

The Madison County Plan Commission met on the above date at 9:00 A.M. with Wesley Likens, President, presiding.

Members Present: Wes Likens, Mark Gary, Phil Isom, Pat Manship, John Simmermon, Rick Gardner, and Amanda Bousman.

Members Absent: Purdue Extension Agent, and Steffanie Owens

Also Present: Brad Newman, Director, Jeff Graham, Attorney, and Elizabeth Bruns, Board Secretary

Current Business

1. Prayer – John Simmermon
2. Pledge of Allegiance
3. Roll call taken with 2 members absent.

Director Newman asked for a nomination of one of the MCPC Board members to be our representative on the BZA Board. Member Simmermon nominated Amanda Bousman, seconded by Member Manship. Vote was unanimous in favor of the motion. **Amanda Bousman will be our representative on the BZA Board for 2016.**

President Likens asked for any changes or corrections on the February 9, 2016 minutes. Member Gary made a motion to approve the minutes as presented. Member Gardner seconded the motion. Vote was unanimous in favor of the motion. **Minutes Approved.**

1. Petition: 2015-W-007 & 2015-W-008
Address: Not Issued
Location: S side of 500 S, at Alliance Crossing Subdivision
Petitioner: Brian & Barbara Whitaker
Request: Relief of the Width to Depth Ratio on a proposed split and less than the minimum road frontage permitted for a parcel.

Director Newman presented the Staff Report for 2015-W-007 and 2015-W-008 and refreshed the Board on the road situation that tabled this Petition at our February meeting.

Board Attorney, Jeff Graham, presented a letter that he received from the County Engineer, Chuck Leser, stating that the roads in the Alliance Crossing Subdivision were in fact county roads, and not private roads (see attached document page 751).

Bruce Stanley – I am the Alliance Crossing owner and I would like a copy of the minutes that this is a public road and a copy of the resurface commitment.

Director Newman stated that Mr. Leser said that this was on the list of the roads to be resurfaced this year, but it is not a guarantee that it will be.

Greg Valentine – Fall Creek Regional Waste – We have not had any landowners approach us about tying into Fall Creek Regional Waste. Our next meeting is April 4th at 10:00 a.m. I believe that if your dwelling is within 300' you must connect to the Sanitary Sewer.

Brian Whitaker – It was my intention to change this property back to agricultural use. There are not any plans of building a home at this time.

Steve Servies, Servies Engineering and Surveying – Right now there are a couple of high spots that would make a good home site and they are approximately 40' above Fall Creek.

A discussion took place regarding individual septic system versus connection to the Fall Creek Waste Management Sewer System.

Member Gardner made a motion to approve Petition 2015-W-007 per Staff Findings of Facts as stated below. Member Isom seconded the motion. Vote was unanimous in favor of the motion.

Petition 2015-W-007 Approved.

Member Manship made a motion to approve Petition 2015-W-008 per Staff Findings of Facts as stated below. Member Gardner seconded the motion. Vote was unanimous in favor of the motion.

Petition 2015-W-008 approved.

FINDINGS OF FACT: 2015-W-007 and 2015-W-008

1. ***Would the approval be detrimental to the public safety, health, or general welfare?***
 No. The proposal will not be detrimental to the public safety, health, or general welfare.
2. ***Would the approval of this petition be injurious to the reasonable use and development of other property?***
 No. The property is currently being utilized for agricultural purposes only. The establishment of an additional dwelling is more fitting to the existing zoning. The petition in no way would be injurious to the reasonable use and development of other property.
3. ***Are the conditions of this request unique to this specific property, which would not be applicable to other property?***
 Yes, the surrounding properties either have residential dwellings on them which have been there for a number of years, or the surrounding properties are large, vacant properties that are being utilized for agricultural purposes.
4. ***Would the strict application of the regulations of the ordinance result in a practical difficulty in the permitted use of the property?***
 Yes. If the acreage were not split and platted the land could still be used for agriculture. However, if the property was split without being platted, the Petitioners would not be able to build on either parcel.
5. ***Would approval of this request contradict the intent of the Comprehensive Plan?***
 No. The lot could still be used for agriculture and residential purposes.

2. Petition 2016-W-001
 Address: 5534 West CR 1100 South
 Location: Fall Creek Township, South Commissioner District
 Petitioner: Larry & Edna Eshelman Trust

Request: A waiver of the Subdivision Control Ordinance to provide for a 3.978 Acre lot with no road frontage, allowing access thru an ingress/egress easement on the parent tract (minimum road frontage to be 50 percent of the lot width).

Director Newman presented the Staff Report with a favorable recommendation.

Richard Ward with Richard Ward Surveying is representing the Petitioner. The reason for the ingress and egress to this property is because lenders do not like to and in some cases will not loan money on anything over 5 acres for a home loan. If we were to include the 50' ingress egress easement area to the proposed lot the subject property would be greater than 5 acres. When this is platted, it will state this on the Plat so that future owners are aware of this easement.

Member Simmermon made a motion to approve Petition 2016-W-001 per Staff Findings of Facts. Member Bousman seconded the motion. Vote was 6 yes and 1 no (Member Manship).

Petition 2016-W-001 Approved.

FINDINGS OF FACT: 2016-W-001

1. ***Would the approval be detrimental to the public safety, health, or general welfare?***
No. Staff cannot identify any potential hazards by granting this request.
2. ***Would the approval of this petition be injurious to the reasonable use and development of other property?***
No. The property is and would continue to be used for agriculture and residential purposes.
3. ***Are the conditions of this request unique to this specific property, which would not be applicable to other property?***
Yes; the location of the single-family dwelling creates a unique situation making strict adherence to the Land Use and Development Code cumbersome.
4. ***Would the strict application of the regulations of the ordinance result in a practical difficulty in the permitted use of the property?***
No. The property could still be used for agricultural and residential purposes.
5. ***Would approval of this request contradict the intent of the Comprehensive Plan?***
No. This proposal is consistent with the Comprehensive Plan as well as the development pattern of the immediate area.

3. Petition 2016-Z-001
Address: 4570 W State Road 32
Location: North side of SR 32 west of 400 West
Petitioner: MarMi, LLC Mitch & Mary Smith
Request: Rezone 4 acres from Conservation Residential (CR) to General Commercial (GC). The property has a current zoning of GC existing on the front (south) side of the property. The remaining zoning is CR to the north of the GC.

Director Newman presented his Staff Report with a favorable recommendation. He stated that it is very hard to see how far back the current GC zoning is on this parcel. Mr. Smith would like to extend this zoning an additional 4 acres.

The Board discussed water and sewer requirements and when they should be brought up.

Member Isom made a motion to approve Petition 2016-Z-001 per Staff Findings of Facts. Member Simmermon seconded the motion. Vote was unanimous in favor of the motion. **Petition 2016-Z-001 Approved.**

FINDINGS OF FACT: 2016-Z-001

1. Does the proposal comply with the Comprehensive Plan?

Yes. The site is along State Road 32, a primary arterial, just west of the City of Anderson with commercial (GC) frontage along SR 32. The requested rezone would be contiguous with the Existing GC zoning on the property.

2. Would the proposed classification be consistent with current conditions, the character of current structures and uses in the immediate districts:

Yes. The structures on the property are commercial buildings; the properties to the east and west along SR 32 have the same split zoning.

3. Would the proposed classification be consistent with the most desirable use for which the land is adapted?

Yes, the subject property is currently GC in use on the south (front) side; the rezoning would allow expansion to the north.

4. Does the proposal substantially conserve property values throughout the jurisdiction:

Yes. This property will continue to be maintained as it has for years.

5. The proposal is reasonable in regard to responsible development and growth?

Yes. As long as all drainage approvals from the County are obtained along with any other approvals needed per the Madison County Land Use & Development Code.

Miscellaneous: None Presented

Member Isom made a motion to adjourn, seconded by Member Gardner.

Meeting Adjourned: 10:04:54

Wesley Likens, President

Elizabeth Bruns, Board Secretary

