

DEARBORN COUNTY PLAN COMMISSION MINUTES

Monday, December 18, 2017

7:00 pm

A. 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.

B. ROLL CALL –

Members present:

Russell Beiersdorfer

Jake Hoog

Dennis Kraus, Jr.

Eric Lang

Mark Lehmann

Art Little

Jim Thatcher

Mark McCormack – Planning Director

Andrew Baudendistel – Attorney

Members absent:

Dan Lansing

John Hawley

C. ACTION ON MINUTES

Mr. Beiersdorfer makes a motion to approve the October 23rd Plan Commission minutes, as written. Seconded by Mr. Lehmann. All in favor. None opposed. Motion carried.

Mr. Lehmann makes a motion to approve the November 27th Plan Commission minutes, as written. Seconded by Mr. Beiersdorfer. All in favor. None opposed. Motion carried.

D. OLD BUSINESS SCHEDULED TO BE RE-OPENED: NONE

E. OLD BUSINESS TO REMAIN TABLED: NONE

F. NEW BUSINESS

G. ADMINISTRATIVE

Working session to discuss potential ordinance amendments.

Mr. McCormack discussed driveway accesses to State-maintained roads & County-maintained roads. Based on board cases the past year or two, he asked:

- Should there be any difference between the State and County, based on the authority responsible for maintenance and permitting?
 - Direct access allowances and driveway spacing requirements
 - For INDOT, if there are 3 or more residences proposed to be served by an access (i.e. 30 trips or more per day assumed), it is considered a commercial access.
 - All commercial, institutional, and industrial use accesses should be reviewed by the County, even on State-maintained roads, based on more intensive uses and the likelihood for higher impacts to the area's roadways (and driveways).
 - Secondary accesses for accessory uses should be exempted from going to the Plan Commission for a public hearing, for uses that would generate less traffic than the average house (i.e. 10 trips per day).

After some discussion, there seemed to be consensus to have low-impact accesses—such as secondary access(es) and non-commercial, institutional, industrial, or residential subdivisions (minor or major) applications / cases involving INDOT—go to Tech Review, with the current access requirements left intact.

- Setbacks for accessory structures built in front of primary structures and / or setbacks for accessory structures that are built without primary structures. Mr. McCormack explained that there are different setbacks for primary structures and accessory structures. Typically, an accessory structure is held to the setbacks of a primary structure when a primary structure doesn't yet exist on a site. Mr. McCormack wanted the Board's thoughts about requiring that an accessory structure be held to the setback standard of a primary structure, when a primary structure doesn't yet exist on a site. This practice has been questioned by owners and applicants. The Board asked:

- What are the primary reasons for setbacks?
 - Safety—protecting areas from buildings for road, utility and other rights-of-way or easements
 - Allow separation between buildings and uses for fire protection and emergency services, passing vehicles, etc.
 - Privacy and aesthetics (including provisions for light and sunshine, landscaping, etc.)

After some discussion, the Board decided that it would like to address all of the setback issues when the County Comprehensive Plan is updated—and the proposed changes to the Agricultural and Residential Zoning Districts are ready to be brought back up for discussion. *(There are updates to these articles of the Zoning Ordinance already drafted from work that the previous staff and board had done with the Zoning Committee a few years ago. Much, if not all, of the past work and draft materials may be usable when there is consensus to move forward with this work again.)*

- Site Plan Review criteria: Minor vs. Major—This item was reserved for future discussion.

Mr. McCormack presented a DRAFT Findings of Fact form for a rezone. He explained the reasons why findings of fact are used for cases, particularly for Board of Zoning Appeals cases. He asked the board:

- Who should be responsible to draft these forms? The Applicants, the staff, or the board members.

There was consensus to move forward with drafting additional Findings of Fact forms—with the applicants to complete draft forms for the board, as part of the submittal process. The board can take the applicants' draft Findings of Fact forms and make changes and under advisement to the extent that it deemed practical / feasible. The staff would continue to prepare reports for each case and PowerPoint presentations.

- 2018 Work Items
 - The BEP Program is set to end by December of 2018.
 - 911 addressing work continues, but has decreased to a smaller weekly workload for the GIS Lead Technician and Zoning Administrator.
 - Mr. McCormack indicated that the Department was attempting to hire an intern from DAAP, at the University of Cincinnati. The intern, if hired, will be working on updating the County and Town Comp Plans as well as related projects and other much-needed work items.
 - Mr. McCormack is hoping to have an outline of the issues, goals, and strategies for all of the elements of the County Comprehensive Plan done before the January P.C. meeting.
 - An updated, more involved interlocal agreement with West Harrison is being examined. Mr. McCormack will review the feasibility of this item in the next month—getting feedback from the Town as well as the attorneys (and including where things stand with getting an intern).

- Outgoing Board Member
 - Dan Lansing, the County Council representative to the Plan Commission, has indicated that he is being replaced in 2018. Mr. Lansing was unable to attend this meeting but had wanted to say goodbye and to send well wishes for the holidays to all of the board members.

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

Meeting adjourned at 8:40 p.m.

Dennis Kraus, Jr., President

Mark McCormack, Secretary
Planning Director