

**DEARBORN COUNTY PLAN COMMISSION MINUTES**

**Monday, June 25, 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.  
Mark Lehmann  
John Hawley  
Michael Lynch  
Bill Ullrich  
Jim Thatcher  
Eric Lang

Mark McCormack – Planning Director  
Andrew Baudendistel – Attorney

**B. ACTION ON MINUTES—**

**Mr. Beiersdorfer made a motion to approve the meeting minutes for April 23, 2018, as written. Mr. Hawley seconded the motion. All in favor. None opposed. Motion carried.**

**Mr. Ullrich made a motion to approve the meeting minutes for May 21, 2018, as written. Mr. Beiersdorfer seconded the motion. All in favor. None opposed. Motion carried.**

**C. OLD BUSINESS —NONE**

**D. NEW BUSINESS**

1. **Request:** Primary Plat Approval for a Major Subdivision—Morgan’s Ridge Subdivision, Phase VI  
**Owner/Applicant:** Maxwell Development, Inc.  
**Site Location:** The western portion of Raiders Ridge Dr., approximately 1,300 feet from the intersection of Raiders Ridge Drive and Mt. Pleasant Road  
**Legal:** Sec. 29, T7, R1, Map #01-29, Parcel #15-01-29-400-026.000-018  
**Township:** Logan           **Size:** 38.61 acres  
**Zoning:** Residential (R) and Agricultural (A)

Mr. McCormack presented the staff report and slide presentation. The Applicant is requesting Primary Plat approval for Phase VI of the Morgan's Ridge Subdivision—a single-family (detached) residential project proposal designed to accommodate 15 lots on 38.61 acres. The resulting project, if approved, would be an addition/extension to the boundaries of the subdivision (as it was originally planned/conceived). There are 1.66 acres which is proposed to be re-platted from two lots from Phase V. There are approximately 11.024 acres of the (other affected) parent parcel that are zoned residential and the remainder of the property is zoned agricultural. There are 10 lots that are located in the residential zoned district and 5 lots that are situated predominantly in the agricultural zoned district. The Technical Review Committee met for this submittal on May 21, 2018. There were a few items that remained to be addressed but they are considered minor for this process and can be addressed at a later stage in the development process. The Technical Review Committee recommended the possibility of placing a bike trail/multi-modal trail easement in Phase VI, which was intended to be addressed during the Improvement Plan and Secondary Plat stages of the development processes.

The County Engineer, Todd Listerman, stated in his written comments that he did not see any issues with additional lots accessing Raiders Ridge Drive. When the original subdivision was proposed, additional lots were envisioned to access Raiders Ridge Drive as land to the west of the subdivision developed. Mr. Listerman also acknowledged that there is an existing right-of-way at the end of Cavalry Crossing for future development onto adjoining property.

There were seven letters that were mailed out; six letters have been delivered and one letter was returned unclaimed. Staff had received one email from one of the adjoining property owners which had some general questions about the subdivision request.

Mr. Lehmann asked about having the bike / multi-modal trail, since there was nothing proposed in the first five phases of the subdivision.

Mr. McCormack stated that the initial requests involving this subdivision was for far more density, and when there were subsequently some proposed major changes that came before the Board, the sidewalks from the project were eliminated, as they were not required by code with the proposed density. Mr. McCormack also stated that with the width of the roadways in the development, there may be enough room to add striping to create a bike or multi-modal lane on the streets.

There were no other questions from the Board.

Mr. Randy Maxwell was present for the Applicant and addressed the Board. He stated that if there is an easement necessary to provide for potential future bike / multi-modal trail, they would be willing to provide access with the exact location being determined through the Improvement Plan process.

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

Ms. Sandra Weisgerber stated that she was confused that the first meeting was just a rezone of the property. She is concerned with her land and having access to a northern entrance. It doesn't appear as that additional access to her land is being provided with the proposed plan. She asks if that isn't going to happen is this really the most responsible development of the land in Logan Township?

Ms. Cindy Harding addressed the Board; her parents are Mike and Sandra Weisgerber, adjoining property owners. She has an issue with Steele Road being used as emergency access. She did not hear a plan for the Steele Road access. Does the Board have a plan for that resolution or not?

Mr. Kraus stated that the only thing that is proposed for two 50-foot strips of land that connect with Steele Road is access, for a bike/multi-modal trail at this point.

Ms. Sandra Weisgerber approached the Board again but wanted to ask Mr. Maxwell about access to her property to the north.

Mr. Maxwell stated that there was already an agreement with the family purchasing the lots at the end of the proposed cul-de-sac, with respect to the development of the western portion of the affected property. He acknowledged that if the cul-de-sac / dead-end street were extended much further to the west, it would be cost prohibitive—and that a waiver would be required from the County’s codes. He also noted that previously, access has been provided to the Weisgerber property in an earlier phase of development.

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

Mr. Lang stated he believes that the character and lot size of the subdivision matches the existing lots around and that this project is a natural progression with the surrounding phases of the subdivision.

Mr. Lehmann believes that what is proposed meets the County subdivision regulations.

The Board had some discussions regarding the possibility of a trail connection to the subdivision, if it should be required and not just recommended.

Mr. McCormack stated that IC 36-7-4-707 (and related court case law), acknowledge that the only role for the Plan Commission in reviewing a Primary Plat is to determine if an application meets the Zoning and Subdivision Control Ordinances. The Technical Review Committee reviews projects for technical deficiencies and identifies anything that the members can find that needs to be addressed, wither through changes, waiver requests, etc. If the application meets the applicable subdivision control and zoning codes, the Board must approve the plat. If the Board denies an application, they must make findings of the issues / deficiencies of the subdivision with respect to the ordinances. The Technical Review Committee had recommended a trail / multi-modal; connection be added to the development, but it is not required by code. It is a recommendation to the developer for future opportunities of a trail system in the area for the residents.

**Mr. Lang made a motion to approve the Primary Plat for the Major Subdivision of Morgan’s Ridge, Phase VI, which is for 11 new residential lots as presented through the meeting and plans. Seconded by Mr. Lynch. All in favor. None opposed. Motion carried.**

**E. ADMINISTRATIVE—**

Mr. McCormack supplied the Board with documents for the Comprehensive Plan Update. There are still some items that may need to be further discussed in the Comprehensive Plan Update, with some growth in the County (with respect to certain items) and the possibility of a port in Lawrenceburg. He asked the Board if they saw anything that would need to be stricken or added in the information as it was supplied. What are the thoughts of having another meeting with the Advisory Committee to go over the document prior to having a public meeting regarding the document?

Mr. Lehmann stated that he didn’t see any items in the document about unsafe roads through the County as it pertains to U.S. 50. Mr. McCormack noted that this could be added to the applicable areas of the Transportation Element.

Mr. McCormack stated that he would try to set some dates for the Advisory Committee to meet in the month of August or September.

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

Meeting adjourned at 8:49 p.m.

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Dennis Kraus, Jr., President

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Mark McCormack, Secretary  
Planning Director