

## APC MINUTES

APRIL 18, 2017

Members present: Julie Elsbury, Paula Keister, Phil DeHaven, Jim Hufford, John Reece, Gary Girton, Andy Fahl, and Bryn Albertson. Rex Amburn, Adrian Moulton

Members absent: Don Calhoun, Leesa Friend, Bob McCoy

Legal Representation: Jason Welch

Staff Present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Ed Thornburg, Darrel Radford

Secretary Phil DeHaven opened the April 18, 2017 meeting of the Area Planning Commission at 7:00 pm.

Secretary DeHaven: Hello everyone, my name is Phil DeHaven, I am the secretary of this group and I'd like to welcome everyone to the April 18, 2017 meeting of the Randolph County Area Planning Commission. In the absence of the President and the Vice-President I'm it. Let's start with the agenda. We are looking for the approval of the minutes from the last meeting of February 28, 2017 as we did not have a meeting last month. Everyone has had a chance to read the minutes of the last meeting I presume? Do we have a motion to accept the minutes as presented? We do have a motion and a second to accept the minutes as presented, all those in favor signify by saying aye, those opposed, minutes are approved. Now, the first item on the agenda tonight is APC2017-11-Z, Matthew Dirksen.

R. Abel: Can we skip it and go to the other items and give him a minute to get here?

Secretary DeHaven: We can do that. You may proceed. Mr. Abel, you will be talking about the 4-H animals committee.

R. Abel: We have been busy with the Subdivision Ordinance, so we have not met. I do have some papers here for those of you who are on the committee, Bob and Don are gone, so that leaves Julie, Andy, and there's a lady from Ridgeville Linda Hunt, and myself. So, before you leave if you are on that committee, this is something that gives areas to raise these different animals. I think we probably ought to try to get something from Purdue that lists these items as well. Another thing I want to talk about I mentioned last time taking a higher zoning district down to a lower zoning district with just administrator's approval, and that's not going to work. I made a few phone calls and if you change any kind of zoning you must give notice and have a hearing, so that won't work. The second best option I think we've got is instead of spot zoning, we need to add more items to conditional use. That way when you want to put a car lot in ag for example, when it closes after a year it would revert back to ag. Also, if you make them apply for a conditional use, and the business would sell, they would have to come back again and apply for a conditional use. And so I think that would solve the problems in the future anyway. I got on the map and turned on zoning and there's probably 10 or 15 spot zones that are probably similar to the one that we are trying to do tonight. We probably ought to set up another

committee to decide what we want to put into conditional use. There are some things we probably don't want to put in there, like in C-1 we wouldn't just say put all that in conditional use in ag, I'm not sure I'd go that far. But there's obviously some things even in C-3 I think, like car lots, I don't have a problem putting them in most ag areas. And it's going to come before the board anyway, because it's a conditional use, so there's going to be oversight, before it's approved. So, I really think that would be a pretty good solution to the spot zoning problems that we have. Some of the other things listed on there, I have not checked on the GIS map as the official map, as opposed to the maps on the walls. Because quite frankly they just were not kept up to date very well, we are finding all kinds of errors on them. It's pretty hard for us when somebody comes into the office and they look at the map and say "look, it's right there, it says it's manufacturing", when in fact it's residential. So, we really need to try to update, and for the last year or so we have been working hard to update the GIS map, so all the corrections we have made have been made to that instead of the paper maps. And lots of these others are to just change definitions to align with the new Subdivision Ordinance. So we can discuss that after the Subdivision Ordinance takes effect. It is scheduled for the third reading and once that passes we can address some of these definitions and getting them changed in the UZO so they are aligned. Right now we are busy sending out notices to the local surveyors, attorneys and title companies to let them know of the changes being made to the Subdivision Ordinance. So that's going to take the next couple of weeks to get that done.

J. Hufford: So all the cities and towns have approved it?

R. Abel: Three I think at this time. So, it depends on when their meeting dates were.

J. Hufford: And how long it draws out for.

R. Abel: So, the final thing was, and I don't know if this has to be put in the zoning ordinance, but any time we have a residence that is on a C-1 or a C-2 we treat the setback as if it's in residential. So we are assuming if you have a house there you want to maintain the setbacks that you would in a regular residence. That's the way we have been treating it but there is nothing specifically stating that in the ordinance. I think it's something we should consider changing when we make these other changes. If you are a business and there is a residence next to you, you could build right on the line and be really close to a home. So if there was a business next to something residential, they would have to acknowledge those same setbacks as the residential. So the commercial has to maintain the 15' from the side. Otherwise if there is just commercial and no residential they can just build right to the line, and that gets pretty tight in there.

Secretary DeHaven: Are there any questions about any of the items or questions for Randy? We appreciate all the work you guys are doing on this. It always seems like there's something to be done. Now, at my house lately it seems that the Home and Garden channel is on frequently and a new thing seems to be coming into popularity, and that's the tiny house.

D. Johnting: We have been getting requests for those, and our records show that in the past variances have been given out occasionally for a house smaller than 950 square feet, not necessarily for a tiny house. We have had several calls and we have told them 950 square feet.

R. Abel: And we don't know that what they did in the past was correct. When it says shall not it means no exception.

E. Thornburg: After we talked about this a couple of days ago, I have been giving this some thought. And in going to some of the sites I worked on this weekend, I would suggest that if we do let someone put one of these homes on a building site that we require a minimum septic system for a two bedroom house. That way, when they are done with their camper, and want to put a real house in they don't have to upgrade the septic system to make it work. Then we can go back to the same setbacks and septic regulations as a two bedroom house, and at least you have a useable lot when they are done.

J. Hufford: And they would fall under the same zoning ordinances as home building, they must have a two acre lot outside the city limits, this type of thing, unless they are going to put it into a trailer court or something like this it's actually set up for that. Then I could see otherwise, but they fall into the ordinance just like everybody else.

E. Thornburg: That would keep it fairly simple.

R. Abel: Do we want to set up a committee to look over the ordinance and conditional uses, and adding the extra items that were missed such as gas station, etc.?

Secretary DeHaven: You can put me on there for this one.

R. Abel: Ok. And I think something we can do is look at other ordinances from other counties and get a little better idea. I have looked at several and they have a lot more complete list than we do. I think that will help us. Anyone else want to volunteer?

J. Hufford: My problem is when are we going to meet? I can go on the committee but that will be my biggest problem.

R. Abel: Well, we have two. We could volunteer Don and Bob....that will teach them.

Secretary DeHaven: Well, at least you have two of us. Any old business to be brought before the group? Any new business to be brought before the board.

J. Hufford: On this committee, does it have to be members or can we get others to serve? Because I think the County Surveyor would be good.

Secretary DeHaven: Yes, he would. He would be excellent.

R. Abel: No, it can be anyone. I'll let him know tomorrow.

J. Hufford: You can inform him when he comes back in the room.

Secretary DeHaven: Well, we will wait a second and see what Ed can find out from Mr. Dirksen. We will take a short recess while we wait a few minutes for Mr. Dirksen. We will be off the record while he gets here.....Ok, we are back and let's get to the last item on our agenda and that is APC2017-11-Z, Matthew Dirksen. Come on down.

M. Dirksen: I want to apologize first, I kind of zoned out planting oats, so I am so sorry.

Secretary DeHaven: You have received the information from the office there that you needed?

M. Dirksen: Yes, I did. I think everyone is aware of what I am wanting to do here. I purchased 5 acres from Jeff Wilson. He wanted to sell cars and work on cars on that location. He had part of it rezoned so he could do that. Since then his house burned down and he sold the property to me. I am trying to bring everything back to ag use.

Secretary DeHaven: Are there any questions for Mr. Dirksen? Is there anyone in the audience who has a question about this. If not I will ask for a roll call vote. Everyone in favor say aye. Opposed. Debra will you poll the board?

D. Johnting: Julie Elsbury, aye, Adrian Moulton, aye, Rex Amburn, aye, Paula Keister, aye, John Reece, aye, Andy Fahl, aye, Gary Girton, aye, Phil DeHaven, aye, Jim Hufford, aye, Bryn Albertson, aye, and Bob McCoy, Don Calhoun and Leesa Friend are absent. Favorable recommendation.

M. Dirksen: Thank you very much. I apologize again for being late. Thank you.

D. Johnting: You will need to be at the Commissioners meeting on May 1, 2017.

M. Dirksen: You call me Ed?

Secretary DeHaven adjourned the meeting and thanked everyone for coming.

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President, Don Calhoun

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Vice President, Bob McCoy

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Secretary, Phil DeHaven

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Recording Secretary, Debra Johnting