kraus Jr—President

Mark Lehmann—Vice President

Jake Hoog

Jim Thatcher

Dan Lansing

Russell Beiersdorfer

Jeff Hermes

Eric Lang

Joe Vogel

Mark McCormack - Planning Director, Secretary

Andrew Baudendistel - Attorney

MEMBERS ABSENT—NONE

### **B. ACTION ON MINUTES—NONE**

### **C. OLD BUSINESS – NONE**

### **D. NEW BUSINESS – NONE**

### **E. ADMINISTRATIVE**

**To review and discuss proposed ordinance amendments and updates to the Dearborn County Zoning Ordinance, specifically with respect to the test(s) or: Articles 9 and 10, regarding Agricultural and Residential Zoning Districts; Article 25, regarding General Standards; Article 27, regarding Definitions.**

Mr. Mark McCormack addressed the Board with the proposed changes. He noted that the discussions around making changes to the zoning ordinance and map (specifically the agricultural and residential areas) started in 2013, but a consultant to help finally move forward was hired in 2020. During this process, there have been a total of seven public workshops, all in different locations. There have also been several public Plan Commission meetings with discussions of these proposed changes. The department has tried to get the word out for the proposed changes and has been looking for as much public input as possible. Mr. McCormack notes that there were also a few surveys that were open to the public and to the Zoning Committee. All comments from the public workshops and the surveys have all been reviewed and discussed in some fashion during all the Plan Commission meetings that have been held to discuss these items. The meeting tonight is specifically to discuss and finalize the text portion of the proposed changes; the mapping process will be discussed at a different meeting.

An overview of the proposed Agriculture District text was presented by Mr. McCormack. He discussed the permitted uses in agriculture, noting that the list can't be exhaustive and literally include every potential use, but he noted that there is a process for determining uses that are not listed. He noted that minor land divisions are not included in the updated Agriculture District text. He proceeded to review the Conditional Uses and dimensional standards. He noted that the minimum lot size was increased to two acres in this district. The main reason for this increase was due to the health department and its concerns for the county's soil types, topography, floodplain areas, and suitability for septic systems with all of the improvements that are typically being on tracts at this time, including driveways and excluding easements, etc. Mr. McCormack notes that the other items that have been discussed have been the minimum lot width increasing a bit, but the setbacks are generally the same.

Mr. Lang asked about the Health Department stance on minimum lot sizes. He questioned the increased lot size fixing potential problems.

Mr. McCormack noted that there were discussions on the Health Department regarding its requirement of secondary septic locations and changes with the Indiana State Code.

Mr. Kraus asked if the minimum lot size was primarily about the Health Department requirements or was there something else driving the size.

Mr. Lehmann stated that in the early Zoning Committee meetings it was discussed the larger size would allow more opportunity for these lots to be agriculture uses. It was also a number to allow for the Agriculture Homestead district to act like a transition between Agriculture and Residential districts.

Mr. Kraus asked a question related to the land divisions in an agriculture district per calendar year.

Mr. McCormack acknowledged that would be more of a discussion item if / after this process is completed because that would involve (possibly) making a change to the Subdivision Control Ordinance.

Mr. Baudendistel gave some more information on the summary of the State Code that was recently passed regarding the Health Department and septic systems.

Mr. McCormack stated that there is some room for some changes, but noted that we are at a point where everyone should be focusing on minor changes and moving towards finalizing the text that we've been working on for 2 years.

The Board allowed the public to speak on the proposed Agriculture District(s) changes.

Mr. Mike Kluesener, of 11254 Gutafel Road, Jackson Township, had a question related to the agriculture district for a minor subdivision. He doesn't believe subdivisions should be allowed in an agriculture district. As stated earlier by staff, minor subdivisions would not be permitted in areas to remain Agricultural (vs. Agricultural Homestead, where they currently would be permitted).

Mr. Jeff Lyness, of 5801 Falcon Way, Logan Township, addressed the Board regarding the septic approvals. He believes it makes sense to require a land division to show septic locations. He mentioned the road frontage increase would affect land owners and take away their ability to make more splits. His overall comment is places in the agriculture areas are often able to support two septic sites—but he questions what is going to be done to the people that have existing land that is less than 2 acres. He asked if a minor subdivision in this proposed text changes, would a a rezone process be required in an Agricultural district.

Mr. McCormack stated that yes, as the text is presently written, a rezone would be required for a minor subdivision in the revised / updated Agricultural district areas.

Mr. Lyness asked about the map process because of the text changes. He also mentioned the stormwater drainage discussion for a minor subdivision.

Mr. Kluesener stated that most farm ground is tiled, as they want to get the water out of their farm ground as fast as possible.

Mr. McCormack asked for other any suggestions or changes at this point.

No Board members suggested any major changes.

Mr. McCormack moved onto a discussion and highlights regarding the Agriculture Homestead District. This would be the new, second agricultural district as a transition district between agriculture and residential. He went through the Permitted Uses listed in this district, and noted again that minor subdivisions would be permitted in this district. He then went through the Conditional Uses and the development standards of this proposed district. He notes that this district matches more closely to the standards for the current agriculture district.

Mrs. Christine Mueller, of 18203 Pribble Road, Lawrenceburg Township, asked about this district's standards with the minimum lot size being one acre—and the referenced the prior discussion make lots in agricultural districts larger and with more acreage because of the septic systems.

Mr. McCormack stated that the discussion of allowing a smaller lot size in this proposed new district also involved a reduction in the proposed setbacks in this district to allow for more land on a 1-acre lot to have adequate septic systems. He noted that if needed, more acreage could be required as it is now, if the health department deems that it is necessary for more suitable land to have a primary and secondary septic site.

There were no other comments or any suggestions or changes at this point for this district from the Board or the public attending the meeting.

Mr. McCormack moved onto a discussion and highlights regarding the Low-Density Residential district. He went through the Permitted Uses listed in this district, and pointed out that major subdivisions are permitted in this district. He then went through the Conditional Uses and the development standards of this district.

Mr. Hoog asked about the agriculture uses for conservation areas such as the wildlife preserve.

Mr. McCormack stated that this would be an allowance for places like the Oxbow Conservancy.

There were no comments or any suggestions or changes at this point for this district from the Board or the public attending the meeting.

Mr. McCormack moved onto a discussion and highlights regarding the Medium-Density Residential district. He went through the Permitted Uses listed in this district, acknowledging that condominiums and landminiums are permitted in this district without going through the Board of Zoning Appeals. He then went through the Conditional Uses and the development standards of this district and noted that there are two different types of standards depending on single family verses multi-family developments.

There were no other comments or any suggestions or changes at this point for this district from the Board or the public at the meeting.

Mr. McCormack moved onto a discussion and highlights regarding the High-Density Residential district. He went through the Permitted Uses listed in this district, and pointed out that almost any type of land division or housing style would be permitted in this district. He then went through the Conditional Uses and the development standards of this district and noted that there are two different types of standards depending on single family verses multi-family developments.

There were no comments or any suggestions or changes at this point for this district from the Board or the public attending the meeting.

Mr. McCormack moved onto the discuss and highlights of proposed changes to development standards, which would be a new section within Article 25. Agritourism, campgrounds, child care centers, child care homes, clubhouses, confined feeding operations, accessory dwellings, golf courses, the keeping of animals, commercial kennels, equestrian facilities, riding stables, short term rentals, and special event facilities were among those uses listed with development standards proposed (where, in most cases, there are none in place now).

Mr. McCormack moved on to the discuss the highlights of proposed changes or additions to the definitions article in the code.

There were no comments or any suggestions or changes at this point for this portion of the proposed changes from the Board or the public attending the meeting.

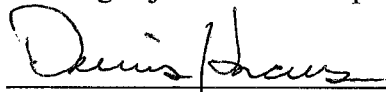
Mr. Kraus asked for any other comments or suggestions for the material discussed through the evening.

Mr. McCormack asked the Board when they would like to have the next meeting if they want to have one in May since he will be out of town. This would be to discuss the changes on the Zoning Map.

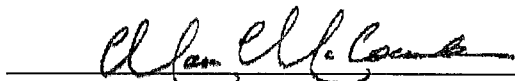
Mr. Beiersdorfer made a motion to move the May 23<sup>rd</sup> meeting to May 31<sup>st</sup>. Mr. Lehmann seconded the motion. All in favor. None opposed. Motion carried.

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

Meeting adjourned at 8:59 pm



Dennis Kraus – President



Mark McCormack—Planning Director, Secretary