



# Dearborn County Plan Commission

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

## PLAN COMMISSION AGENDA

**Monday, December 19, 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—February 22, 2021, April 26, 2021, June 28, 2021, November 22, 2021, November 28, 2022**

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

**E. NEW BUSINESS – NONE**

**F. ADMINISTRATIVE**

- Review and discuss proposed changes to 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*
- Zoning Maps—Harrison Township, Kelso Township, Lawrenceburg Township, Logan Township, Miller Township

## DEARBORN COUNTY PLAN COMMISSION MEETING

December 19th, 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

Russell Beiersdorfer

Dan Lansing

Eric Lang

Jim Thatcher

Nicole Daily - Planning Director, Secretary

Andrew Baudendistel - Attorney

#### MEMBERS ABSENT—

Jeff Hermes

Jake Hoog

Joe Vogel

### **C. ACTION ON MINUTES—February 22, 2021, April 26, 2021, June 28, 2021, November 22, 2021, November 28, 2022**

**Mr. Beiersdorfer made a motion to approve all the meeting minutes, as listed above and as written. Mr. Lehmann seconded the motion to approve. All in favor. None opposed. Motion carried.**

### **D. OLD BUSINESS – NONE**

### **E. NEW BUSINESS – NONE**

### **F. ADMINISTRATIVE**

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

Ms. Daily reviews Article 2 of the Subdivision Control Ordinance on the types and review procedures, and made recommendations to change some of the verbiage that needed removed and / or added. These changes are in regards to required items on primary plats, improvement plans, secondary plats and certified surveys. The changes also were in consideration of comments from the Board from the last meeting and the review of the attorney.

Mrs. Oles talks about the cost of extreme bond-tear #27 lb. paper, how she can help with finding the most cost-efficient paper that will keep the Recorder's plotter pristine and help them with that.

Mr. Kraus asks about reference numbers for the Best Available Data? Will this worded on the plat that states "At the time of the survey IDNR's Best Available Data was \_\_\_\_\_ (as the data can change within a year or even several months once a survey is recorded), please check with the Zoning department before obtaining your location permit?"

Ms. Daily agreed that could be done.

Mr. Beiersdorfer stated he is fine with it as long as the surveyors on the Board are good with the recommended changes.

Mr. Lang doesn't agree about the Best Available Data being added onto the surveys.

Ms. Daily stated that even the IDNR data is approximate data and the department still has to follow the Best Available Data when issuing permits or allowing for development.

Mr. Lang stated as long as there is some flexibility for the review process of the note being asked to be added.

**Mr. Beiersdorfer made a motion to forward a favorable recommendation of the proposed changes, as presented, for Article 2 of the Dearborn County Subdivision Control Ordinance to the County Commissioners. Mr. Lang seconded the motion. Mr. Thatcher abstains. All others that voted are in favor. Motion carried.**

Next Administrative Item

- **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: Harrison Township, Kelso Township, Lawrenceburg Township, Logan Township, Miller Township**

Ms. Daily presents the Harrison Township zone map changes.

Mr. Kraus asks how many condominium developments are in Harrison Township?

Ms. Daily states that she believes there are just the two.

Mr. Kraus pointed out another one in this township near the location of Bright that would need to be changed to R-3.

Mr. Beiersdorfer asks Ms. Daily to explain what the colors on the zoning map mean.

Ms. Daily explains to the Board members and the citizens in attendance for the colors and associated zoning districts.

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

**Mr. Beiersdorfer makes a motion to open for public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**

There were no public comments on the draft zone map for Harrison Township.

**Mr. Beiersdorfer makes a motion to close public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**

Ms. Daily presented the Kelso Township zone map changes.

Mr. Beiersdorfer asks if the rezone area on York Ridge Road request has been changed on the maps.

Ms. Daily states it will be presented to the County Commissioners meeting on 12/20/2022.

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

**Mr. Beiersdorfer makes a motion to open for public discussion. Mr. Lang seconds the motion. All in favor. None opposed. Motion carries.**

There were no public comments on the draft zone map for Kelso Township.

**Mr. Beiersdorfer makes a motion to close public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**

Ms. Daily presented the Lawrenceburg Township zone map changes.

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

**Mr. Beiersdorfer makes a motion to open for public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**

Mr. Steve Perrine, 16358 Scenic Drive, requests to have his property be agricultural. He does not want to be in agriculture homestead. He said that he farms his property for hay and that didn't appear to be a permitted use.

Mr. Lehmann asks if the change is because of Sanitary Sewer being close?

Ms. Daily stated yes, because the lots are too large for Residential.

Mr. Kraus asks how many acres Mr. Perrine has.

Mr. Perrine states he has 37 acres and prefers it to stay agricultural.

Ms. Daily reads what agriculture homestead changes are and that he would still be able to farm his property.

Mrs. Chris Mueller, 18203 Pribble Road, states she lives in Lawrenceburg Township, and where she lives are not small lots and even Carrie Drive area is not suitable for septic systems to have a residential district. You have large lot homes; 137 acres is what their family farm is in total. The farm is operating as a farm, and has been for 100 years and they are requesting to be zoned agriculture. Their property abuts agriculture in the rear. Asks the board if they have any questions, and states she presented Mr. Kraus with a packet, that was presented earlier in the year.

Mr. Lehmann asks where sewer is.

Mrs. Mueller states it runs down Pribble Road and stops at Perfects.

Mr. Lehmann it is the same logic, you have sewer close. This may be an Agriculture Homestead area and maybe not necessarily a residential area.

Mrs. Mueller states that Agriculture Homestead might not fit with how the farm is being used.

Mr. Lehmann we are in the process to change towards the overall acreage for raising of livestock.

Mrs. Mueller states her farm might not meet up with the change.

Ms. Daily stated that if it is a contiguous farm, it should meet the criteria. If the lot has a home on it, and is 3 acres it won't be contiguous because of the acreage. There is sanitary sewer there, and was Residential before and potential growth.

Mrs. Mueller feels their rights are being taken away because they are limited on what they can do on their property. The property needs to be known as a farm, that is what they do and what they continue to do. She stated the zoning map should reflect what the past, present and future land use is. We are trying to let you know. How do you plan if you don't know what is going on?

Mr. Charles Keller, 5578 SR 48, but majority of his property has frontage on Keller Road.

Ms. Daily shows where Residential stops and Agriculture starts.

Mr. Keller asks on 48 itself that is the main house for the farm, the farm runs  $\frac{3}{4}$  miles down the road on the right. They would like the entire farm be zoned Agriculture.

Ms. Daily states the Ag Homestead animals are based on acreage (units per acre/not zoning districts)

Mr. Keller will there be any problem with keeping my cattle?

Mr. Beiersdorfer no there will not be any problem with keeping your animals.

Mrs. Mueller can you go back to Pribble Road and pull a topo map? You will notice some things about the land, on the right side of the road is very steep. You may get a home in there, but not much else. Development issues, it is suited for cattle. These are not little hills; they are very steep. I know in 1965 the plan was garbage. In 2004 I served on that committee. Pribble Road, the sewer line went down because Perfects needed a sewer line, not the land owners. My point is why take one mistake made in 1965 and continue to take it on into the future. If you use the principles of planning, Pribble Road is not for development.

Mr. Kraus we are not making a final decision on this tonight. We are taking your input, we are listening.

Someone in audience asks how many cows they can have in agriculture.

Ms. Daily explains that hasn't been decided, it is to take care of the smaller lots not the larger lots.

Mr. Kraus explains that the meaning for the change isn't to keep people away from having animals, it is the proposed 5 acres and less to be able to maintain the animals.

Mr. Chris Kirchgassner the initial proposal, the calf turning 4 months old you consider it a full-grown cow. Essentially, reducing the number of animals is hurting the small farms.

Mr. Beiersdorfer, states that this is for 5 acres and less. This doesn't apply to large farms over 5 acres. That is the problem.

Mr. Kirchgassner we are taking these protections in. I live on 2 ½ acre farm, it doesn't adequately reflect the owner being able to choose freezer or field. You are forcing people to choose.

Mr. Beiersdorfer states after the 2 septic sites, home, and yard. What will be available for the animals to graze on.

Mr. Kirchgassner I'm talking about how the land actually lays. If you had a feed lot on my acreage, we need to think about the impact on the small farms. There is no incentive to farm any more. I support growth.

Ms. Daily stated the keeping of animals we had a meeting about it, putting the regulations on the size of the land that you have. We will still be having one or two meetings regarding the keeping of animals. Give the board time to go through these meetings for the maps, and then move onto the text part again. We are still 6 months out from proposing a vote on the text and maps.

**Mr. Beiersdorfer makes a motion to close public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**

Ms. Daily presented the Logan Township zone map changes.

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

**Mr. Lehmann makes a motion to open for public discussion. Mr. Beiersdorfer seconds the motion. All in favor. None opposed. Motion carries.**

There were no public comments on the draft zone map for Logan Township.

**Mr. Beiersdorfer makes a motion to close public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**

Ms. Daily presented the Miller Township zone map changes.

Mr. Kraus asked how far sanitary sewer goes down Salt Fork Road?

Ms. Daily stated she will check, to see how far down it goes for the next meeting.

Mr. Kraus wants to also know how far sewer comes down Jackson Ridge.

Mr. Lehmann the 150 acres behind Casey's is that R2? That doesn't need to be R2.

Mr. Beiersdorfer agrees.

Mr. Lehmann the North end of HVL owns those lots also. It should be Agriculture Homestead, because it is operating as a farm.

Ms. Daily it is still based on acreage as well.

Mr. Lehmann that is fine, but it shouldn't be R2.

**Mr. Beiersdorfer makes a motion to open for public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**


Mr. Young, 21237 Georgetown Road, stated they are currently the side of Georgetown Road that is in Agriculture. With the proposed map change they would be R-1. The area I live on, are all large lots. There is probably 60 acres and 7 houses. Now it sounds like the size of the lots will be associated with the keeping of animals, and not the zoning district and they are in favor of that because that was their concern. As before in R-1 it was prohibited to have a horse.

**Mr. Beiersdorfer makes a motion to close public discussion. Mr. Lehmann seconds the motion. All in favor. None opposed. Motion carries.**

Ms. Daily in the packet there is the official 2023 Meeting Schedules. Just a reminder our meetings will be starting at 6:00 P.M. next year, we will send out reminders.

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

Meeting adjourned at 9:12 pm



**Dennis Kraus – President**



**Nicole Daily—Planning Director, Secretary**



