



Dearborn County Plan Commission

165 Mary Street
Phone: (812) 537-8821

Lawrenceburg, IN 47025
Fax: (812) 532-2029

www.dearborncounty.org/planning

PLAN COMMISSION AGENDA

Tuesday, May 31st, 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 draft Zoning Map alternatives and the draft 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

May 31, 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. PLEDGE OF ALLEGIANCE

B. ROLL CALL

MEMBERS PRESENT:

Dennis Kraus Jr—President

Mark Lehmann—Vice President

Jake Hoog

Jim Thatcher

Russell Beiersdorfer

Eric Lang

Mark McCormack - Planning Director, Secretary

Andrew Baudendistel - Attorney

MEMBERS ABSENT—

Jeff Hermes

Dan Lansing

Joe Vogel

C. ACTION ON MINUTES—NONE

D. OLD BUSINESS – NONE

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 test(s) or: Articles 9 and 10, regarding Agricultural and Residential Zoning Districts; Article 25, regarding General Standards; Article 27, regarding Definitions.

Mr. Dennis Kraus Jr made a statement at the beginning of the meeting in regards to the discussion of the meeting this evening. There have been some social media post that stated the Board would be voting on the proposed changes. There will be no vote tonight at this meeting. This is a meeting to discuss what is being proposed.

Mr. Kraus wanted to discuss with the Board about the procedures of the meeting tonight, as he is assuming that the majority of the people what to discuss the Keeping of Animals. The public will be allowed to speak for 3 minutes. The animal ordinance is mainly intended for residential areas and the new homestead areas with less than 10 acres.

All the Board members were in agreement to discuss the Ordinance of the Keeping of the Animals and answer the questions from the public.

Mr. McCormack gave a summary of the process for the last several years. This process started a month before Covid hit in early 2020. The process has been to update the agriculture and residential district in the Zoning Ordinance. The other change to the Zoning map was done back in 1997 which didn't change much from the 1980 map. The process of these changes will be discussed by the Plan Commission and their vote will be a favorable or unfavorable recommendation to the County Commissioners who will ultimately make the final vote. There were two workshops at first which didn't have much turn out. There were also public workshops in July 2021. There were 7 total public workshops. All the meetings and public workshops have also been on our Facebook page and county website. There are no time restrictions on this process and we are trying to make sure it is done right.

In 2014 there were updates to the keeping of animals that have already been in the Zoning Ordinance. In the ordinance today, there are not restrictions in an agriculture district except for in a residential district. Mr. McCormack explained how the current codes reads. Then he read the proposed text changes and there will be two different agriculture districts in the Zoning Ordinance. The keeping of animals is not limited for those areas that are proposed to be agriculture. The second agriculture district, Agriculture Homestead is where the areas start for the keeping of animals. These regulations would only be in Agriculture Homestead and Residential zoned districts. But residential districts are already being regulated with the current Zoning Ordinance. In the Agriculture Homestead is being proposed for less than 10 acres. The Board has discussed possibly making a change to have this to less than 5 acres.

Mr. Beiersdorfer made a motion to open public discussion. Seconded by Mr. Lehmann. All in favor. None opposed. Motion carried.

Ron Wolrebber, resident in the Dover area, addressed the Board. He has a concern with the economy and making laws against people on one acre. His other comment is he was thinking of hatching out chickens on his property. He would suggest with price of gas to get a sheep to mow his yard, he will have to get self-sufficient. He is located in the rural area and as development grows around him, he will lose the ability to do with what he wants with his property.

Mr. Thatcher stated that in the being of the meeting it was discussed that we

Mrs. Theresa Zimbroght, resident, addressing the Board with concerns of the animals. Her concern is for people having too many animals and how this will work with people that already have too many animals. What happens with all the animals if someone has 6 cats and they can't afford a kennel license, will those cats have to be put down.

Aaron Watson, resident near Moores Hill, with a concern about raising animals to live. He would just like the Board to keep in mind that people are getting animals to have food for themselves and their families.

James Daley, resident near Hueseman Road, addressed the Board being right on the edge of the lines that everyone is taking about. He has one rooster and is concerned about being on the edge of the residential district. He wants to be able to keep chickens.

Mr. McCormack wanted to state the chicken and rooster proposed ordinance. In the agriculture homestead was limited to 20 chickens per acre. The rooster would be done one lots with less than 2 acres and there is also a line in the proposed ordinance with 4-H animals.

Trisa Ober, her concern is with the limit for 4-H because that is keeps it limited to the youth. She has an 8-acre mini farm and she says she is looking at being in agriculture homestead so this is going to be affected. How do we go about applying to make the change the acreage that is mentioned, how do we go about making changes to the map. If this does get passed what happens with the grandfather of the pre-existing rules for some of these people.

Kim Duff, resident of the Georgetown Road area, living on 4 acres. She has 4 horses and it is already zoned residential. She asked about the 4-H clause being just able for kids. There was discussion specific to her property.

Jeff Lyness, resident near Yorkville, and has concerns with his property being agricultural or homestead agricultural. His main reason for requesting is he bought the property could have splits for family for certified survey processes.

Julie Gilbert, resident of Walters Road, has concerns with any and all developers and developing land. Her concerns are with enforcing these laws and moving lines.

Mr. Beiersdorfer stated that this is looking at these for keeping of animals and did are research.

Julie Gilbert stated that the government doesn't have anything for the famine that is about to happen. If you take someone's rights away to keep moving up with starting their farm.

Catherine Dedders, Manchester resident, has an 8-acre mini farm with goats and chickens. She wants to be self-sustaining, and her concern is the number of animals. Her concern is with the number of 10 acres being in the proposed ordinance. Is it going to be under consideration with the size of the animals as her cows (decker) don't get more than 900 pounds which is different than people with an angus cows.

Chris Muller, Pribble Road area, addressed the Board with their family concerns on their family farm. Their family farm is currently zoned residential since the original maps. They have a 132-acre farm since 1937 and the current and future use of the property is agriculture. She handed out paperwork to the Board members with their request for the area they are requesting to be put back into agriculture. She asked when they would know when there would be a decision on this request.

Mr. Kraus stated that the Board would need to decide how and when these types of requests would be able to handle by the Board.

Nick Wonderlick, resident of the Pribble Road area, his concerns are with their specific because of their request of their family farm on Pribble Road.

Karen Brower, resident, she has concerns with their property and the proposed changes and the process of this ordinance and map changes.

Ron Seever, resident near Aurora, had a question regarding the Mt Tabor area, and if those areas of residential are those that are hooked up to sanitary sewer. He has this concern that this process is because they want to hook up all those people that are not hooked up to sanitary sewer. Is this a means to make people hook up. Are any of these proposed changes affect any of the Board members in a positive or negative way. He also asked what kind of financial benefit for the County? He has worked his entire life for his property and his farm and he pays over \$4,000 in property taxes. If his property taxes are going towards this Board telling people what to do with his family.

Mr. Kraus stated he is currently is agriculture and the new map would keep him in agriculture.

Clint Jivaoin, resident, his concerns with the under 10 acres minimum with even in agriculture district. His concern is giving more freedom to the independent people in residential district. There is not a problem yet but there will be with the shortage of food.

Mr. Lehmann stated that we are doing this process as the current zoning map is out of date.

Nick Roberts, Guilford, he has 6 acres and is concerned that under the new rules wouldn't be able to have animals. He doesn't understand the rooster on property as you can hear them anywhere.

James Green, he lives on SR 46 area, has a concern with chickens and how we got the number from Purdue. He resides in the Town of St. Leon. He would like the Board to take in consideration the number of small animals for smaller lots in the area.

Clint Jivaoín, he has concerns with the number restrictions on small animals which would be considered in the small poultry.

Hose Varez, Wilson Creek Road. Has a current farm with poultry. If this passes, he would be in violation with the number of poultry he keeps on this one-acre tract.

Mr. Lang stated he keeps hearing that people are concerned with keeping of their animals. This is not to regulate how people keep animals. His concern with listing to people, is hearing people say that they can keep these animals on this acreage. He stated that if the Board sees that the numbers should change based on things that is something they want to consider.

Andrew Arnold, Keller Road, has concerns with his property and the change of agriculture to residential. He lives on one acre and has concerns with their area changing to residential. Discussion made specific to his property.

Josh Holland, Western Dearborn County resident, asked about when this comes time to making a final decision. He wants to know if the people will be able to see a zoomed in image of the map before it will be approved.

Clint Jivaoín asked when a Board takes a look at a project like this. How did the Board decide to look at this in the ordinance.

Mr. Beiersdorfer stated his overriding issue was looking at 9 horses on an acre lot and the damage was doing to the ground.

Mr. Beiersdorfer made a motion to close public discussion. Seconded by Mr. Lehmann. All in favor. None opposed. Motion carried.

Mr. Beiersdorfer wanted to thank everyone for coming and giving their opinions and suggestions. It was nice to finally see people get involved.


Mr. Hoog asked that if anyone else has anymore comments please send messages to Mr. McCormack.

There were several discussions to ask people to send comments and suggestions and give us input on the animals and other areas of the proposed ordinance changes.

Mr. Kraus stated that Board needs to take everything that was stated at the meeting tonight into consideration with continued meetings.

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

Meeting adjourned at 10:16 pm

A handwritten signature in cursive script, appearing to read "Dennis Kraus", written above a horizontal line.

Dennis Kraus – President

A handwritten signature in cursive script, appearing to read "Mark McCormack", written above a horizontal line.

Mark McCormack—Planning Director, Secretary