

Planning Commission Meeting
 Tuesday, March 18, 2014
 6:00 p.m. Town Hall

Edinburgh Planning Commission met in a meeting at 6:00 p.m. Tuesday, March 18, 2014

Members Present:

John Drybread, Chairman
 Keith Sells
 Richard Pile
 Ray Walton
 Mike Graham
 Matt Ervin
 Curtis Rooks
 Stephanie Taylor

Also Present: Dustin Huddleston, Town Attorney

John Drybread opened the meeting at 6:00 p.m.

John Drybread did roll call of the Planning Commission. Present were Keith Sells, Matt Ervin, Mike Graham, Richard Pile, John Drybread, Ray Walton, Curtis Rooks, and Stephanie Taylor.

John Drybread asked for anyone who wanted any further information about tonight's meeting to please sign in on the sign in sheet and if they wish to speak tonight to please be sworn in. There were no signatures on the sign in sheet, and Dustin Huddleston swore in several people in the audience who wished to speak tonight.

John Drybread presented the minutes from the January 21, 2014 meeting. He asked for any changes or comments. There being no changes or comments, Matt Ervin made a motion to accept the minutes as presented. Richard Pile seconded. John Drybread asked for a vote for all in favor by saying aye. All board members voted aye to approve the minutes. Motion passed.

John Drybread then presented the first item on the agenda, which is an application from Mark Myers for a Minor plat to subdivide property into 2 lots at 900 N. 170 W. Edinburgh, Indiana. John Drybread then asked Wade Watson to give his report.

Wade Watson presented his report on the application. (See attached staff report). Lot 2 which contains 12.78 acres would become Lot 2A containing 9.81 acres and Lot 3 containing 2.97 acres. The lot is actually 2 parcels which are separated by a boundary line, resulting in no road frontage for Parcel 1. The request if approved will give approximately 150 feet of road frontage to Parcel 1 which would allow the parcel to meet Bartholomew County requirements for construction of a residential structure. Staff recommendation is for approval with the following recommendations:

1. The re-plat is recorded with the Office of Recorder of Bartholomew County within twelve (12) months of the approval by the Edinburgh Plan Commission.
2. That proof of recording is delivered to the Office of Edinburgh Building Commissioner located at 107 S Holland Street, Edinburgh, IN within thirty days of (30) of recording.
3. If not recorded within this time, the approval shall be null and void unless renewed.

John Drybread asked the board if they had any questions for Wade Watson or Mark Myers about the request. There were no questions from the board. John Drybread then asked if anyone in the audience had any questions.

Teresa McCoy, 14750 N 170 W, asked to see the slide in Wade's presentation of the aerial map of the subject property. She asked about utility easement and access to the barn that is currently on the property. Wade stated that there is an existing utility easement.

Allen Pendleton, asked about the road frontage on lot 3 if it would be by the stop sign at the west end of the property. Wade Watson confirmed the location would be by the stop sign. Allen Pendleton then asked if Lot 2A would still be using the drive that is currently on the property.

Angie Pendleton asked if the property was going to be used for single family dwelling for both lots, if the reason for subdivision was for single family dwellings. Wade Watson stated that the property is zoned R1, that a zoning change is not being requested, R1 only allows for a single family dwelling on a single lot.

Teresa McCoy asked about the Carvin family cemetery that is located on the property and that it would not be disturbed with construction. Wade Watson stated that the property is part of Edinburgh's buffer zone, but is not directly in Edinburgh's jurisdiction, all permits and inspections would come from Bartholomew County. Property owners wishing to build on the proposed lots would need to apply for any building permits through Bartholomew County, and Bartholomew County would be in control of the cemetery on the property. Wade Watson further stated that he had discussed the existing cemetery with Mark Myers.

Allen Pendleton asked about the value of homes to be built on the property, and wanted to know if they were low income or trailers.

Mark Myers stated that he had house plans available if anyone wanted to see them, that the house to be built on Lot 2A would be approximately \$250,000 value and the house on Lot 3 would be approximately \$150,000 to \$200,000 value.

Wade Watson stated that the Town of Edinburgh Zoning Ordinance requires any manufactured home, whether it is a modular or mobile to go in a modular home park, to be placed anywhere other than a modular home park, there would need to be a variance from the Edinburgh Zoning Board of Appeals.

Aaron Ferguson, 750 Covenant Drive, Seymour, asked Wade Watson when a copy of the plat would be available for pickup. Wade Watson stated that he could come pick up a copy the following morning.

John Drybread asked if there were any further questions or concerns. There being no further questions, Keith Sells made a motion to approve the application as requested. Mike Graham seconded. John Drybread asked for all in favor to signify by saying aye. All ayes. Motion passed.

John Drybread presented the next item on the agenda which is an application for Rezoning from Copple's Wrecker Service, on property located at Lots number 560, 561, & 562 in Keeleys Magnetic Addition, (commonly known as Thomas Welding property). The property is currently zoned R4 (Medium Residential) and the request is to rezone to RB (Roadside Business). John Drybread stated that per the staff report there is an issue with the application, and he asked Dustin Huddleston to explain the issue to the board.

Dustin Huddleston stated that per the Edinburgh Plan Commission's Rules and Procedures concerning applicant cases brought before the Planning Commission, there are notification requirements to be met such as publication notice in the newspaper and mailing notification within 10 days prior to the meeting have to go to surrounding property owners within a specified area. In Wade Watson's staff report for this application, it is noted that the publication notice by newspapers has been satisfied, but for the mailing notification there are five property owners that have not been properly notified. The rules and procedures require the application to be continued to give ample time for the property owners to be notified.

John Drybread stated after conversation with the applicant and Wade Watson, that there is one residence and one business that the applicant has made extra efforts to try to get in touch with. John Drybread stated that with the notices in the paper, mailings, and actually going door to door to notify the ones that were missed, that he felt like the board should vote on whether to continue the case until the next meeting or hear the case tonight.

Dustin Huddleston stated that it is the board's decision as to whether or not they want to follow procedure.

John Drybread asked the board if they had any questions or input on how they wished to proceed.

Richard Pile stated that he thought the board should follow the procedures.

Ray Walton asked if Richard Pile was making a motion. Richard Pile asked if it needs to be a motion. Dustin Huddleston stated that it does need to be a motion.

Keith Sells asked if this would be postponed to a later date.

John Drybread stated that it would need to be continued to the next meeting which is scheduled for April 15, 2014, this would give the petitioner time to notify the other land owners.

Ray Walton asked Tami Copple if she has made efforts to notify the land owners in question. Tami Copple stated that she has made efforts to notify them.

Russ Jones, property owner next door to the subject property, asked what the criteria is for notifying the other property owners, how many are there to notify and what is the proof that they were notified.

Wade Watson stated that notification is a notarized letter by mail, the applicant is required to bring the proof of mailing to Wade's office, he actually prints a map from county website with a 500 foot circle and checks off every property against the proof of mailings.

Russ Jones asked if there are only a couple of people that Wade could not certify that have been notified. Wade stated yes that attempts had been made by Tami Copple.

Dustin Huddleston stated that before there is any further input from the public the board needs to decide whether or not to hear the case.

Curtis Rooks made a motion to continue the hearing. Richard Pile seconded. John Drybread asked for all in favor to signify by saying aye. All ayes. Motion passed.

Dustin Huddleston stated that the board now needs to let the petitioner know how the board wants renotification of the next meeting if they want to notify only the missing people or notify everyone again.

John Drybread stated that he felt like only the two missing need to be notified.


Curtis Rooks asked if the other property owners need to be notified of the next meeting.

Dustin Huddleston stated that it is the discretion of the board as to whether or not to renotify everyone. The ones who were concerned with the application are in attendance tonight and know that the meeting is rescheduled.

Stephanie Taylor asked about the letter that was sent in from a property owner that could not attend. Dustin Huddleston stated that Wade Watson could notify her of the postponement.

After some further discussion, Richard Pile made a motion to notify only the two property owners and not renotify the other property owners. John Drybread seconded. John asked for all in favor to signify by saying aye. All ayes.

John Drybread asked if there was any other business. There being no further business, Ray Walton made a motion to adjourn the meeting. Curtis Rooks seconded. John asked for all in favor to signify by saying aye. All ayes. Meeting adjourned.


John Drybread, Chairman
Rhonda Barrett, Secretary

PLANNING COMMISSION
TOWN OF EDINBURGH
107 S. Holland St.
Edinburgh, IN 46124

STAFF REPORT
PC 2014 – P-2
March 18, 2014
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STAFF REPORT

CASE NUMBER: PC 2014 ~ P-2
CASE NAME: Compton-Allman Minor Plat

GENERAL INFORMATION

Applicant: Mark J. Myers
14900 N US 31
Edinburgh, IN 46124

Property Owner: Mark J. Myers and Elizabeth A. Myers
14900 N US 31
Edinburgh, IN 46124

Licensed Surveyor: E. R. Gray & Associates
Professional Land Surveying and Consulting
E. R. Gray III, L.S.
P.O. Box 1357
Columbus, IN 47202

Acreage: 12.78
Zoning: R1 Suburban Residential
Current Land Use: Vacant Land - Agriculture

PROPERTY DESCRIPTION

Compton-Allman Minor Plat is a part of the Southwest Quarter of Section 2; and, a part of the Southeast Quarter of Section 3; all in Township 10 North, Range 5 East, German Township, Bartholomew County, Indiana.

Lot Number 2 in "Compton-Allman Minor Plat" recorded in Plat Book "Q", Page 2A in the Office of Recorder of Bartholomew County, Indiana, commonly known as 170 W. Edinburgh, Indiana. Lot 2 contains 12.78 Acres and is located on the northwest corner of County Road 170 West and County Road 900 North.

CASE DESCRIPTION

The board is to consider the petition by Mark J. Myers and Elizabeth A. Myers to allow the subdivision of Compton-Allman Minor Plat Lot 2 creating two platted lots. Lot 2 would become **Lot 2A** containing 9.81 Acres and **Lot 3** containing 2.97 Acres.

Petitioner has satisfied all documentation requirements, legal and public notifications specified in the Town of Edinburgh Plan Commission Application Packet.

CONSIDERATIONS AND FINDINGS

Division 2; Minor Plat Procedures; Section 156.16 (A) establishes criteria that should be reviewed when considering a Minor Plat to determine whether the following conditions have been satisfied:

1. That the subdivision will not impede the normal and orderly development of improvements of the parcel or surrounding properties.

Staff Findings: *This subdivision will not impede the normal and orderly development of improvements of the parcel or surrounding properties.*

2. That necessary and adequate utilities and drainage facilities have been or are being provided.

Staff Findings: *All necessary and adequate utilities and drainage facilities have been or are being provided.*

3. That adequate measures will be taken to provide ingress and egress to the remainder of the parcel and surrounding properties.

Staff Findings: *Adequate measures will be taken to provide ingress and egress to the remainder of the parcel and surrounding properties.*

4. That the subdivision will not be detrimental to or endanger the public health, safety, or general welfare.

Staff Findings: *This subdivision will not be detrimental to or endanger the public health, safety, or general welfare.*

5. That the subdivision will not create more than one lot served for purposes of access by a private drive.

Staff Findings: *This subdivision will not create more than one lot served for purposes of access by a private drive.*

STAFF ANALYSIS

1. Currently Compton-Allman Minor Plat Lot 2 contains two (2) adjacent parcels:
 - Parcel Number 03-05-03-000-001.602-009 ("Parcel #1")
 - Parcel Number 03-05-03-000-001.603-009 ("Parcel #2")
2. Parcel #1 exists on the west side of Parcel #2.

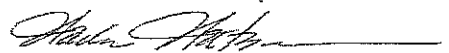
3. The boundary line separating these two adjacent parcels exists along an original State Section Line. The current size of Parcel #1 is approximately one (1) acre and that of Parcel 2 is approximately 11.78 acres.
4. Parcel #1 is not adjacent to or accessible from a public right-of-way.
5. The proposed re-plat would move the existing boundary line between Parcel #1 and Parcel #2 eastward to provide approximately 150' of road frontage for Parcel #1, thus creating a lot large enough to meet the requirements of Bartholomew County for construction of a residential structure.

STAFF RECOMMENDATIONS

Based on these findings of fact, staff recommends the Plan Commission grant an Administrative Approval to allow the subdivision of Compton-Allman Minor Plat Lot 2 into two platted lots per the drawing submitted by E. R. Gray & Associates, providing:

1. The re-plat is recorded with the Office of Recorder of Bartholomew County within twelve (12) months of the approval by the Edinburgh Plan Commission.
2. That proof of recording is delivered to the Office of Edinburgh Building Commissioner located at 107 S Holland Street, Edinburgh, IN within thirty days of (30) of recording.
3. If not recorded within this time, the approval shall be null and void unless renewed.

Respectfully Submitted,



Wade Watson
Building Commissioner
Town of Edinburgh