

**DEARBORN COUNTY PLAN COMMISSION MINUTES**

**Monday, August 27, 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 June 25, 2018, as corrected. Mr. Lynch seconded the motion. All in favor. None opposed. Motion carried.**

**C. OLD BUSINESS —NONE**

**D. NEW BUSINESS**

- |                       |  |
|-----------------------|--|
| <b>1. Request:</b>    | <b>Vacation of an Alley and Part of Reardon &amp; Elm Street (Original Plat) in Hardinsburgh</b> |
| <b>Owner:</b>         | <b>Barry Nanz/Nanz Properties, LLC</b>   |
| <b>Applicant:</b>     | <b>D.A. Kraus Land Survey Co.</b>  |
| <b>Site Location:</b> | <b>Hardinsburgh</b>  |
| <b>Legal:</b>         | <b>Sec. 2, T5, R1,</b>   |
| <b>Township:</b>      | <b>Lawrenceburg</b>  |
| <b>Zoning:</b>        | <b>Heavy Industrial (I-3)</b>  |

Mr. Dennis Kraus Jr. stepped down prior to the review of this case as he was involved with the surveying work on this vacation plat.

Mr. McCormack presented the staff report and slide presentation. The applicant is requesting to vacate the western, unmaintained portion of Elm Street as well as the northern portion of Reardon Street (formerly Main Street), and a portion of one unnamed alley within the platted Town of Hardinsburgh, all totaling 0.847 acres. The western portion of Elm Street is not improved to current County specifications, including an acceptable surface of any type. The eastern portion of Elm Street was vacated in 2004. Reardon Street, renamed from Main Street in 2015 (from the original plat of the Town), is not improved to current County specifications, and was partially vacated in 2004. The northern-most 16.5-foot unnamed alley in Hardinsburgh is not improved with any surface and appears to be a vacant lot that runs into the Greendale Levee. Nanz Properties, LLC owns all of the adjoining property directly affected by the proposed vacation request involving northern-most 16.5 feet of the unnamed alley in Hardinsburgh, which if vacated, will not adversely affect or eliminate access to any other property owner. Therefore, the entire strip of land would go to Nanz Properties, LLC if the vacation request is approved. The requested vacation of Reardon Street, Nanz Properties, LLC owns property on one side of this particular road right-of-way, while 600 Land, LLC owns property on the other side of the road right-of-way, therefore the property would be split between the two owners if the request is approved. This area, if vacated, would not adversely affect or eliminate access to any other property owner. The requested vacation of Elm Street, Nanz Properties, LLC owns all of the adjoining property directly affected by the request involving the western portion of the road right-of-way. Therefore, the entire strip of land would go to Nanz Properties, LLC if the vacation request is approved. The eastern portion of Elm Street, Nanz Properties owns property on one side (to the north) and Dearborn County owns property on the other side (to the south), therefore the property would be split between the two owners if the request is approved.

The Technical Review Committee reviewed the applicants' proposed vacation concept at its meeting on July 16, 2018 and had no significant issues or concerns.

There were eight letters that were mailed out; seven letters have been delivered and one letter was returned unclaimed. Staff notified the City of Greendale because of utilities within these right-of-way areas. The City of Greendale is requesting an easement to be placed over its sanitary sewer within the areas that are proposed to be vacated.

There were no questions from the Board for Mr. McCormack.

Mr. Dennis Kraus, with D.A. Kraus Land Survey Co., representing the property owner, addressed the Board. He wanted to reiterate to the Board that the property owner has agreed to grant the City of Greendale an easement for their sanitary sewer service.

Mr. Lehmann asked if there were any other utilities in the areas being vacated.

Mr. Kraus stated that the only other utility is an overhead electric line through one of the areas.

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

There were no comments from the public.

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

Mr. Baudendistel stated that the Board can move forward with a recommendation to the County Commissioners but he wanted to make note that one of the pieces that is being requested to be vacated is showing up in the mapping program as being a tract of land with a parcel number and being owned by the County Commissioners.

Mr. Kraus stated that he didn't believe the property was a parcel, but he will do some additional research and get with the Auditor's Office to find out how they are showing the chain of ownership. They will try to have this fixed before a meeting is scheduled for the County Commissioners.

**Mr. Ullrich made a motion to forward a favorable recommendation to the County Commissioners to vacate the western, unmaintained portion of Elm Street, the northern portion of Reardon Street, and a portion of one unnamed alley within the platted Town of Hardinsburgh, consisting of 0.847 acres total, with the condition that an easement be created for the City of Greendale's existing sanitary sewer line (as presented). Seconded by Mr. Hawley. All in favor. None opposed. Motion carried.**

Mr. Kraus Jr. joined the Board again for the remainder of the meeting.

#### **E. ADMINISTRATIVE—**

Mr. McCormack provided an overview of the Financial Guarantee Report.

Mr. McCormack discussed with the Board adding a sentence to Article 3, Section 315c (Item "c"—Flag Lots) of the Dearborn County Subdivision Control Ordinance regarding lot arrangements and sizes of flag lots. The proposed text would add one or more notes that the two adjoining flag lots needed to be independently buildable. The Board discussed the portion of the code which mentions two adjoining lots. If there was a way to change it to be more about the frontage along the road between additional flag lots, that is what is what is believed to have been originally intended and what the board members would like to see clarified. This section will be revised based on the Board's comments and brought back before the Board at the next meeting.

Mr. McCormack gave the Board an update on the Comprehensive Plan work being done for the Town of St. Leon, the Town of West Harrison, and the County Comprehensive Plan. A meeting with the County Advisory Committee will be set up, once Mr. McCormack can verify one or more dates and times with individual board members and check space for meeting availability.

Mr. McCormack discussed the staff's Community Profile booklet for 2018, which has been received well by everyone so far. Some additional information was proposed that will be added to the final document and the document will be updated online and otherwise as needed.

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

Meeting adjourned at 8:18 p.m.

---

Dennis Kraus, Jr., President

---

Mark McCormack, Secretary  
Planning Director