

**Shelby County Plan Commission
Meeting Minutes
Tuesday
January 22, 2019**

Members Present:

Terry Smith
Taylor Sumerford
Chris Ross
Kevin Carson
Scott Gabbard
Doug Warnecke

Members Absent:

Steve Mathies
Charity Mohr
Mike McCain

Staff Present:

Desiree Calderella – Planning Director
Mark McNeely – Plan Commission Attorney

Call to Order and Roll Call:

Doug Warnecke called the January 22, 2019 meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

Election of Officers:

Chris Ross made a motion to keep the current slate of officers: Doug Warnecke President, Kevin Carson Vice President, and Scott Gabbard Secretary. Kevin Carson seconded that motion. It was approved 6-0.

Attorney Contract:

Chris Ross made a motion to approve the 2019 attorney contract and Kevin Carson seconded that motion. It was approved 6-0.

PC Appointment to the BZA:

Chris Ross made a motion to appoint Doug Warnecke to the BZA and Kevin Carson seconded that motion. It was approved 6-0.

Approval PC Meeting Calendar:

Kevin Carson made a motion to approve the 2019 meeting calendar and Terry Smith seconded that motion. It was approved 6-0.

Approval of Minutes:

Approval the minutes from the November 27, 2018 meeting was continued to the February 26, 2019 meeting due to lack of quorum.

Public Hearings:

Doug Warnecke began the public hearing portion of the meeting by explaining the proceedings for the petitions.

New Business

RZ 19-01 – SANDEFUR REZONING: Rezoning of 4.05 acres from the OP (Open Space & Parks) District to the RE (Residential Estate) District to allow for a Simple Subdivision. The property is located in Washington Township at the address 1503 Vandalia Rd., Flat Rock.

Desiree Calderella read the petition into the record and stated that Staff recommends approval of the petition.

Bob Morris represented the petitioner. He explained that the petitioner planned to subdivide the property into two lots. He indicated that the remaining tract would remain open space.

The board opened the hearing for public comment. None was heard. The Board closed the public comment portion of the hearing.

Q: Doug Warnecke – Will the lots include new construction?

A: Bob Morris – One lot would include the existing single-family residence and the petitioner planned to sell the other lot for development of a single-family residence.

Kevin Carson made a motion to vote on the petition and Chris Ross seconded that motion. It was approved 5-0, with Taylor Sumerford abstaining.

The Board adopted the following findings of fact:

1. The request is consistent with the Shelby County Comprehensive Plan.
2. The request is consistent with the current conditions and the character of current structures and uses in each district.
3. The request is consistent with the most desirable use for which the land in each district is adapted.
4. The request is consistent with the conservation of property values throughout the jurisdiction.
5. The request is consistent with responsible development and growth.

SD 19-01 – SANDEFUR'S FLAT ROCK SIMPLE SUBDIVISION: Primary Plat approval of a 2-lot residential subdivision at a density of one lot per 2.025 acres. The property is located in Washington Township at the address 1503 Vandalia Rd., Flat Rock.

Desiree Calderella read the petition into the record and stated that Staff recommends approval.

There was no comment from the petitioner or the public.

Kevin Carson indicated that he supported the petition because the development would not result in the loss of farmland.

Kevin Carson made a motion to vote on the petition and Chris Ross seconded that motion. It was approved 5-0, with Taylor Sumerford abstaining.

W 19-01 – HARMON WAIVER: A waiver to allow for to allow for subdivision of a 5.46-acre parent tract into a 3.46-acre lot and a 2-acre lot (minimum 6-acre parent tract required). The property is located in Brandywine Township at the address 3141 N 425 W, Fairland.

Desiree Calderella read the petition into the record and stated that Staff recommends denial of the petition.

Thomas Harmon indicated that he requested to split his property to allow his son to build a new house. He indicated that the property had frontage on two roads and that the portion of the property where his son plans to build currently includes a soy bean field.

The board opened the hearing for public comment. None was heard. The Board closed the public comment portion of the hearing.

The board had a general discussion concerning the 6-acre parent tract requirement.

Kevin Carson made a motion to vote to approve the petition. He indicated that if the board approved the petition, the approval should not set a precedent for future waivers from the 6-acre minimum parent tract requirement and that the unique circumstances warranting the approval of this petition should include the following:

- The lot and previously developed rural neighborhood would likely not return to farmland. Therefore, approval of the waiver would not interfere with the goals of conservation of farmland and natural resources identified in the Comprehensive Plan.
- The lot has frontage on two roads.
- Generally, the minimum 6-acre requirement should apply to vacant property including farmland and natural resources rather than developed property.
- The addition of one lot to a developed six-lot neighborhood would not significantly alter the character of the neighborhood.

Chris Ross seconded that motion. It was approved 6-0.

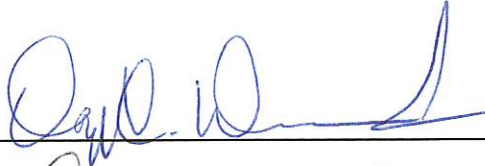
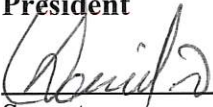
Discussion:

Small Cellular Facilities

The Board and Staff had a discussion concerning regulation of small cell facilities. The Board expressed a desire to have regulations pertaining to the positioning of small cell facility poles in the right-of-way. However, the Board generally did not want to restrict the construction or location of small cell facilities in the event that the facilities could provide increased internet access in the future. Staff stated that they would provide a draft small-cell ordinance at the next Plan Commission meeting.

Adjournment:

With no further business to come before the Board, Chris Ross moved to adjourn, and Doug Warnecke seconded the motion. The meeting was adjourned.

 _____	26 MAR 19
President	Date
 _____	3/26/19
Secretary	Date