



Dearborn County Plan Commission

165 Mary Street Lawrenceburg, IN 47025
Phone: (812) 537-8821 Fax: (812) 532-2029
www.dearborncounty.org/planning

PLAN COMMISSION AGENDA

Monday, November 28, 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—October 24, 2022

D. OLD BUSINESS – NONE TO BE RE-OPENED

E. NEW BUSINESS –

1. Vacation Plat in Yorkville, alley within Catherine Perine's Addition to Yorkville

- Applicants: JDJ Surveying and Engineering LLC
- Owner: Commissioners of Dearborn County
- Site Location: Off of Leatherwood Road, Sec. 10, T 6, R 2
- Parcel: #15-05-10-100-013.000-024 (East adjoining tract)
- Township: York - Zoning: Community Business (B-2)
- Size: 0.175 acres

2. Zone Map Amendment of property along York Ridge Road from I-2 to Agriculture

- Applicant: Dan Seevers - Owner: Seevers Inc
- Site Location: 9000-9100 Range of York Ridge Road, Sec. 33, T 7, R 2
- Parcel: #15-02-33-700-116.000-010 & #15-02-33-700-113.000-010
- Township: Kelso - Zoning: Moderate Industrial (I-2)
- Size: 33 acres

F. ADMINISTRATIVE

- Review and discuss proposed changes to mylar requirements in Article 2 of the Subdivision Control Ordinance
- 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

November 28, 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

Russell Beiersdorfer

Joe Vogel

Dan Lansing

Jeff Hermes

Eric Lang

Nicole Daily - Planning Director, Secretary

Andrew Baudendistel - Attorney

MEMBERS ABSENT—

Jim Thatcher

C. ACTION ON MINUTES—October 24, 2022

Mr. Beiersdorfer made a motion to approve the October 24, 2022 meeting minutes as written. Mr. Hermes seconded the motion to approve. All in favor. None opposed. Motion carried.

D. OLD BUSINESS – NONE

E. NEW BUSINESS –

- 1. Request: Vacation Plat in Yorkville, alley within Catherine Perine's Addition to Yorkville**

Applicant: JDJ Surveying and Engineering LLC
Owner: Commissioner of Dearborn County
Site Location: Off of Leatherwood Road
Parcel: #15-05-10-100-013.000-027 (East adjoining tract)
Legal: Section 10, Township 6, Range 2
Township: York
Zoning: Community Business (B-2) **Size:** 0.175 acres

Mr. Kraus steps out during presentation, because he is personally involved with the case.

Ms. Daily presents the staff report for the vacation plat for Yorkville Alley. There are issues with the septic for the commercial business, there will be an easement given for the septic after the vacation plat is filed and transferred. October 17th the plat went in front of the Technical Review Committee, the alley needs a parcel number, and to have right-of-way dedicated to Leatherwood.

Mr. Beiersdorfer asked if the County maintains the alley.

Ms. Daily doesn't believe at this present time the county does the maintenance.

Mr. Lehmann questions if the property to the south, where the alley makes a 90-degree bend, are they involved with vacating that alley.

Ms. Daily said we can't make the adjoining property owners be a part of it.

Mr. Lang asks if the alley is vacated, is there a utility easement.

Mr. Baundendistal there is a state statute that doesn't make you add a utility easement if it does not exist but a vacation plat can't not get rid of any utility easements. The easements would remain.

Mr. Jeff Stenger, JDJ Surveying, addressed the Board. He stated the biggest issues are the septic issues, the health department are requiring the easement. The neighbors are wanting this worked out, the county gated off for a long time over the gates. Hopefully, this resolves the issues.

Mr. Beiersdorfer makes a motion to open public discussion. Mr. Hoog seconds the motion. All approve. None opposed. Motion carries.

There were no comments from the public.

Mr. Beiersdorfer makes a motion to close public discussion. Mr. Hoog seconds the motion. All approve. None opposed. Motion carries.

Mr. Hoog doesn't have an issue with it this request.

Mr. Beiersdorfer made a motion to forward a favorable recommendation to the Commissioners for the Vacation Plat in Yorkville, alley within Catherine Perine's Addition to Yorkville, off Leatherwood Road in York Township based on meeting all necessary ordinances in the Dearborn County Subdivision Control Ordinances. Mr. Lang seconded the motion. All in favor. None opposed. Motion carried.

2. Request:	Zone Map Amendment from I-2 to Agriculture
Applicant:	Dan Seevers
Owner:	Seevers Inc
Site Location:	9000-9100 Range of York Ridge Road
Parcel:	#15-02-33-700-116.000-010 & #15-02-33-700-113.000-010
Legal:	Section 33, Township 7, Range 2
Township:	Kelso
Zoning:	Moderate Industrial Size: 33 acres

Ms. Daily presents the staff report for the zone map amendment of property along York Ridge Road from I-2 to agriculture. This would need to go to the County Commissioners for final approval with the Board's recommendation.

Mr. Beiersdorfer is this spot zoning; the previous director didn't agree with it? I am glad to see the land going back to Agriculture.

Mr. Hoog, are they wanting all the property to go back to agriculture?

Ms. Daily shows on the map what it will look like, there is approximately 33 acres of agriculture. There will be approximately 8 acres that will remain Industrial zone.

Mr. Hoog is there any concerns from neighbors?

Ms. Daily stated we hadn't received any calls for concern from neighbors.

Mr. Lehmann we can't force current property owners to change, if we change I-2 to Agriculture were does that put us as a planning stand point in the future?

Ms. Daily at some point if we revisited the zoning map change, if the Board decides to look at it with commercial and industrial. I would suggest it be eliminated.

Mr. Lehmann asks what if the property is sold?

Ms. Daily stated if you look the rest of the I-2 covers two separate properties.

Mr. Lehman asks if we have two property owners that want their property in I-2 it won't be big enough to build on their property.

Ms. Daily explains where the neighbors have their I-2 zoning.

Mr. Lehmann states it is weird to change the zoning and it make the other 2 lots not be conforming

to the zoning. Does the property meet setbacks on improvements to be agriculturally zoned?

Ms. Daily answer yes, they do.

Mr. Seevers, the property owner, stated to carve out 5 acres by the road so that he can build a home. The I-2 will drastically affect his home being built. The neighbor is his sister, the other property is too small to do anything with and his brother is the other property owner. I would have included my family to come with me, but ran out of time.

Mr. Beiersdorfer makes a motion to open public discussion. Mr. Hoog seconds the motion. All approve. None opposed. Motion carries.

There were no comments from the public.

Mr. Biersdorfer makes a motion to close public discussion. Mr. Hoog seconds the motion. All approve. None opposed. Motion carries.

Mr. Kraus stated that there isn't any sewer there, and wouldn't work for I-2 now. He doesn't think of an Industrial complex there without major improvements. That what Mr. Seevers is requesting is reasonable and a good use for the property.

Mr. Lehmann made a motion to forward a favorable recommendation to the Commissioners for the Zone map amendment of property along York Ridge Road from I-2 to Agriculture at the location of 9000-9100 Range of York Ridge Road, Kelso Township meeting all necessary ordinances in the Dearborn County Subdivision Control ordinances. Mr. Hermesch seconded the motion. All in favor. None opposed. Motion Carried.

F. ADMINISTRATIVE

- **Review and discuss proposed changes to mylar requirements in Article 2 of the Subdivision Control Ordinance.**

Ms. Daily reviews Article 2 Subdivision type and review procedures, and made recommendations to change some of the verbiage that needed removed and or added.

Mr. Kraus doesn't follow the logic of consolidation being part of division of land and asks if we will then be charging for the consolidation? We should be looking at this in a zoning perspective.

Ms. Daily states that we are doing original surveys and consolidations at the same time.

Mr. Stenger asks Mr. Kraus about replats in HVL are the survey being done wrong?

Mr. Kraus states the problem is you have multiple phases, and the way they are indexed in the Records office.

There were no comments or concerns on the remaining proposed changes in Article 2. Ms. Daily will make the changes there were requested and bring back to the Board for review at the next meeting.

- **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**

Continued onto the Zoning Maps

Ms. Daily presents the York Township zone map change.

There were no comments or further discussion on York Township proposed zone map changes.

Ms. Daily presented the Jackson Township zone map changes.

There were no comments or further discussion on Jackson Township proposed zone map changes.

Ms. Daily presented the Manchester Township zone map changes.

There were no comments or further discussion on Manchester Township proposed zone map changes.

Continued Administrative with meeting time and meeting schedule review.

It appears there is a consensus for changing the time of the meeting for the Plan Commission and the Board of Zoning Appeals to change the meetings from 7:00pm to 6:00pm starting January 2023.

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

Meeting adjourned at 9:05 pm



Dennis Kraus – President



Nicole Daily—Planning Director, Secretary