

MCPC - Minutes July 9, 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, Denise Spooner, Jerry Alexander, Tom Shepherd, and Michael Pelsor

Members Absent: Rob Steele, John Simmermon and Lindsay Brown

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: 6 members present, 3 absent – Rob Steele, John Simmermon and Lindsay Brown
4. Approval of the June 11, 2024 Board Minutes – Member Alexander made a motion to approve the June 11, 2024 minutes, seconded by Member Shepherd. Voice call was unanimous. **Motion approved**

New Business

1. Petition: 2024-W-004
Address: 3691 E State Road 38
Location: Adams Township
Petitioner: Gurdev Singh
Landowners: J & J Capital Group LLC
Zoning: AG – Agriculture
Request: Width to depth relief

Director Strange presented the staff report for petition 2024-W-004 with a staff recommendation to approve this waiver. The petitioner was not present. Member Alexander made a motion to approve 2024-W-004 based on the Staff Findings, Member Gary seconded. Roll call was unanimous. **Motion approved**

FINDINGS OF FACT

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.

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6. **The public health, safety, and welfare:** No negative impact.

2. Petition: 2024-Z-005
Address: 701 Layton Road
Location: Jackson Township
Petitioner: Therese Brown
Landowners: Philip & Therese Brown
Zoning: CR – Conservation Residential
Request: Rezone to LC – Local Commercial for an event center

This petitioner, Therese Brown, 2024-Z-005 requested a continuance until August 13, 2024 to consult with their attorney. Motion Alexander made a motion to continue, Member Gary seconded. Voice call was unanimous. **Motion approved**

3. Petition: 2024-Z-006
Address: 0 Reformatory Road (48-15-35-400-035.000-014)
Location: Green Township
Petitioner: Bently Construction LLC
Landowners: Pamala Owens
Zoning: AG – Agriculture
Request: Rezone to R3 – Single-Family – Residential to build a duplex

4. Petition: 2024-Z-007
Address: 0 Reformatory Road (48-15-35-400-036.000-014)
Location: Green Township
Petitioner: Bently Construction LLC
Landowners: Pamala Owens
Zoning: AG – Agriculture
Request: Rezone to R3 – Single-Family – Residential to build a duplex

Director Strange read a letter of remonstrance in opposition to the board then presented the staff report for petition 2024-Z-006 and 2024-Z-007. Staff recommendation is to forward this rezone with a favorable recommendation to the Board of Commissioners. The petitioner's representative, John Cross, spoke to explain the plans for the duplexes. Bentley Construction is in contract with the landowner to purchase these parcels to build a duplex on each lot – 3 bedrooms, 2.5 bathrooms. Each duplex will have a shared driveway. The petitioner, JD Hobbs, explained the duplexes will be built 10 feet back from the front setback for parking. Member Spooner mentioned a concern with the amount of parking for a 3 bedroom. Member Spooner asked why not build a single family home to which JD responded that the investment group wants to use the duplexes as rentals. Member Alexander asked if the intent is to have these on low income housing or market rent. JD says that based on what they are selling for at \$400k - \$420k each, a lower rent or government subsidized doesn't fit in to pay the monthly mortgage for the investor. Attorney Graham asked JD if a single driveway can be added as a commitment to the ordinance and the project will be substantially similar to the plans that were submitted to the board today. John Cross asked that as long as there is no concern that it can be pushed back if needed for parking. Member Pelsor asked about the 2 parcels to the east with the buildings close together. Member Alexander asked about the side setbacks. R3 is 5 feet on each side. JD stated the duplexes are 15 feet at each side. Member Pelsor confirmed the height of the duplex will not exceed 35 feet. Member Shepherd asked if the parking is big enough to park 3 cars. JD said the parking is 20 feet wide but can be larger if deemed necessary by expanding closer to the road or pushing the building back. The driveway will be gravel. Green Township Trustee, Greg Valentine spoke. He asked who will share the expense for maintaining the driveways. JD stated the property owner will maintain. Mr. Valentine doesn't see any issues with this project. The remonstrator

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whose letter Director Strange read was present and spoke. He is even less in favor of this project after hearing the investor is out of state. He would like these properties to have single-family, 1 story homes. He is concerned with a parking lot next to his kids' bedrooms, privacy and safety of parking. Member Pelsor asked about privacy on the other side of his parcel due to not much space between homes. A second remonstrator, son of owner selling the property, is in favor of the duplexes. John Cross responded to concerns of the first remonstrator. Member Alexander states the Comprehensive Plan recommends additional residential activity and based on that the fact that it doesn't violate the Comprehensive Plan in any way and it has a favorable recommendation from staff, he makes a motion to pass to the Board of Commission with a favorable recommendation with the conditions that were mentioned for 2024-Z-006 and 2024-Z-007, seconded by Member Gary. The commitments are 1. single shared driveway on both parcels, and 2. the project will be substantially similar to the plans that were submitted today with the possibility that they could moved slightly back. Roll call was taken. 4 – yes, 2 no – Denise Spooner and Tom Shepherd. **Motion tabled to next meeting.**

Miscellaneous

1. Text Amendment – Development Standards

Director Strange presented his staff report. *"The current zoning ordinance has does not have specific standards relating to design, placement, materials, etc. used for homes in major subdivisions. This ordinance for Architectural Standards for Residential dwellings applies to:*

- *New single-family dwelling units within a subdivision containing 5 or more houses, or*
- *Attached residential buildings containing up to 6 dwelling units within a building (e.g. duplexes, triplexes, quadplexes, or small apartment buildings).*

As noted above, the standards were developed at the commissioner's request with the primary intent to provide direction to developers in Madison County. During the development of the standards (who were prepared by HWC Engineering and Civic Blueprint), the idea of promoting harmonious design for stand-alone shared-wall structures proposed in the county.

If adopted, the standards will be placed in the Madison County Zoning ordinance on page 144B.

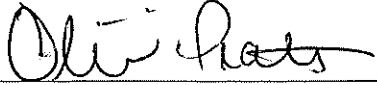
These standards were distributed to township supervisors, members of local community development groups, and others and were advertised in a public hearing as required by Indiana code.

Staff recommendation is to forward this petition to the Board of Commissioners with a favorable recommendation. Greg Valentine, Green Township Trustee, shared his concerns with vinyl siding in regard to fires. Hardie Board is nearly fire resistant. The recommendation from the architects is a higher grade vinyl as an option. Attorney Graham does not recommend an outright ban on vinyl due to the Fair Housing Act. Member Spooner asked for a provision for so much distance between homes if vinyl is used. Member Pelsor asked if it could be placed in the code that the vinyl not be used on adjacent houses. There was more discussion on vinyl and fire protection. Member Pelsor made a motion to forward to the Board of Commissioners with a favorable recommendation, seconded by Member Shepherd. **Motion approved**

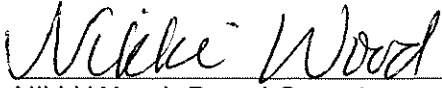
Adjournment

Member Spooner made a motion to adjourn, seconded by Member Shepherd. Meeting adjourned at 10:04:32

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Olivia Pratt, President



Nikki Wood, Board Secretary