

## **MCPCC - Minutes May 14, 2024 Board Minutes**

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

Members Present: Olivia Pratt, Mark Gary, John Simmermon, Tom Shepherd, Denise Spooner, Lindsay Brown, Michael Pelsor and Jerry Alexander

Members Absent: Rob Steele

Also Present: Larry Strange - Director, Jeff Graham – County Attorney, and Nikki Wood – Board Secretary

### **Current Business**

1. Prayer – Jerry Alexander
2. Pledge of Allegiance
3. Roll call: 8 members present, 1 absent – Rob Steele
4. Approval of the April 9, 2024 Board Minutes – Member Brown made a motion to approve the April 9, 2024 minutes, seconded by Member Pratt. Voice call was unanimous. **Motion approved**

### **Old Business**

No old business

### **New Business**

1. Petition: 2024-Z-002  
Address: 4930 North State Road 9  
Location: Richland Township  
Petitioner: Pete Schmitt  
Landowners: Pete Schmitt  
Zoning: GC – General Commercial  
Request: A Rezone from GC to HC

Director Strange presented petition 2024-Z-002. The petitioner would like to rezone to Highway Commercial to allow auto sales and services as a permitted use. Staff recommendation is to forward this petition to the Board of Commissioners with a favorable recommendation. The petitioner spoke and briefly explained he's rezoning to eliminate a hurdle for his tenants. There was discussion amongst the board and Director Strange on the current zoning and surrounding businesses. Member Pelsor made a motion to approve 2024-Z-002 with the findings of fact, seconded by Member Alexander. Roll call was unanimous. **Motion approved**

### **FINDINGS**

## MCPC - Minutes May 14, 2024 Board Minutes

1. The Madison County Comprehensive Plan and any other applicable, adopted planning studies or reports - The proposed project is consistent with the comprehensive plan.
  2. The current conditions and the character of current structures and uses in each district – The proposed project will not negatively affect the current character of the neighborhood as it will represent continuation of a similar use.
  3. The most desirable use of which the land in each district is adapted – Given the presence of a state road and other commercial, this is desirable use.
  4. The conservation of property values throughout Madison County – There could be negative impacts on property value if the intersection is seen as so congested as to discourage people from going there.
  5. Responsible growth and development – This petition represents logical growth and development.
2. Petition 2024-W-001 was withdrawn.
3. Petition: 2024-W-002  
Address: 4193 Alexandria Pike  
Location: Richland Township  
Petitioner: Amanda Inholt  
Landowners: Amanda Inholt  
Zoning: R2 – Single Family Residential and GC – General Commercial  
Request: waiver of width to depth ratio

Director Strange presented petition 2024-W-002. Staff recommendation is to approve with the condition that the Board of Commissioners approve the rezone from General Commercial to R2 – Single-Family Residential. Kathy from Ashton Land Surveyors spoke and answered questions from the board. Member Alexander made a motion to approve 2024-W-002 as recommended, seconded by Member Brown. Roll call was unanimous. **Motion approved**

### FINDINGS

1. The Madison County Comprehensive Plan and any other applicable, adopted planning studies or reports: *This project is not inconsistent with the Comprehensive Plan.*
  2. The current conditions and the character of the current structures and uses in each district: *The project matches the current structures and uses of the adjoining properties and district.*
  3. The most desirable use of which the land in each district is adapted: *This use does not conflict with agriculture.*
  4. The conservation of property values throughout Madison County: *No negative impact.*
  5. Responsible growth and development: *No negative impact.*
  6. The public health, safety, and welfare: *No negative impact.*
4. Petition: 2024-Z-003  
Address: 4193 Alexandria Pike  
Location: Richland Township  
Petitioner: Amanda Inholt  
Landowners: Amanda Inholt  
Zoning: GC – General Commercial  
Request: Rezone GC – R2 to bring into compliance

Director Strange presented petition 2024-Z-003. Staff recommendation is favorable. Member Spooner made a motion for a favorable recommendation to the Board of Commissioners for petition 2024-Z-003, seconded by Member Brown. Roll call was unanimous. **Motion approved**

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### FINDINGS

1. The Madison County Comprehensive Plan and any other applicable, adopted planning studies or reports -  
The proposed project is consistent with the comprehensive plan.
  2. The current conditions and the character of current structures and uses in each district – The proposed project will not negatively affect the current character of the neighborhood as it will represent continuation of a similar use.
  3. The most desirable use of which the land in each district is adapted – Residential is a desired use in this district.
  4. The conservation of property values throughout Madison County – This petition should have no negative impact on property values as the use will remain unchanged.
  5. Responsible growth and development – This petition represents logical growth and development.
5. Petition: 2024-W-003  
Address: 3083 E 450 N  
Location: Richland Township  
Petitioner: Brenda Vest  
Landowners: Brenda Vest  
Zoning: AG - Agriculture  
Request: Split 2 acres from a parcel with less than the required 6 acres to split

Director Strange presented petition 2024-W-003 and read a letter of remonstrance with concerns of future drainage issues. Director Strange saw no issues on the flood maps and checked with the surveyor's office. They have not received complaints of drainage issues in this area. Staff recommendation is to approve this petition. Member Simmermon questions if there is an outlet there to drain if needed and Member Shepherd said there is an outlet to the west and he spoke to a previous property owner years ago about past drainage issues on this property. Member Simmermon brought up the possibility of the petitioner not being able to get septic approval and having an unbuildable lot. Petitioner explained intent and spoke about low spots where water sits on the property. He indicated on the map where there is a swale on the east side of the property. Member Shepherd asked if the petitioner noticed any flooding on the property to which he said only one area and indicated on the map west of his house, east of where the proposed house will be. Member Brown asked for a visual layout of where the house will be but the petitioner doesn't have plans drawn out yet. A remonstrator who lives to the west spoke about concerns of flooding on her property if the petitioner builds. Another remonstrator, which is the neighbor to the south, spoke of past flooding issue, ponding that used to happen and past attempted use of this parcel. The petitioner's son spoke to explain the intents and plans of added help with drainage to not burden the neighbors with flooding. There was more discussion between the board and Attorney Graham. Kathy with Ashton Land Surveyors spoke about the split and what happens with the parcels from a surveyor standpoint. Member Spooner made a motion to approve 2024-W-003 with the findings of fact from the staff report, seconded by Member Alexander. Roll call was 7 approve, 1 abstain – Lindsay Brown. **Motion approved**

### FINDINGS

1. The Madison County Comprehensive Plan and any other applicable, adopted planning studies or reports:  
*This project is not inconsistent with the Comprehensive Plan.*
2. The current conditions and the character of the current structures and uses in each district: *The project matches the current structures and uses of the adjoining properties and district.*
3. The most desirable use of which the land in each district is adapted: *This use does not conflict with agriculture.*
4. The conservation of property values throughout Madison County: *No negative impact.*
5. Responsible growth and development: *No negative impact.*
6. The public health, safety, and welfare: *No negative impact.*

**Miscellaneous:**

Director Strange gave an update on the Development standards. The Planning Dept is working with HWC Engineering to develop the standards which will be reviewed with architects, developers, and community groups in Madison County for feedback then will be brought back to the Planning Commission this summer.

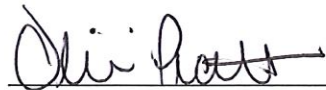
Board of Commissioners passed the shipping container ordinance with the request that we look at the footing situation between concrete pad, concrete piers and gravel pad. We're working with people to figure out what people can do. People are starting to call about shipping container requirements.

BZA denied Lone Oak's petition for a deadline extension in 2022. Lone Oak then filed a petition with the IURC to take jurisdiction out of the county's hands and in the state's hands. County was successful. As with the trial court the IURC hearing is appealable to the Indiana Court of Appeals. Last week, Lone Oak filed a brief with the IURC. It appears that Lone Oak is seeking to have county control taken away from counties on solar matters. It was not successful at the state legislature. The County is represented by Kevin Koons. Madison County will file a response brief within 30 days of last week.

**Adjournment:**

Member Spooner made a motion to adjourn, seconded by Member Simmermon.

**Meeting Adjourned 10:15:53.**



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Olivia Pratt, President



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Nikki Wood, Board Secretary