



Dearborn County Plan Commission

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www.dearborncounty.org/planning

PLAN COMMISSION AGENDA

Monday, August 29th, 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

- 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 24, 2021

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

John Hawley

Eric Lang

Mark McCormack - Planning Director, Secretary

Andrew Baudendistel - Attorney

MEMBERS ABSENT - Joe Vogel

B. ACTION ON MINUTES—NONE

C. OLD BUSINESS - NONE

D. NEW BUSINESS –

Request:	To vacate a part of the western portion of Bunkum Drive and also a part of the southwestern portion of Hickory Drive, within the platted Bunkum Woods Subdivisions and the Hickory Hills Subdivision
Applicant:	Seig Surveying
Petitioners:	Mark & Sondra Willwerth
Location:	Bunkum Drive and Hickory Hills
Legal:	Sec. 34, T7, R1

Township: Harrison
Zoning: Residential (R)

Mr. Mark McCormack presented the staff report and slide presentation. The Applicant and petitioner are requesting a vacation of a portion of western right-of-way of Bunkum Drive as well as a part of the southwestern portion of Hickory Hills, within the platted Bunkum Woods Subdivision and the Hickory Hills Subdivision. The western portion of Bunkum Drive is not centered within the public right-of-way and contains an “offset” turnaround area that is not improved to County specifications. The southern portion of Hickory Drive meets Bunkum Drive at its “offset” end and continues north approximately 425 feet to its dead-end “T” turnaround area—which does not appear to be improved to current County specifications. Both streets are publicly maintained. The petitioners own all the adjoining property directly affected by the proposed vacation request—which would not adversely affect or eliminate access to any other property owner. If approved the land vacated would go to the Willwerths for ownership.

Mr. McCormack noted that there were four letters that were sent out, but there were no calls or emails regarding this case.

Once the Plan Commission makes a recommendation, it will be forwarded to the County Commissioners for their approval or denial to vacate the right-of-way. This process must be completed before a final plat can be submitted.

The Technical Review Committee reviewed the plans on May 3, 2021 with the following comments: A utility easement is recommended if the vacation request is approved, for the utilities in the affected areas; it should be noted that it is subject to the applicable covenants and restrictions of the Bunkum Woods Subdivision and the Hickory Hills Subdivision.

Mr. Mark Lehmann asked if the passing blister is used for passing or if it is used for parking or does the Board need to worry about the passing blister around the corner.

Mr. McCormack stated that the road is wide enough two-way traffic along this area.

There were no other questions for Mr. McCormack.

Mr. Rob Seig of Seig Surveying, representing the petitioner, addressed the Board on this request. The property owners actually maintain this area as it is their own yard and would like it to actually be a part of their property.

Mr. Eric Lang asked about a County’s stance for a ball, in terms of vacating the property.

Mr. Seig noted that he had approached the neighbor to see if they wanted to also be a part of the vacation plat, as their property is also affected by the southern portion of the ball.

Mr. Dennis Kraus Jr. opened public discussion.

There were no comments from the public.

Mr. Hawley made a motion to close public discussion. Mr. Beiersdorfer seconded the motion. All in favor. None opposed. Motion carried.

Mr. Beiersdorfer asked if Bunkum Subdivision was platted to be a dead-end with a cul-de-sac or a possible temporary right-of-way for a turn around until the next phase of the subdivision went in.

Mr. Kraus stated that during staff's review of the subdivision, it was noted on the old subdivision plat noted something to the effect that the right-of-way would be vacated upon the next phase of the subdivision, but that never happened.

Mr. Kraus also noted that the State code acknowledges that if there is any right-of-way vacated, any utilities within that right-of-way automatically get an easement for the utility.

Mr. Beiersdorfer made a motion to forward a favorable recommendation to the Board of Commissioners, with the condition that easements be given to the existing utilities that are within the area to be vacated. Mr. Lehmann seconded the motion. All in favor. None Opposed. Motion carried.

E. ADMINISTRATIVE

Review of proposed Solar Ordinance—Draft Article 19, Solar Energy Systems

Mr. McCormack discussed with the Board the draft ordinance for Solar Energy Systems for the County. This ordinance is more directed to commercialized solar farms rather than personal solar panels for residential uses. The Planning and Zoning Department would not deal with permits if the solar panels are roof-mounted, as that would be more a Building Permit for structural purposes. He noted that staff does issue zoning permits for ground-mounted solar panels as they are treated like accessory structures to meet setbacks and to make sure it will not disturb existing utilities. The draft ordinance is based on parts of solar ordinances throughout the State of Indiana using predominantly areas with similar characteristics.

Mr. Thatcher asked if any of the examples of the Counties that were looked at had solar farm requests after their Ordinance was in place. The reason he asked was to see if they learned anything that they might have wanted to change after a solar farm was approved. Did they run into any issues?

Mr. McCormack stated that he didn't ask any of those counties that particular question.

Mr. McCormack stated that the Indiana model ordinances for solar farms, he noted that none of the counties he reviewed used this model ordinance as it exists in its entirety. The model ordinance was development in 2020 but left out a lot that he felt should be in a model ordinance. Mr. McCormack stated that the big items included in this draft ordinance were decommissioning, glare, height, security, emergency, commercial verses personal and stormwater runoff and drainage.

Mr. Hawley also mentioned that there has been a correction in things that were talked about the last meeting which is vegetation growing under the panels. Since last meeting they learned there is vegetation that can grow under the panels and they recommend that it be required as it would help with stormwater runoff and drainage.

Mr. McCormack read through the entire draft ordinance.

(Joe Vogel showed up to the meeting at 8:08 pm during the reading of the proposed solar ordinance)

It was suggested to add in the design and construction to add that the solar panels can't be placed over existing utility or other easements, underground and overhead utilities.

The Board allowed public questions through the time of reviewing the draft ordinance.

Mr. John Small asked several questions throughout the discussion on setbacks, fencing, landscape bufferyards,

Comments from the Board members throughout the reading of the ordinance were on setbacks, fencing (Tech Review approval of type), batteries (setbacks and sizes), emergency personal training and equipment, landscaping requirements, and suggestions for Section 1940 (as it seems to relate to conditional uses not location).

The Board decided to have Mr. McCormack make the changes that were discussed and bring it back to the meeting in June for a final vote of the ordinance.

Other Items under Administrative

Mr. McCormack handed out the Financial Guarantee Report.

To Review and discuss ordinance amendments of the Dearborn County Zoning Ordinance and Subdivision Control Ordinance

Mr. McCormack discussed with the Board the comments that were received from each Board member about the map from the last meeting and in the conversations with the County Sewer Board.

The Board had nothing else based on the map changes at this time.

The “Keeping of animals” suggested changes in the standards of keeping of animals was also discussed with the Board.

Mr. McCormack will speak with the consultant on dates to take the map and the updated ordinance text to the public in either late July or early August.

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

Meeting adjourned at 11:29 PM.

Dennis Kraus, Jr. – PRESIDENT

Mark McCormack – PLANNING DIRECTOR, Secretary

DEARBORN COUNTY PLAN COMMISSION MEETING

March 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. ROLL CALL

MEMBERS PRESENT:

Dennis Kraus Jr - President

Jake Hoog

Mark Lehmann - Vice President

Jim Thatcher

Dan Lansing

Russell Beiersdorfer

Jeff Hermes

Eric Lang

Joe Vogel - Came in at 7:04pm

Mark McCormack - Planning Director, Secretary

Andrew Baudendistel - Attorney

MEMBERS ABSENT—NONE

B. ACTION ON MINUTES—

Mr. Beiersdorfer made a motion to approve the Plan Commission meeting minutes from February 28, 2022, as presented. All in favor. None opposed. Motion carried.

C. OLD BUSINESS - NONE

D. NEW BUSINESS –

The Board welcomed the new Board Member, Jeff Hermes, the new Purdue Extension Office representative.

- 1. Request:** A Zone Map Amendment from R to B-1 to allow a series of commercial uses
- Applicants:** CLM Surveying and Engineering
- Owner:** UHDE Investment Properties, LLC
- Site Location:** The northwest corner of Stateline Road and Sneakville Road intersection
- Legal:** Sec. 24, T 7N, R 1W, Parcel #15-01-34-104-008.000-006
- Township:** Harrison
- Zoning:** Residential (R) **Size:** 3.128 Acres

Mr. McCormack presented the staff report and the slide presentation of the request. The request is to rezone the subject property from a residential district to a Local Business (B-1) commercial district. The property owner did not submit a concept development plan with this request. Mr. McCormack stated there were a couple of items missing for the application to be considered a complete Concept Development Plan. Therefore, this request would be need to be reviewed from the perspective of the “maximum allowable use(s)” based upon the requirements, principally permitted uses, and conditional uses of the zoning being requested. The application also did not include a traffic estimate or analysis; therefore, staff is making a recommendation that this particular item be addressed as a written commitment if this application receives a favorable recommendation.

There were 43 mailers sent for this application; 40 were delivered and 3 were returned.

The Technical Review Committee reviewed this application on February 7th, 2022. There were two items that remain in question related to the comments from the Technical Review Committee, which included the lack of a complete concept development plan and there were no letters submitted from the fire, EMS and educational service providers at the time of staff’s (mailed) report to the board.

Mr. McCormack went through the inspection photos of the property in the slide show. There were 6 emails that were received in the office from citizens in the area. Mr. McCormack read the emails from Mr. Reddington who was opposed to this rezone. The emails were read aloud at the meeting at the request of Mr. Reddington. The other 5 emails were not read, but the Board had received the emails.

Mr. McCormack stated that this property has had different zones over time. The first zoning associated with the property in the 1965 zoning maps was residential; then in 1980 the property was commercial. In 1997, the property was residential again. There was no information found that would explain the changes in the old zoning maps.

Mr. McCormack stated that the property is located within a subdivision--but staff could not find during research that there were any covenants and restrictions that would acknowledge that this property could not be used as commercial.

Mr. Eric Lang stated that there is currently an Alta Survey being completed on the property and there will be a 50-year title search completed as well. He knows this because he is the one who would be working on the survey.

Mr. Jim Thatcher stated that he believes the Alta Survey and the title search would be needed to make a final decision, to see if there were any covenants and restrictions that would be found that would state that the property could not be developed as a commercial site.

Mr. Baudendistel stated he believes that Mr. Lang should step down at this time.

Mr. Mike Morman, with CLM Surveying and Engineering and representing the property owner, addressed the Board on the request. He first passed out the letter from fire and EMS that had finally arrived. He stated that there is a group from a bank that has put in an offer to develop the property into a bank if the rezone request is approved through the Plan Commission and the County Commissioners. He stated that Mr. McCormack covered the request very well and asked the Board if they had any questions for him.

Mr. Thatcher asked if the bank was going to purchase the entire property—and if so, would only a bank be constructed or would the property be split to develop another commercial use on the property.

Mr. Morman stated he wasn't sure if the bank would use the entire property or not.

Mr. Hoog asked if the owner was fine with the recommendation of the Technical Review Committee for requiring a traffic analysis in the future.

Mr. Morman stated that the owner would be in agreement with the requirement of a traffic analysis.

There were no further questions for the Applicant.

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

Mr. John Hollis, of 2305 Floyd Court, addressed the Board with his concerns. He stated that the realtor that sold him his property stated that the property would never be developed as commercial. He noted that there is drainage that goes under the tree line; he has concerns for drainage of the property since there are already drainage issues on the vacant ground. He opposes the rezone request.

Mr. Gary Noel, of 24361 Stateline Road, addressed the Board with his main concern(s) which is traffic. He stated that the nursery has three driveways and there is a lot of traffic coming from all of them. He stated there have been several accidents on this section of road. He would want the property to stay residential as this area is more residential than commercial in nature. The commercial areas are closer to the Bright main intersection; this area is more residential.

Mrs. Donna Gutzwiller, of 24605 Dawn Paul Drive, stated that she opposes the rezone request as she feels that the property should stay residential. She has the same concerns that were already mentioned with traffic and drainage.

Mrs. Cynthia Noel, of 24631 Stateline Road, had turned in a card but didn't have anything new to add for the comments that had already been stated.

Mrs. Dottie Sweeney, of 2212 Sneakville Road, stated that she opposes the request because this area is her home. She feels that even if a bank is built, banks always close and then she and her neighbors would be living next to a vacant building. She believes the property needs to stay residential.

Mr. Kevin Mossburger, of 2330 Sneakville Road, addressed the Board with a few concerns. He had a couple of questions regarding the zoning map. He noticed that the other church was zoned commercial, he wanted to know if the church had to be in commercial.

Mr. McCormack stated that churches are permitted to be within a residential zoned district and in commercial districts.

Mr. Mossburger continued with the rest of the group of concerns, citing traffic, drainage, and the fact that it's a residential area. He stated that the realtor, selling the property, was bragging about the property already being under contract for sale for commercial use.

Mr. Thatcher stated that this Board does not assume anything for a request until it comes to a vote. He does not like that people make assumptions that the Board members have already made a decision because of the actions of others.

Mr. Anthony Albanese, of 24601 Dawn Paul Drive, stated that his family's back yard abuts this property. His kids would be playing next to a potential large parking lot. He and his wife were told that this property would be developed as a subdivision when they bought their house. He stated that this property is more contiguous with the residential than the commercial lots. He is very opposed to the request. He also noted that there is a park in the vicinity of this property. He stated that noise is a also concern with this property, especially the potential of a drive-thru business.

Mr. Rob Ebling, of 2242 Sneakville Road, he asked if the map shows that this vacant property is part of Grubbs Estates Subdivision. He stated that should mean that it should stay residential. He stated with the amount of curb cuts across the street at the nursery there are going to be issues with the traffic.

Mr. Boyd Cooper, of 2222 Sneakville Road, stated he is opposed to the rezone. He believes this is like signing a blank check with this open rezone to commercial. He stated that he is surprised that it isn't considered wetlands because of the type of plants that are located on this property. He doesn't feel that a dark parking lot should abut residential property. He is concern with the noise that a commercial lot would bring with increased of traffic and the lights that would shine on the adjoining properties which are residential.

Mr. Dave Bosse, of 24575 Lela Drive, opposes the rezone request. The one point he wanted to bring up was there are other vacant commercial properties located in the cross roads of Bright which would be better suited for commercial. He feels that this area needs to stay residential.

Mr. Beiersdorfer made a motion to close public discussion. Mr. Hermesch seconded the motion. All in favor. None opposed. Motion carried.

Mr. Kraus asked if Mr. Morman would answer the questions regarding one of the public comments of the owner developing the property as residential.

Mr. Morman stated that Mr. Uhde, the Owner, is not opposed to anyone buying the property to build whatever they want. The interested party at this time for the property is a bank. With a bank type of use, there will be things required like detention, landscaping that would buffer the property. Storage Units are not permitted in a B-1 zone, to address concerns brought up earlier. Mr. Uhde is not wanting to sell to a gas station so he is willing to strike #31 of the uses (gas station) from the list of permitted uses. The Owner is wanting low-impact business uses on this property.

Mr. Lehmann asked if the Owner would be willing to put pencil to paper to state that there is a need for specific accesses to the property. For example, would he be willing to limit the number of access points to the property.

Mr. Morman stated the property owner is willing to follow what the traffic analysis would recommend.

Mr. Thatcher asked if the bank approached the property owner. Where there any other businesses that approached the property owner. Were there any residential developers that approached the property owner.

Mr. Morman stated it was just the bank and other businesses; no residential developers have showed any interest in the purchase of this property.

The Board discussed the three choices of a vote for this request; no recommendation, favorable recommendation, and unfavorable recommendation.

Mr. McCormack stated that if a favorable recommendation was forwarded to the County Commissioners, any conditions of that recommendation should be reflected by the Plan Commission as written commitments.

Mr. Hoog asked on the map going south, how many other businesses are located along Stateline.

Mr. McCormack stated the more south you go towards the intersection of Jamison, there are more commercial properties than residential.

Mr. Lehmann asked at what point will it be determined how many access points would be allowed.

Mr. McCormack stated that it would depend how the property is developed and what the traffic analysis would determine. The number of accesses could be determined during a land division or a major site plan review permit review.

Mr. Lehmann is worried about the number of divisions of this property because of the number of access points. He wanted to know if the Board could limit the number of access points onto Stateline and Sneakville.

Mr. McCormack stated that the Board could limit the number of access points. He notes that in any case, with Stateline being an arterial road and with Sneakville being a collector road, access will be limited and new accesses will need to meet driveway spacing requirements.

Mr. Beiersdorfer stated that he is familiar with the area. He stated that the businesses across Sneakville and Stateline are businesses that have been there for many, many years. Stateline is a main drag through Bright and this is the area where businesses want to be.

Mr. Lehmann stated that this property has been available to build houses on for many years, yet it has lay vacant. It does meet the criteria for future growth of business. He doesn't feel that he has heard enough evidence that it shouldn't be a commercial property.

Mr. Hoog stated that he agrees that the property has been vacant for years and if it was going to be residential it would have already been developed. It lends itself to more of a commercial developed property.

Mark Lehmann makes a favorable recommendation for a zone map amendment from residential to B-1, the northwest corner of Stateline and Sneakville Roads, Section 34, Township 7N, Range 1W for the parcel listed on the meeting agenda with the following conditions—to be written commitments—that a traffic study be conducted with the criteria met in Article 5, Section 520 during the development of all three and half acres, and to limit one access point for all three and a half acres off of Stateline and another one off of Sneakville Road, and that item #31 be eliminated from the list of principally permit uses in a B-1 as outlined in the current Zoning Ordinance.

Mr. Mr. Lansing asked if the Board was able to limit the number of times that they would be allowed to split the property.

Mr. Kraus requested a second to the motion at hand and then the Board can discuss the motion.

Mr. Beiersdorfer seconded the motion.

Mr. Beiersdorfer asked about the concern with the restrictions and covenants of the subdivision since this property is actually platted as part of the subdivision. He wanted to amend the motion to add that the Alta Survey and Title Search must be completed prior to the request going before the County Commissioners.

Mr. Lehmann stated that he would amend the motion to included the contingent with the Alta Survey and Title Search be completed before the continuing to the County Commissioners.

Mr. Beiersdorfer seconded the amended motion.

The full amended motion was read again by Mr. Kraus.

Mr. Lehmann made a motion to forward a favorable recommendation to the County Commissioners for the Zone Map Amendment from residential (R) to Local Business (B-1) provided the owner agree to the written commitments that a traffic study be completed prior to a Site Plan Permit application and approval, that the property be limited to one access point off Stateline Road and one access point off of Sneakville Road, item #31 be eliminated from the list of principally permit uses in a B-1 as outlined in the Zoning Ordinance, and the Alta Survey and Title Search be completed prior to the request being forwarded to the County Commissioners for a final vote. The recommendation is based on the criteria set forth in Article 5, Section 540 of the Dearborn County Zoning Ordinance and the attached Finding of Facts. Mr. Beiersdorfer seconded the motion. Mr. Beiersdorfer, Mr. Hermes, Mr. Hoog, Mr. Lehmann, Mr. Kraus all voted in favor. Mr. Lansing voted to oppose the motion. Mr. Thatcher abstained because of the County Commissioners ultimately making a final decision. It was noted that Mr. Lang can not vote as he accused himself from this case. The final vote is 5 in favor, one opposed, 2 abstained. Motion carried.

A recess was called to allow the public to clear the room before the Board moved onto other business.

E. ADMINISTRATIVE

The meeting was called back to order.

Mr. McCormack asked if the Board members wanted to discuss the next steps for the zoning text proposed changes.

Mr. Lang rejoined the meeting.

The Board feels that there should be one meeting to have the members of the Zoning Advisory Committee present and also have the meeting open to the public to hopefully get more involvement. This would be a discussion based on the proposed text changes to the agriculture and residential zoning districts. This would not be discussions on the zoning map.

The Board decided to go through the survey that was taken for the zoning changes.

Mr. McCormack handed out the results of the survey and discussed the questions and the answers. He asked the Board to take a look over the survey over the next couple of weeks and send him comments so that he has comments before creating a staff report for the April meeting.

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

Meeting adjourned at 9:25pm

Dennis Kraus – President

Mark McCormack—Planning Director, Secretary

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 rezoning process be required in an Agricultural district.

Mr. McCormack stated that yes, as the text is presently written, a rezoning 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 landominiums 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 23rd meeting to May 31st. 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