

# NOTICE OF PUBLIC HEARING

## Description of Proposed Docket:

The applicant \_\_\_\_\_ is seeking a:

- Zoning Map Change ( Standard or Planned Unit Development)
- Minor Subdivision ( Five Lots or less)
- Major Subdivision (Five Lots or more as a Traditional Design)
- Conservation Subdivision (Five Lots or more with an Open Space Design)
- Planned Unit Development (PUD)
- Development Review (Site Review for new Structure)
- Administrative Appeal

From the **Floyd County Plan Commission.**

<b>Street Address (see enclosed map):</b>  
<b>Description of Project:</b>    

This is a notice that a public hearing regarding the proposed docket item will be on \_\_\_\_\_ located in **Suite 104 at the Pineview Government Center, 2524 Corydon Pike New Albany, IN 47150.**

**Please note that information about the proposed docket item can be found at the following:**

Floyd County Building and Development Services

2524 Corydon Pike Suite 203

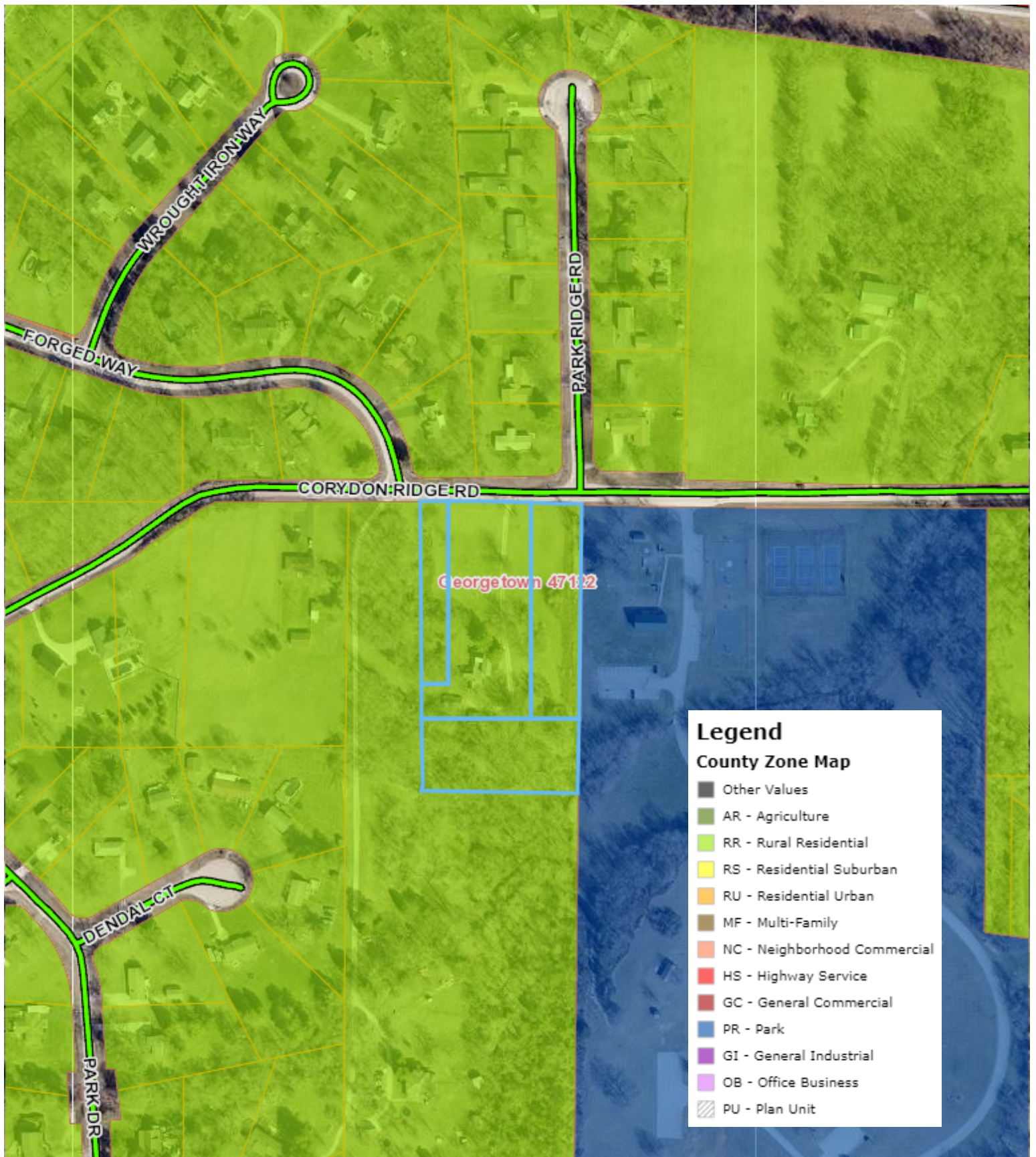
New Albany, IN 47150

Monday- Friday 8AM to 4PM

812.981.7611

[Building@floydcounty.in.gov](mailto:Building@floydcounty.in.gov)

Floyd County Government Website [www.floydcounty.in.gov](http://www.floydcounty.in.gov)



## Floyd County Plan Commission Frequently Asked Questions

### 1. How can I find out more about this docket?

You can either visit the Floyd County Building and Development Services Office and review the file between the hours of 8AM to 4PM Monday through Friday or you can review the proposed application on-line at [www.floydcounty.in.gov](http://www.floydcounty.in.gov) on the Plan Commission page.

### 2. How does this process work?

Depending on the docket, there are several different processes. The Plan Commission will take public comments on each proposal and values public comment in their decision-making process. The Plan Commission is required to follow state statute when considering each application. Below is a brief description of each application that may come before the commission. Please note the check marked application on the notification form to the corresponding process listed below:

- **Zoning** – The applicant is seeking to change the land use associated with the property in the proposed application. Per Indiana State statute, the Plan Commission holds a public hearing and determines a recommendation to the County Commissioners. The recommendation may be favorable, unfavorable or no recommendation. The recommendation is non-binding on the decision of the commissioners

The application is sent to the County Commissioners Office to place on their agenda following the Plan Commission hearing. The Commissioners have 90 days to make a decision on the application. They can approve, disapprove, or take no action. If no action is taken within 90 days, the recommendation of the Plan Commission then becomes binding.

- **Subdivision** – The applicant is seeking to subdivide the land. There are three types of subdivisions (Minor, Major and Conservation). The County has a set of rules regarding the subdivision of land. These rules include the placement and specifications of any new road, drainage, and sidewalks. It also has rules regarding utility and public safety services to the proposed application. The number of lots and their configuration are also part of the process. Additionally, studies of impacts on drainage, traffic, and the environment are reviewed if required.

If an applicant has demonstrated through its application that the County rules have been met, then the Plan Commission must approve the subdivision per Indiana State Statue. The Plan Commission does have the ability to place reasonable conditions on the applicant regarding their proposal.

- **Development Review** – The applicant is seeking approval to place a building on a site that must meet County standards. The County sets standards as it relates to building size, façade, sidewalks, parking, lighting, drainage, signage and landscaping. If an applicant has demonstrated through its application that the County rules have been met, then the Plan Commission must approve the plan per Indiana State Statue. The Plan Commission does have the ability to place reasonable conditions on the applicant regarding their proposal.

# APPLICATION FOR SUBDIVISION CONTROL VARIANCE/MODIFICATION

FLOYD COUNTY PLAN COMMISSION  
PINE VIEW GOVERNMENT CENTER  
2524 CORYDON PIKE, SUITE 203  
NEW ALBANY, IN 47150  
TELEPHONE 812-948-5440; FAX 812-941-4571

**This Application is a document of public record.  
Any information disclosed on this Application is available for review by the public.**

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## **Incomplete Applications will not be accepted.**

The Application for Variance must be submitted with the Application for Primary Approval of Subdivision.

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**ORDINANCE AUTHORITY:** Floyd County Subdivision Control Ordinance, Article 1, § 10

The Floyd County Plan Commission may grant modifications to the requirements of the Subdivision Control Ordinance only if **all** of the following criteria are met:

1. The modification will not be detrimental to the public's health, safety or general welfare.
2. The modification will not adversely affect adjacent property.
3. The modification is justified because of exceptional topographical or other physical conditions unique to the property involved and is not to correct mere inconvenience or financial disadvantage.
4. The conditions upon which the modifications request is based are unique to the property for which the relief is sought and not applicable generally to other property.
5. The modification is consistent with the intent and purpose of this Ordinance and the Comprehensive Plan.
6. The condition necessitating the modification was not created by the owner or applicant.
7. The relief sought will not in any way vary the provisions of the Zoning Ordinance.

Docket No. \_\_\_\_\_

Date Filed: 06/07/2024

Name of Applicant: The Elder Co., LLC

Address of Applicant: 501 E. Pearl St., New Albany, IN

Owner of Property: (if different than Applicant) Marilu Linderman

Address of Owner: See below.

Address of Property: 6527 Corydon Ridge Road

Variance/Modification requested so that Applicant may: development a small pocket neighborhood which will be garden style patio homes and consist of 16 lots.

Identify the specific section(s) of the Subdivision Control Ordinance that the Variance/Modification applies to: Section D. Open Space Standards

**Justification for Variance/Modification:** (Please complete all sections below)

1. **The variance/modification will not be detrimental to the public's health, safety or general welfare because:**  
there will still be open space in the development and have at least one point of connectivity to the Garry Cavan park, which is a 50+ acre park.
  
2. **The variance/modification will not adversely affect adjacent property because:**  
the property is bordered by Garry Cavan park on one side, where we are working with the Parks and Recreation Board to ensure a natural buffer is maintained, Corydon Ridge, on another, and lastly a 15+/- acre property on the other two sides with existing natural buffers.
  
3. **The variance/modification is justified because of exceptional topographical or other physical conditions unique to the property involved and is not to correct mere inconvenience or financial disadvantage because:**  
the property is unique in that it borders the park and has access to sewers. In addition, we are not requesting any additional density bonus that would otherwise be available.  
  
The park is an extension of the common area of this development and our connectivity to the park is in return an extension of the parks area.

4. **The conditions upon which the variance/modification request is based are unique to the property for which the relief is sought and not applicable generally to other property because:**  
the development has approximately 617 linear feet of contiguity with the 50 acre park and will have internal connectivity to it as well.
  
5. **The variance/modification is consistent with the intent and purpose of this Ordinance and the Comprehensive Plan because:**  
it will allow for diverse housing options for the community so residents can "age in place" and connects / extends accesbility to the county park system.
  
6. **The condition necessitating the variance/modification was not created by the owner or applicant because:**  
all other zoning requirements will be met and the topography and location of the development and park have preexisted long before this application.
  
7. **The relief sought will not in any way vary the provisions of the Zoning Ordinance because:**  
the subdivision has been designed in a way to meet zoning standards for a base subdivision under the zoning ordinances without any other modification or variances other than the requested reduction in the open space requirement in the development. And one (1) additional lot.

**Conditions:**

**Please identify any conditions that you will agree to in connection with this Variance/Modification Application:**

We agree to work with the Floyd County Parks and Recreation Board to ensure a natural landscape buffer is maintained along the 617 contiguous linear feet. That we will have at least one (1) internal connection to Garry Cavan park and that we will work with the Planning Director to design an acceptable entrace with rural characteristics.

**SIGNATURES & CONTACT INFORMATION:**

  
 Applicant Signature

James C. Elder  
 Printed Name of Applicant

\_\_\_\_\_  
 Agent's Signature

\_\_\_\_\_  
 Printed Name of Agent

Telephone No.: \_\_\_\_\_

Applicant Agent (Circle One)

FLOYD COUNTY PLAN COMMISSION  
FLOYD COUNTY BOARD OF ZONING APPEALS

AFFIDAVIT OF OWNERSHIP

*If the owner(s) of the subject property are giving authorization for someone else to apply for a Subdivision Control Variance/Modification, this Attachment is to be completed and submitted at the time of the application.*

I (We), Marilu Linderman, do hereby certify  
(names of owners of subject property)

that I am (we are) the owner(s) of the property legally described as 22-02-00-200-124.000-002  
(Floyd County I.D. No.)

and hereby certify that I (we) have given authorization to The Elder Co., LLC,  
(name of Petitioner & Representative)

to apply for the Subdivision Control Variance/Modification for my (our) property.

Name of Owner(s):	Parcel I.D. No:	Signature:	Date:
Marilu Linderman	22-02-00-200-124.000-002	<i>Marilu Linderman</i>	6/11/2024

STATE OF Indiana )  
COUNTY OF Floyd ) SS:

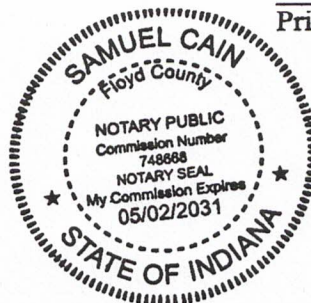
Subscribed and sworn to before me, a Notary Public within and for said County and State,  
this 11th day of June, 2024.

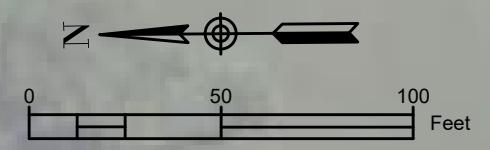
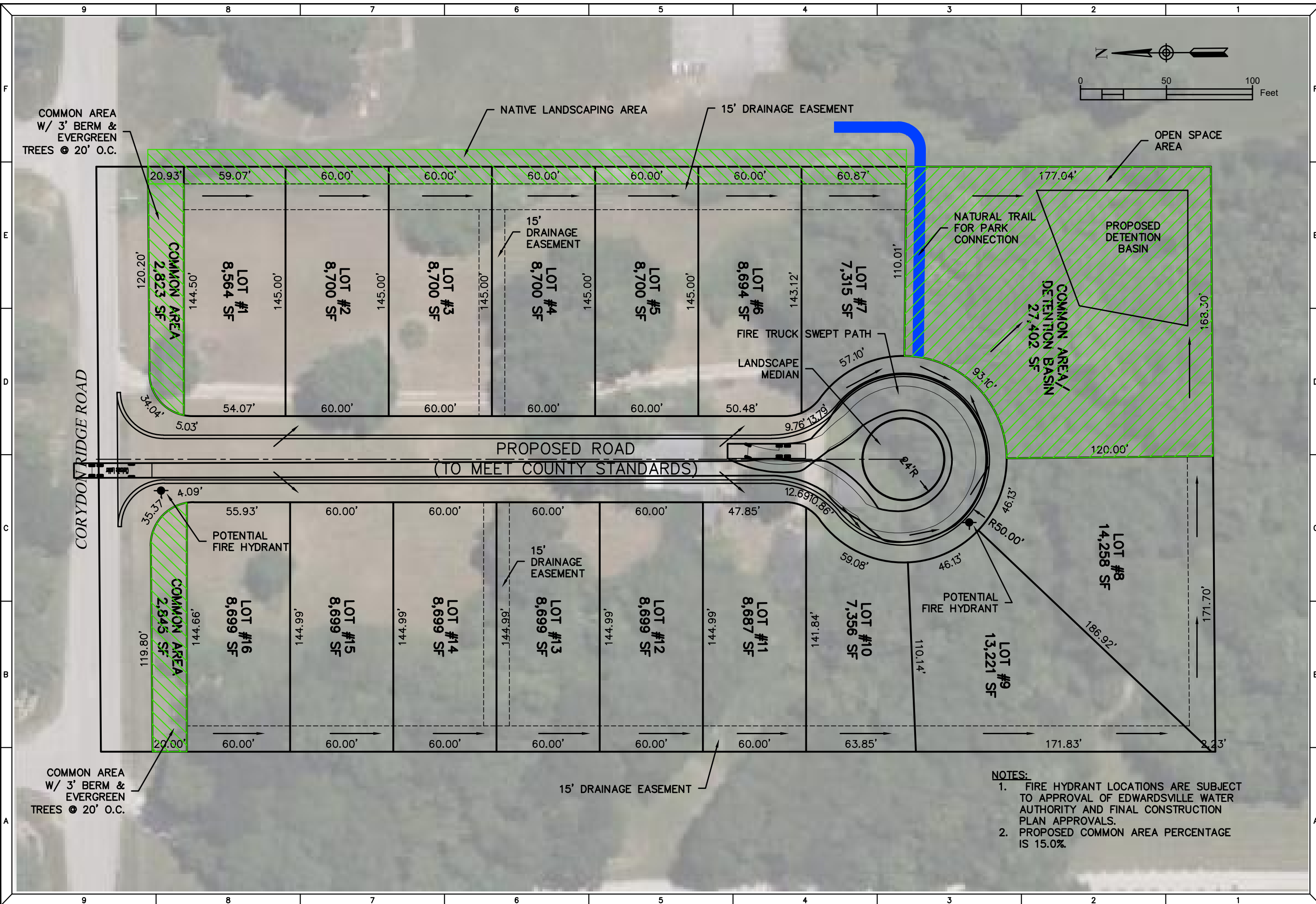
MY COMMISSION EXPIRES:  
05/02/2031

MY COUNTY OF RESIDENCE:  
Floyd

*Samuel Cain*  
Notary Public

*Samuel Cain*  
Printed Signature





Revision	Date	By
4:		
3:		
2:		
1:	06/25/2024	JMC

**SITE SKETCH**  
 ELDER COMPANY  
 CORYDON RIDGE ROAD  
 GEORGETOWN, IN  
 FLOYD COUNTY

301 E. CHESTNUT ST.  
 CORYDON, IN 47112  
 TEL: (812) 738-4124  
 FAX: (812) 738-6740



PAUL PRIMAVERA & ASSOCIATES

Date: 06/05/2024  
 Drafted By: JMC  
 Checked By: DAS  
 Directory: T:\2024\24890\  
 File: 24890SKETCH3.  
 Job No.: 24-24890  
 Drawing No.  
 1 OF 1

- NOTES:**
- FIRE HYDRANT LOCATIONS ARE SUBJECT TO APPROVAL OF EDWARDSVILLE WATER AUTHORITY AND FINAL CONSTRUCTION PLAN APPROVALS.
  - PROPOSED COMMON AREA PERCENTAGE IS 15.0%.





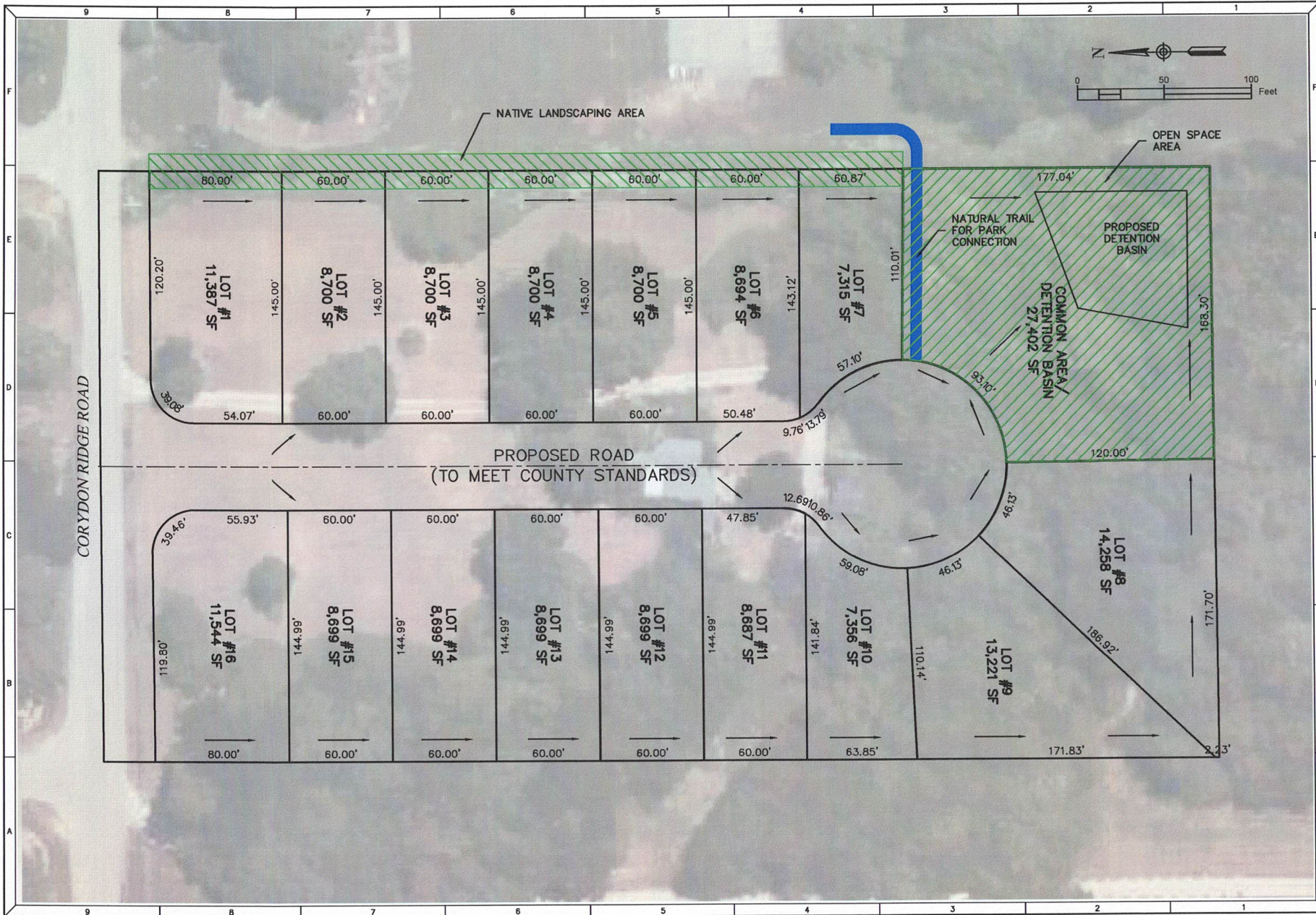
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 GEORGETOWN, IN  
 FLOYD COUNTY

301 E. CHESTNUT ST.  
 CORYDON, IN 47112  
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 FAX: (812) 738-6740

**PAUL W. AMERSON & ASSOCIATES**

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**DENSITY CALCULATION:**

TOTAL LOT AREA: 220,283 S.F.  
 ROADWAY AREA: -40,821 S.F.  
 REMAINING AREA: 179,462 S.F.

PROPOSED BY-RIGHT ZONE: RS  
 BY-RIGHT LOT SIZE: 12,000 S.F.

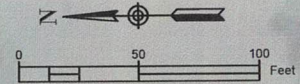
BASE DENSITY:  $\frac{179,462 \text{ S.F.}}{12,000 \text{ S.F.}} = 14.96$

**BONUS DENSITY:**  
 NEED 5% =  $14.96 \times 1.05 = 15.70 \sim 16$

LOT AREA  
 179,462 SF

PROPOSED ROAD

ROADWAY  
 40,821 SF



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1:		

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 6527 CORYDON RIDGE ROAD  
 GEORGETOWN, IN  
 FLOYD COUNTY

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