

PLANNING AND DEVELOPMENT COMMITTEE MEETING
October 19, 2015

Members Present:

Jack Minner
Kelly Tracy
Brad Maxwell
Helen Hawkins
Brenda Roosevelt
Robert Pollard

Members Absent:

Bill Meyer

Others Present:

Matt Brandmeyer
Derek Jackson
Tom Hawkins
Emily Fultz
Andi Yancey
Gay Tipsword
Allan Tipsword
Calvin Haberer
Steve Stevenson

Approval of Minutes:

The meeting was called to order by Pro-Tem Chairman Jack Minner.

Brenda Roosevelt made a motion to approve the minutes from September 14, 2015. Seconded by Kelly Tracy. Voice vote. All ayes. Motion approved.

Planning Coordinator's Report:

Derek Jackson presented the Committee with new information on file Z15-0079, the petition of Allan and Gay Tipsword to locate three (3) accessory buildings in the front and side yard setback areas, which was tabled at the September meeting.

Derek then presented two (2) minor subdivision plats to the Committee, McKinney Place and Hausman Subdivision. Derek stated McKinney Place was a one (1) lot minor subdivision, separating a farm homestead from the 38 acre parent lot which will remain in row cropping. Derek reported that the subdivision met all minimum zoning requirements and that the plat would contain a certificate requiring all future septic surface to be subsurface. Derek went on to present Hausman Subdivision, a two (2) lot minor subdivision that also meets all of the minimum requirements put forth in the Madison County Subdivision Ordinance. Brad Maxwell inquired about an accessory structure located too close to the north property line, and staff stated they would need to contact the applicant to learn more about the structure's use and precise proximity to the property line.

Derek concluded by presenting a summary of Butch and Linda Haberer's request for an amendment to the Conditions of Approval for SUP Z09-0056. Derek explained that the SUP was reviewed and approved in 2009

with a lot of public input and participation, and that the applicants are now seeking to amend a Condition of Approval which would void the SUP upon any change in ownership.

Citizens Wishing to Address the Committee:

Allan Tipsword, property owner at 12701 Niggli Road in Highland, spoke on behalf of his petition for a zoning Variance allowing him to continue locating three (3) portable accessory buildings in the front yard setback area, six feet (6') from the side property line. Mr. Tipsword said that the sheds do not encumber the view of passing traffic and cause no harm or issues, explaining that the adjoining corn field causes more obstruction than any of his buildings. Mr. Tipsword also cited medical challenges, both physical and mental, should he be required to move the sheds. Gay Tipsword also spoke in support of their petition.

Calvin Haberer, property owner at 8819 State Route 162, spoke on behalf of his request to amend the ownership condition of his Special Use Permit, stating that the establishment provides a service to the community and has worked diligently not to be a nuisance in the area.

Old Business:

Brenda Roosevelt made a motion to approve the Resolution, Zoning Board of Appeals' Findings of Fact, and Recommendations for Z15-0079. Seconded by Kelly Tracy. Voice vote. All ayes. Motion approved.

New Business:

Kelly Tracy made a motion to approve McKinney Place – Minor Subdivision. Seconded by Robert Pollard. Voice vote. All ayes. Motion Approved.

Brad Maxwell made a motion to table Hausman Subdivision – Minor Subdivision Plat for thirty (30) days. Seconded by Kelly Tracy. Voice vote. All ayes. Motion Approved.

Kelly Tracy made a motion to approve the Amendment to Z09-0056 Special Use Permit Conditions of Approval. Seconded by Brad Maxwell. Voice vote. All ayes. Motion approved.

Brenda Roosevelt made a motion to approve the Resolution Authorizing Environmental Grant FY2015 Additional Funding for Grant Proposals. Seconded by Kelly Tracy. Roll call vote. All ayes. Motion approved.

Brenda Roosevelt made a motion to approve the Purchase Order Report. Seconded by Kelly Tracy. Roll call vote. All ayes. Motion approved.

Administrator's Report:

Matt Brandmeyer said as applications start to slow down for the winter months, staff would use the time make updates and amendments to zoning and subdivision ordinances. These include evaluating Agricultural commercial land uses and procedural updates to the subdivision code.

Matt said staff is still putting together information for the Comprehensive Plan update. He said over the last few years, staff has been collecting information and conducting studies. He said we've hired some consultant support but has completed a large part of the research in-house. He said the demographic profile, growth policy study, the tracking of new homes and subdivisions, private sewage complaints, stakeholder interviews, and the current neighborhood study will all go into the "Existing Conditions" chapter of the comp plan update. Matt said this is the lengthiest part of the update and identifies the "drivers" or issues for the new comp plan. Matt said that he initially requested a \$200,000 budget for the project, but he thinks it will come in much cheaper since we've been piecemealing components and completing tasks in-house. Matt said that the next step will be to form a plan commission. He said he'd like to hire a consultant to first train the plan commission and formally begin the planning process.

Matt said department staff inspected the Stunkel site last week and identified several items that are not in compliance with the agreement. Matt said the trees were planted in late July, the hottest week of the year and not within the planting season, and they died soon after. He said they haven't started on the fence, which was required to be completed at the end of September. Matt said Stunkel has also made no progress in permitting the fill project. Matt said they may have to bring the SUP revocation off the table at ZBA and pursue a remedy at Circuit Court.

Matt said no progress has been made on the Peralez issue. He said one option is to hire a civil attorney outside the state's attorney's office in order to get it before a judge.

Adjournment:

Kelly Tracy made a motion to adjourn the meeting. Seconded by Brad Maxwell. Voice vote. All ayes. Motion approved.

Meeting adjourned.