

DEARBORN COUNTY PLAN COMMISSION MINUTES

Monday, April 23, 2018

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:

Russell Beiersdorfer

Jake Hoog

Dennis Kraus, Jr.

Eric Lang

Mark Lehmann

John Hawley

Bill Ullrich

Jim Thatcher

Mark McCormack – Planning Director

Andrew Baudendistel – Attorney

Members absent: Michael Lynch

B. ACTION ON MINUTES--NONE

C. OLD BUSINESS —NONE

2. Request: Vacate a portion (2 lots total) of Phases 1 and 3 of the Park Place Estates Subdivision
- Owner/ Applicant: Joseph & Katie Madden / Steve Cahill, Abercrombie & Associates, Inc.
- Site Location: Lot 3 and Lot 71, *Einsel Road near Boardwalk Drive*
- Legal: Section 35, T7, R1, Map #01-35
- Township: Harrison Size: 19.93 Acres (Total)
- Zoning: Agricultural (A) & Residential (R)

Mr. McCormack presented the background. This case was previously tabled because a majority of the notices to affected parties had not been delivered. Since the March PC meeting, Mr. McCormack noted that the Applicant had provided a conceptual plan for the reconfiguration of lots 71 and 73 of Park Place Estates as well as a plot plan indicating the proposed location of a new dwelling unit. The staff has also received a letter from Robert Ewbank, regarding his client, property owner of lots 1 and 2 of Park Place Estates, Mr. Moorwessel. IC. 36-7-4-714 indicates the three criteria that need to be addressed when lifting a covenant.

Steve Cahill, Applicant representing Mr. Madden, stated that the restrictions indicate that lot 71 is not independently eligible for a site improvement permit and must be sold to an adjacent property owner. The term non-buildable, means that particular lot does not meet the requirements for an independent building lot. Mr. Cahill noted that this lot could have been made into a building lot but was a nonbuilding tract because it did not have any road frontage. Lot 71 was designed as a non-buildable lot and not specifically as open space. When the plat was created such restrictions should not have been defined in the covenants and restrictions and should have instead been on the face of the lot. He believes that the request meets the requirements of the Indiana Code referenced. In regard to item F, of that statute, he feels that the conditions have changed because now that the land has transferred to another owner. He notes that such request is also in the public interest, as the Maddens are part of the public. He acknowledged that there will be additional taxes from this land being used for building purposes—and it is his opinion that the value of the adjoining properties will not be diminished at all because the lot was not intended to necessarily be just an open space lot.

Mr. Lehmann: There will not be a new lot 71 that would be subject to this covenant and restriction?

Mr. Cahill: That is not true, we are here to vacate the lots, I thought it would be important to show intent and a preliminary, the new lot will take on a new lot number and identity as defined.

Mr. Lehmann: If approved there will only be 2 lots when it's all said and done?

Mr. Cahill: Correct.

Mr. Lehmann: The proposed reconfiguration meets zoning setbacks?

Mr. Cahill: Correct.

Mr. Lehmann: By vacating this lot, it will be able to be independently sold?

Mr. Cahill: In theory yes, it would be able to be an independent lot.

There were no further questions for the Applicant.

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

Jeff Eberhart, owner of lot 72, acknowledges that this development would be directly behind his house. Originally there were 20 acres for a single home back there with the intentions of things staying that way. However, he has no issues with this proposal and he is probably the closest owner. His concern is maintenance of the tree line and maintaining privacy.

Mr. Beiersdorfer moves to close public discussion. Seconded by Mr. Lehmann. All in favor. None opposed. Motion carries.

Mr. Lang: Hypothetically, if the current owner purchased as he did and wanted to put the house on lot 71 could he have done that?

Mr. McCormack: Because the way the covenant is worded, the same issue would have still needed to be addressed. Staff spoke with the current owner, the previous owner, and the developer—who told the staff that the original intent had been to label the lot as an independent building tract because it didn't have frontage. Why the covenant was worded the way it was is unknown, but this is one of several options that the Applicant/Owner could have taken to remedy the situation. If this request is approved, there would still be a survey process involved in accordance with Section 260 of the Subdivision Control Ordinance.

Mr. Lang: Could re-platting this into something else allow the current owner to shed that covenant?

Mr. Baudendistel: The bigger issue I see is that there's really strict guidance from the State Code when vacating a covenant. There are multiple references to lot 3 in these covenants. Covenant number 16, lots 1 and 2 are subject to an ingress-egress easement, among others.

Joseph Madden, owner of property that is requesting variance: I would like to address the letter sent. The letter calls out on the paperwork that all lots shall be residential lots, and Lot 71 is proposed to remain a residential lot. Before we bought the property, we met with Mr. Maxwell (the Developer) to discuss the use of that land. Following the meeting, Mr. Maxwell stated that the only reason lot 71 was listed with that covenant was because there was no road frontage assigned to it.

Mr. Lehmann: Will they need a waiver for panhandle width, as far as the current proposal?

Mr. McCormack: No, as proposed it meets code.

Mr. Kraus: Whatever decision the board makes has to fall under one of these three criteria of IC 36-7-4-714.

Mr. Baudendistel: That would be my advice. To remove (or replat) this lot, you would be removing subdivision covenants. Their contentions are that though it's not buildable, that does not mean its non-buildable forever. The big issue is the statute, because if we remove these lots from the subdivision we are removing the covenants as well and seeing how one property owner has already hired an attorney I assume we would end up in court over this.

Mr. Lang: There's nothing wrong with the proposed / new configuration, only the covenant. A land owner may have a reasonable assumption that something might not be built there. To me, a replat of lot 71 of something similar where the lot would become slightly bigger than what you got and where lot 71 doesn't exist anymore but the other covenants do would make more sense.

Mr. Madden: I know we had concerns last time because of notices. The main point was that the lot remain residential in nature, which we are doing.

Mr. Cahill: One of the reasons we were advised to come to the board with a vacation request was due to conversations with County staff. I wanted to re-plat the lots but would have to get each subdivision owner to sign the plat and felt that hurdle was unobtainable.

Mr. McCormack: I.C. 36-7-3-10 regarding vacations, notes that if all of the owners in a plat are in agreement, a re-plat as Mr. Cahill had just described would be doable.

Commission will be making a recommendation to the County Commissioners. In any case, the Commissioners will make the final decision on the rezone proposal. A lot of people have called asking about this process. Regardless of the zoning, during a potential, subsequent subdivision review there would be three stages: primary plat review, improvement plan/construction plan review, and finally the secondary plat review. The board tonight is only reviewing if the particular land is appropriate to be rezoned or not.

The property is in York Township, Section 19, Township 6N, Range 1W, identified as being parcel numbers 002.000, 003.000, 021.000, 027.000, and 063.000 and being located off of the west side of York Ridge Road and to the north of Bonnell Road and the railroad. The existing zoning is Agricultural. There are 5 tracts totaling 187.776 acres. Section 540 of Article 5 (of the Zoning Ordinance) outlines the findings that have to be found when making a map amendment.

Mr. McCormack notes that if this request were to be approved, staff would request a better legal description to better be able to identify the land. The subject property is surrounded by Agricultural zoning with a small Residential zone to the southeast in Guilford. The parcels are predominantly used for agricultural purposes / uses. There is a cemetery adjacent to the requested acreage along the strip having access to Bonnell Road.

The Applicant has indicated that they are requesting for 100 dwelling units and have elected not to submit a traffic study at this time. When reviewing concept development plan requirements under Section 520 (of the Zoning Ordinance), a traffic study is required if the request will result in 1,000 trips per day. It's now a matter of whether the Plan Commission wants to request a traffic study now or later, but either way one would have to be performed unless the trips were to drop well below the 1,000 trips per day threshold. In either scenario, the study is done to "assess the impacts of a development on an existing and/or planned street system." If and when a traffic study would be done, County staff would look at the entrance of the property, York Ridge Road, and key areas such as where Bonnell Road meet with Washington Street and where York Ridge Road intersects with SR1. There is also a common slip area on SR 1 when headed southeast towards Lawrenceburg, near the intersection. If we were looking at almost doubling the counts on York Ridge Road, we would want to know what that would potentially look like (as far as the service and safety levels).

A Residential zoning district allows for 4 units per acre. Staff has clarified with the Applicant's intention was for single-family unit development, as it would potentially make a big difference if there were duplex units.

As the comprehensive plan indicates, slopes with greater than 20% should be avoided because of their potential negative impacts. If there were a favorable recommendation staff would like a written commitment for a geo-analysis study for hillside development hazard areas.

There is a small portion, approximately a ¼ ac of the site, that is situated within the 100-yr flood hazard area (near the cemetery, which as mentioned earlier). Anything within 100 feet of a grave site has been studied by DNR's Division of Archeology and Historic Preservation.

The information provided by the Highway Department acknowledges that York Ridge Road is a Category II Collector Road with a pavement width ranging from 18.5 ft. to 20.5 ft. (figures provided by the County Engineer). The traffic counts for York Ridge Road range from 1,185 to 1,498 trips per day. The property is proposed to be served by the Dearborn County Regional Sewer District, who provided the following statement "*Dearborn County Regional Sewer District is willing to cooperate and facilitate in bringing sanitary sewer to the 100 lots proposed for the Blind Hunting Club Property. The cost to serve this project, including the cost of engineering and the cost of acquiring easements, etc. will be at the expense of the owner / developer or others.*" This is another item staff would recommend be addressed before providing a favorable recommendation. The property would have to be split with lots of an acre or more to be able to be considered for septic systems instead of public sewers.

Other than an acknowledgement that mobile homes are to be excluded from the development, nothing else is proposed to be excluded, as far as permitted uses for Residential zoning by the County Zoning Code.

Mr. McCormack noted that there were 22 letters that were mailed out; 21 of those were confirmed as being delivered and 1 was returned. The staff received 13 public comments which were all submitted to the board.

A concept development plan has not been submitted, but the Applicants have submitted a written commitment limiting the proposal to 100 dwelling units on the affected acreage. Staff recommends modifying this commitment so that it is with respect to single family dwelling units only. A traffic study has not yet been submitted. Several areas of the site are impacted by steep slopes; to develop the site as proposed public sewer is needed. If the proposal were to move forward, the staff would recommend written with respect to these items.

The board should consider the proposal in accordance with Section 540 of the Zoning Ordinance.

Mr. Hawley: The Applicant said they would not build mobile homes... Was that written or mentioned?

Mr. McCormack: It was mentioned in the project narrative but it could also be added to any written commitment document that is prepared.

Mr. Thatcher: The traffic study that was not submitted to us seems that it should be submitted for our review.

Mr. McCormack: Other Applicants have asked for, and in some cases, have received a deferral in the past (so that the traffic study can be done at the primary plat stage and / or site plan review stage, depending on the project).

Mr. Thatcher: There is expertise on this board that the Commissioners may not have, and I would like to see a traffic study presented before this board.

Mr. Lehmann: Do we have any roads in the County that exceed 10% slope?

Mr. McCormack: I'm sure that we do, but I can't say for certain off-hand which ones.

Mr. Lehmann: Would you say the current grades may be double, in terms of what we would allow?

Mr. McCormack: Any land underlying a potential road can be graded. The max street grade is 11% for local publicly-maintained streets between 400 and 3,000 average daily trips, pursuant to Table 3.1 – Street Classification & Requirements, of the Subdivision Control Ordinance.

Mr. Lehmann: In order to get to 11% you'd have to cut half of that hillside down.

Mr. McCormack: I can't speak for the Applicants' intentions. Private streets can get up to 15% for grade.

Mr. Ullrich: I think we have covered the traffic study thoroughly, and we are probably in agreement that it needs to be done first before proceeding with any other actions. My other concern is the sewage, and my biggest question mark is do we have any idea of who the "others" would be (as referenced in the County Sewer District's letter) and what kind of negative impact, if any, would there be to the current residents in the area.

Mr. McCormack, a Sewer Board member called and said that the letter submitted was the best that they can do, at this point. I think the idea was that the developer would pay for whatever it took to get this site served with
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sewer and anything above that would have to be done with the sewer district. Those decisions would have to be addressed through the regional sewer district. Forced sewer hookups would likely come before them and the Health Department is telling us at this time that they are willing to work with the developer. There are currently three options: one would be to tie into Lawrenceburg's lines, one would be to tie into Greendale's lines, and one would be for the Applicants to create their own plant similar to Highridge Estates or to work with the County Regional Sewer District on creating a regional treatment facility. We do not have the authority to deal with this as a staff or board. There is an exchange of information that will have to come further along from the other providers.

Mr. Lehmann: Can we require them to have sewer at this stage?

Mr. McCormack: At this stage I think we would require them to have public sewer, based on the number of units proposed.

Mr. Lehmann: We would eventually need a letter from Greendale, Lawrenceburg, or the County Sewer District to acknowledge which system is going to be used to transport sewer and to which plant the waste is going?

Mr. McCormack. Correct.

Mr. Hoog: Where is the closest sewer?

Mr. McCormack: Pribble Road near Perfects—or perhaps somewhere between Georgetown and Salt Fork Road on SR1.

Kendel Bales, with Hrezo Engineering: On behalf on the Blind Hunting Club, LLC: To address some of the things that have come up, we don't do developments without geotechnical reports, and we would work with the proper sewer authorities—which would have to happen before this project would move forward. We plan on doing a traffic study. We would want this project to be welcome to Dearborn County and for it to be able to help with some residential needs in the community.

Mr. Hoog: How close is the water to the area?

Mr. Bales: There is water currently on York Ridge Road.

Mr. Thatcher: And they're committed to 100 homes?

Mr. Bales: Yes. The reason we want to do the rezone is because with the slopes, we would want denser development on top of the hill and won't be able to do acre-sized lots along the steep slopes. We have studied the sewer for the regional sewer district and believe the sewer district would work hard to get a good deal for the county.

Mr. Hoog: What is the electric line easement width on the property?

Mr. Bales: 100feet.

Mr. Thatcher: Is there a timeframe associated with this development?

Mr. Bales: The Applicants are hoping to begin breaking ground in 12 months—maybe breaking ground on some homes in two years.

Mr. Thatcher: Is it safe to say in five years it would all be developed, and if not, could it be reverted back to Agricultural Zoning?

Mr. Bales: That is something that could be discussed with the Owners I'm sure.

There were no further questions for the Applicant.

Mr. Beiersdorfer, motioned to open public discussion. Mr. Hawley seconded. All in favor. None opposed. Motion carries.

Amanda Vinup-Noell, I live on Washington Street in Guilford. I've lived there for about 5 years. As previously stated, the Applicant informed you that we are needing affordable housing in the County. Do you know what these homes might sell for? If you look at the Comprehensive Plan, page 148, it shows the existing grading for the area in or near the site being around 30%. When considering letters from the school district, public schools are not allowed to turn down students, so that should be considered. The school's letter does not address the school district's shortage of bus drivers, where on occasion a driver has had to personally drive my child home. Can the board explain a written commitment?

Mr. Kraus: A written commitment is a signed contract by the developer and the plan commission and county commissioners. It is a recorded document that follows the land.

Mrs. Vinup-Noell: There is also a safety issue with Washington Street and York Ridge Road. There is poor visibility and because people are coming down the hill so fast, they do not have time to slow down if someone pulls out in front of them.

Jim Gowdy: I want to know one thing...Is anyone able to speculate on what the impact would be on property taxes for people who live in York Township such as myself? I'm not next to this property, but how will this request affect my taxes in a couple years?

Mr. Kraus: I can't answer that...I know the Ohio Kentucky Indiana Regional Council of Governments has been working to develop a fiscal impact analysis model for these types of requests.

Mr. McCormack: The fiscal impact analysis model has been updated and requires certain inputs like average price of the home, the proposed numbers of dwelling units, and other factors to determine an output. The best source for this type of question is probably the Assessor's office, which uses the State's formula to determine how to assess property. If the neighborhood gets developed then the property around it is also typically improved. If improvements are being made to the area, the land value may change / increase.

Mr. Peter Lewis: With respect to the three sewer proposals, where would they put a new treatment plant? They probably wouldn't put it in the new subdivision. Could the waste be put in Greendale or Lawrenceburg? I'm concerned because there's too many unknowns here.

Milton Bridges: I live south of this property, right on Bonnell Road, with at least 500 feet of property touching. The run-off from the proposed project site goes right behind my house, and about 500 feet from there it goes to Tanner's Creek. Anything you put up there (on that site) goes right to Tanner's Creek. I don't like the potential for increased traffic to Collier Ridge Road and Bonnell Road. The "others" referenced in the County Sewer District's letter, we're (the residents in the area surrounding the project) the "others" and we know the taxes will go up with the upgrades required for the sewer system. We will have to have more water and raise rates for improvements to the water system. I moved out to a rural area. I don't want it to be urban and that's one reason I love it out here and don't want to see things changed. The growth hasn't been as good as other areas around

but do we need that growth for people who live in Utah and for the benefit of someone else at the expense of the people here? I'd like to know who all of the partners are, with respect to this project.

Greg Callahan, President of Miller-York Fire Department. Has Lawrenceburg EMS been notified for this particular service?

Mr. Kraus: We can look into that for you.

TJ Ilhardt: I think attendance tonight says a lot. In the comp plan land use planning principles, item number 2 acknowledges that we should promote a tax base that supports appropriate infrastructure maintenance and levels of public services. According to a Purdue study, for every \$1 of taxes generated, every time we convert something from agriculture to residential the development costs on average \$1.18. The study does not recommend converting agriculture to residential to balance budgets. We are all concerned about who is the "others" referenced in the County Sewer District's letter. The fire and EMS service providers have not all been notified about this, project; Sunman Fire Department has also been strained by this area. Item number 5, of the land use planning principles, ensure all new development is designed in such a manor to maintain rural character and quality of life. Item number 7, promote development patterns that both respect the County's topography and aid in the preservation of cultural, historic, and archeological sites. Topography has already been touched on, but we should also consider historic structures and sites. We don't want to disrupt one of the most historic structures in our area: the covered bridge. If this development is ultimately approved, we would likely need turn lanes on both SR1 and York Ridge Road. How would this affect the covered bridge which is an iconic thing in our community? The State Department of Agriculture has a representative, if the board chooses to invite him here, who will present on the significance of preserving agricultural land. I have also notified the Farm Bureau and they can talk about the significance of conserving land.

Mr. Beiersdorfer: Just for your info, the Farm Bureau is represented on this board by myself. I do not like to see farms broken up into smaller ranches—but when there are appropriate development proposals presented, I will support them.

Dave Badescu: We're here to voice our opinion and I don't think anyone in here except a few wants this development in our neighborhood. We all think that this is not for us and hope that you will side with us. I don't think anyone is here to promote this.

Mr. Ullrich: I would like to compliment this whole group for their decorum and respect.

Mr. Beiersdorfer: I understand this area very well because I grew up here. I've coon-hunted on this farm and I know how hard it is to walk on this farm. I understand the concerns involved.

Ms. Vinup-Noell: The concept of people paying for sewer access for getting to the sewer, could we get a written commitment to have the developer widen the roads, level out the land and put in the sewer, and pay for some of the hook ups for some of those in the area who are burdened. Some of these properties in Guilford are worth less than \$30,000 and the hook-ups could cost up to \$11,000. If people can't get the money out of their homes to pay for the hook-ups, then what do they do? If the developer is truly willing to come in and provide a benefit to the area, is that part of the equation?

TJ Ilhardt: Where is the need for the housing? From 2010 to 2017, we have had a 0.6% decrease in population in this county. There is migration back to the City; we have a young group of people migrating out of the county and an older group moving in needing assisted living. If the developer has identified a need for affordable housing, what is their definition of affordable?

Rick Lohnamin: How does the rail road fit into this?

Mr. Kraus: The railroad has acknowledged that they are aware of this development, and there's not enough information to know whether there's an impact or not. I do not believe there is enough to say one way or another yet. This question may be better addressed by the Applicant.

Mrs. Vicky Stevens: Terry and I are the owners of the property next to the cemetery on Bonnell Road. The 50 ft. right of way for access is between the cemetery and their front yard. We bought our farm from Lauren Huddleston and he wanted to keep the right-of-way to be able to drag a dead cow from the property if he needed to. He said he would never fence in and/or do anything with it, and now that the property has sold I'm very concerned about what could go into our front yard.

Kevin Wilson: Guilford is prone to flooding. Is there any consideration being given to the storm water run-off that will be created with the amount of new pavement?

Mr. Kraus: Our County ordinance requires that run-off be no worse than it was prior to development.

Josh Jackson: My fiancé and I just bought the old stone house on Bonnell Road. My concern is with the character of the area. I have great concerns over hillside developments and the impact of stormwater. The buildings at the bottom of the hill are in some state of disrepair and need to be brought back up. I know we were not notified, as we did just close on (this past) Friday so I understand. I question how this is a desirable use when everything around it is an agricultural use. I would like to see a lot more studies done on how this project could impact the area.

Jim Goudy: I want to make sure you're aware that we want this traffic study now rather than later. If anybody here drives down SR1 towards Greendale and Lawrenceburg, you know it already backs up now before 100 more new homes are being added.

Brad Hudgins: This is in my backyard. There is way too much traffic now and there's not enough room on the roads. If you wreck, you fall down the hill or go into the side of a hill. If your car breaks down, there's nowhere for you to go.

Ms. Vinup-Noell: We collectively have over 350 petition signatures against this project. We request that you table this proposal to a later date so we can notify more people and get the proper studies done.

Doug Ziegler: I grew up in Bright. I've seen the mess in Indiana and I've seen it coming this way. Safety is the big concern here. We have 500 miles of roads in Dearborn County that we cannot take care of now. Who is here to watch that the installation of sewer and water lines to make sure they're done right?

Mr. Beirsdorfer moved to close public discussion. Mr. Hawley seconded. All in favor. None opposed. Motion carries.

Mr. Kraus, the letter from the Badescu's is in regard to Fox Road and its condition. It notes that the County Council does not have the funding to resurface Fox Road.

Mr. Kraus: What market is being targeted, as far as the proposed homes?

Mr. Bales: We were comparing this project to the Woodridge Subdivision on Stateline Road. We can talk to the client and get more specifics. I would say that the homes are over \$200,000. In order to do more affordable homes, we would need to do more smaller lots—and to do smaller lots we would need a rezone.

Mr. Beiersdorfer: What do you plan to do with the ground that is not buildable?

Mr. Bales: It will probably just open space to be maintained by the Property Owners Association. We've also talked about doing some trails.

Mr. Lehmann: Would there be sidewalks on both sides?

Mr. Bales: We would provide whatever is required by the County ordinances. To address traffic concerns, the next stage would be studied by traffic engineers, who would make recommendations to the developers. If those recommendations are not addressed the development proposal (as it exists now) would be stopped.

Mr. Kraus: You are willing to make a commitment to 100 single-family units...What about commitments to provide sewer upgrades to the surrounding community at the developer's costs?

Mr. Bales: We can ask the owners and see what they say.

Mr. Kraus: do you have any sewer estimates?

Mr. Bales: Don't quote me but it was about a \$1,000,000. The cheapest option was to construct a new system. Tying into Greendale was the next cheapest.

Mr. Lang: Guilford is in grave need of sewer. When was the sewer slated to be installed, if the developers involved with this request were not involved.

Mr. Bales: you would have to ask the County Sewer Board. The board has been trying to resolve Guilford. They have been saying that at every board meeting.

Mr. Lang: Have you thought of places beyond Guilford?

Mr. Bales: Guilford could be that key spot for sewage to transport downstream or to a treatment plant.

Mr. Lang: I am trying to get a hierarchy of where Guilford was, compared to other areas in the County of need. Was it really the next one in line or are there other areas that would probably get that priority?

Mr. Bales: I think the Sewer Board would be the best place to get that information.

Mr. Kraus: Where did you determine your need for housing? Do you have a study you can cite?

Mr. Bales: I am just going by what I've talked about with One Dearborn and what they've been gathering.

Mr. Lehmann, I know it's a work in progress, but we need to have findings of facts to approve this request. We need more information on how we are meeting the compressive plan goals and strategies. It looks like one of the best alternatives is to use private money to bring sewer to the Guilford area. That to me is one of the things that needs mentioned in the findings of facts, and if we are going to deny it it's because we do not have access to it right now. There's just not enough in the application to satisfy the criteria. Same thing about traffic concerns, the best way to solve some of the comers is requiring private industry to do it. If we are going to wait on the county to generate enough funds it's just not going to happen.

Mr. Lang: I'm trying to jot down the number of things that we don't know yet or will require a study...I would like to have more firm answers.

Mr. Ullrich: I'm with Mr. Lang.

Mr. Hoog: With the findings of facts, and the comprehensive plan...This is a rural area. With the current conditions there, is this project the most desirable use for the land? I would say probably not. Will it conserve the property values in the area? If sewer and water was there then maybe it could be responsible growth, but I'd still consider it rural and would probably say no to that item too.

Mr. Thatcher: I think we need a traffic study and we need to do our due diligence for this project. We should move to table this request tonight until we get those particular items completed to make an informed decision

Mr. Beiersdorfer: I'm for making a motion to table until a traffic study is completed.

Mr. Lang: Findings of facts related to the comprehensive plan, cost analysis for the target market.

Mr. Beiersdorfer makes a motion to table this request until we have: a traffic study, sewer priorities by the regional sewer district, a market analysis for the developers' targeted market, findings of fact related to the County's Comprehensive plan, and a letter from Lawrenceburg EMS to verify that they are aware of this development. Mr. Ullrich seconded. All in favor. None opposed. Motion carries.

E. ADMINISTRATIVE—

Mr. McCormack presented draft ordinance proposals to revise Article 24 of the Zoning Ordinance, to address driveway spacing issues. Sections 2406 and 2408 are being amended to allow for exceptions to driveway spacing requirements when an existing building lot cannot have an approved access point that meets spacing and sight distance requirements.

Mr. Lehmann motions to send the proposal to the Commissions with a favorable recommendation, Mr. Beiersdorfer seconds. All in favor. None opposed. Motion carried.

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

Meeting adjourned at 11:20 p.m.

Dennis Kraus, Jr., President

Mark McCormack, Secretary
Planning Director