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LORI L. AUSTIN

WHITE COUNTY RECORDER

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LORI L AUSTIN

PO BOX 127 MONTICELLO, IN 47960

COVER PAGE

*Please note – This cover page has been attached to the document for recording purposes. It is a permanent part of the document and has been included in the page count.

APC MEETING – October 13, 2020

The White County Area Plan Commission met Monday, October 13, 2020, at 6:00 p.m. in the Commissioners' Meeting Room, Second Floor, County Building, Monticello, Indiana.

Board Members Present: Charles Anderson, James Annis, Abbey Gross, Ralph Hasser, Sid Holderly, Doug Pepple, Stacy Selagy and Dennis Sterrett. Absent members were: Brad Ward.

Also present were planning department representatives: Joseph W. Rogers, Executive Director, Katie Galbreath, Planning & Zoning Administrator, and Makenzie Martin, APC Attorney.

Registered visitors were: *See attached*. The meeting was called to order by APC President, Charlie Anderson.

Opening Business: APC President, Charlie Anderson asked Director Rogers if he had a recommendation for Commission Secretary. Director Rogers recommended Katie Galbreath. President asked for a hand vote of all those in favor of naming Katie Galbreath as the Commissioner Secretary. Approved unanimously, so moved.

Approval of The Minutes: There was a motion by Board Member Abbey Gross and a second by Board Member James Annis to approve the 09/14/2020 Minutes and Findings of Facts. Approved unanimously, so moved.

REZONES:

1. #1131- Owner: Floyd E & Pamela J Cooley; The subject property is identified by: APPLE KNOB ADDITION LOT 52 & 25' S HALF LOT 51; Parcel ID #91-83-30-000-002.400-013; (Tax ID #010-19240-00); Monon Township; commonly known as: 3151 E Monon Road, Monon, IN 47959. The proposed zoning map amendment involves consideration of a change of the zoning district from: B-2 (General Business) to L-1 (Lake District).

The staff did not locate any previous rezones or variances for this parcel. The applicants plan includes combing the subject parcel with an abutting parcel they own so they will have the room for the construction of a pole building in the future for personal storage.

In addition, it's the Staff's opinion that this is not a site suitable for a business designation. It is poised at the corner of Monon Road and N. Apple Knob Drive which is a poor visibility corner; it sits at a bridge entrance and is positioned in the middle of a road dip all of which create an unsafe condition for the type of traffic levels which could be created if a business were operating at the site. In addition, conversion to a business at this junction would create multiple issues related to meeting current parking standards and ingress/egress requirements. In the Staff's opinion, this conversion to a residential lake district is highly desirable.

Director Rogers stated that the had not received any citizen communications pertaining to this petition.

Pamela Cooley was in person to represent the request for rezone. Mrs. Cooley stated that she intends to combine the lots to build a pole building for storage.

Charlie Anderson asked if there was anyone in the audience that would like to speak on the request. No one stepped forward to speak in-favor or against the request.

With no additional questions, ballots were passed out by MaKenzie Martin, Attorney.

Ballot Summary:

1. The proposed rezoning is consistent with the goals, objectives, and policies of the White County Strategic (Comprehensive) Plan and any other applicable planning studies and reports, as adopted and amended from time to time. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

2. The proposed rezoning is compatible with the current conditions (e.g. existing lots, structures and uses) and the overall character of existing development in the immediate vicinity of the subject property. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

3. The proposed rezoning is the most desirable use for which the land in the subject property is adapted. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

4. The proposed rezoning will not have an adverse effect on the value of properties throughout the jurisdiction. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

5. The proposed rezoning reflects responsible standard for growth and development. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

President Anderson announced the results as follows:
8 votes cast – 8 in Favor; 0 Opposed; 0 No Recommendation

This rezone request will be certified to the appropriate legislative body with a “Favorable” recommendation.

2. #1132-Owner: Bruce A & Lisa P Barnes; The subject property is identified by: ECHO LANE ESTATES LOT 14; Parcel ID #91-83-32-000-007.006-013; (Tax ID #010-22120-06); Monon Township; The proposed zoning map amendment involves consideration of a change of the zoning district from: B-2 (General Business) to R-2 (Single and Two-Family Residential).

The subject property has historically been used for residential purposes. The purpose of this rezone is to build a pole barn for storage. The subject land was assigned a baseline zoning district assignment of A-1, General Agriculture. In 2002, at the time rezoning petition #790 was heard, Lot 14 had not been subdivided, but was included in the 2.032 acre tract that was rezoned from A-1 to B-2. The records appear to indicate this created a split zoned parcel, common practice prior to 2009. In 2007, the property was included in a subdivision plat, Echo Lane Estates. Within this plat and the associated paperwork, it appears that Lot 1 & 14 were intended to be used for general business purposes with the only restriction being that there could only be outside storage in the rear yard and the storage had to be located behind an 8’ privacy fence. The Staff considers residential development on lots near the lake and within

areas already dedicated to residential uses as being consistent with the 2017 White County comprehensive plan.

Director Rogers stated that the office did not receive any citizen communications pertaining to this petition.

Director Rogers stated this lot was in a group of rezones that were done a few years ago and that a business zoning assignment is out of character for this area.

Bruce Barnes was in person to represent the request for rezone. There were no questions from the Board for the owner.

Charlie Anderson asked if there was anyone in the audience that would like to speak on the request. No one stepped forward to speak in-favor or against the request.

With no additional questions from the Board or Audience, Attorney Martin passed out the ballots.

Ballot Summary:

- 1. The proposed rezoning is consistent with the goals, objectives, and policies of the White County Strategic (Comprehensive) Plan and any other applicable planning studies and reports, as adopted and amended from time to time. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**
- 2. The proposed rezoning is compatible with the current conditions (e.g. existing lots, structures and uses) and the overall character of existing development in the immediate vicinity of the subject property. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**
- 3. The proposed rezoning is the most desirable use for which the land in the subject property is adapted. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**
- 4. The proposed rezoning will not have an adverse effect on the value of properties throughout the jurisdiction. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**
- 5. The proposed rezoning reflects responsible standard for growth and development. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**

President Anderson announced the results as follows:

8 votes cast – 8 in Favor; 0 Opposed; 0 No Recommendation

This rezone request will be certified to the appropriate legislative body with a “Favorable” recommendation.

- 3. #1133- Owner Robert H & Darlene L Janes; The subject property is identified by: O'CONNORS RIVERSIDE ADD 40' W/S LOT E PLAT A; Parcel ID #91-73-34-000-040.300-020; (Tax ID #014-39980-00); Union Township; commonly known as: 461 E Lakeside Dr., Monticello, IN 47960; The proposed zoning map amendment involves consideration of a change of the zoning district from: B-1 (Neighborhood Business) to L-1 (Lake).**

The staff did locate one previous rezone applicable to the subject site. This parcel was previously rezoned on May 21, 1990, File # 438, from an R-2 (Single and Two-family Residential) to B-1 (Neighborhood Business). The purpose of this rezone was to open a bait and snack shop. The applicant indicated that the bait and snack shop has not been active since his purchase of the property 27 years ago.

The property is currently used for residential purposes which are not provided for in a B-1 district under these conditions. The Staff believes it is appropriate to bring this property into compliance with its current use. The current B-1 district assignment is problematic from a developmental standards point of view and leaving it zoned as B-1 could create a difficult, incompatible use to surrounding properties. In the Staff's opinion, moving to the L-1 district is the most appropriate assignment and most consistent with the 2017 Comprehensive Plan.

Director Rogers stated that the office received communication from one citizen, Mrs. Jody Depoy, seeking additional information. The staff explained that the requestor is asking for a rezone to allow future residential improvements. Mrs. Depoy expressed concern over plans for a waterside deck and the height of the proposed structure. The Staff provided Mrs. Depoy the ordinance definition of a deck and a balcony. Mrs. Depoy shared no other concerns about the request.

Robert Janes stepped to the podium to represent the request. Mr. Janes stated that he has lived on the property for 27 years, wanted to build a deck and found out it was zoned as a business.

Charlie Anderson asked if there was anyone in the audience that would like to speak on the request. No one stepped forward to speak in-favor or against the request.

With no additional questions from the Board or Audience, Attorney Martin passed out the ballots.

Prior to the vote, Board member James Annis pointed out that the ballot for this rezone #1133 was incorrect. The ballot stated that the rezone request was to change the property from B-2 to L-1, the ballot should have stated B-1 to L-1. The board members made were requested to note the correction on their ballot and initial and date the change.

Ballot Summary:

- 1. The proposed rezoning is consistent with the goals, objectives, and policies of the White County Strategic (Comprehensive) Plan and any other applicable planning studies and reports, as adopted and amended from time to time. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**
- 2. The proposed rezoning is compatible with the current conditions (e.g. existing lots, structures and uses) and the overall character of existing development in the immediate vicinity of the subject property. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**
- 3. The proposed rezoning is the most desirable use for which the land in the subject property is adapted. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None**

4. The proposed rezoning will not have an adverse effect on the value of properties throughout the jurisdiction. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

5. The proposed rezoning reflects responsible standard for growth and development. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

President Anderson announced the results as follows:
8 votes cast – 8 in Favor; 0 Opposed; 0 No Recommendation

This rezone request will be certified to the appropriate legislative body with a “Favorable” recommendation.

Charlie Anderson stated that the applicant for rezone #1134 & rezone #1135 have requested the petitions be continued until the applicant can have their variances heard by the Area Board of Zoning Appeals.

There being no further business, Commission Member, Abby Gross, made a motion to adjourn the meeting with a second from Commission Member, Doug Pepple. The meeting adjourned at 6:15 p.m.

Respectfully submitted,



Katie Galbreath, Secretary
White County Area Plan Commission



Joseph Rogers, Executive Director
White County Area Plan Commission

Document Prepared By: White County Area Plan Office Administrator, Annette Siphema "I, Annette Siphema, AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

WHITE COUNTY BUILDING & PLANNING DEPT.

2020 APC MEETING SIGN IN/OUT

Date: 10/13/2020 - 6:00 p.m. Meeting Time

Scheduled Security Officer: Ryan Glover

Printed Name	Purpose	Time In	Time Out	Signature	Phone #
Charles Anderson	APC	5:40	6:17	<i>Charles Anderson</i>	
James Annis	APC	5:50	6:20	<i>James Annis</i>	
Makenzie Martin	APC			<i>Makenzie Martin</i>	
Abbey Gross	APC	5:54	6:16	<i>Abbey Gross</i>	
Ralph Hasser	APC	5:55		<i>Ralph Hasser</i>	
Sid Holderly	APC	5:59	6:17	<i>Sid Holderly</i>	219-984-5665
Doug Pepple	APC	5:59	6:17	<i>Doug Pepple</i>	
Joseph Rogers	APC				
Stacy Selagy	APC	5:55	6:15	<i>Stacy Selagy</i>	
Michael Smolek	APC				
Dennis Sterrett	APC	5:55	6:15	<i>Dennis Sterrett</i>	
Brad Ward	APC				
DARLENE JAMES	APC	5:38		<i>Darlene James</i>	265-883-2527
ROBERT JAMES	✓	"		<i>Robert James</i>	"
Pam Cooley	APC	5:40		<i>Pam Cooley</i>	219-754-2516
Sue Pebley	APC	5:47	6:15	<i>Sue Pebley</i>	574-808-8365
Jeff Pearson	APC	5:47	6:15	<i>Jeff Pearson</i>	765-579-8044
Loren Homsey	APC	5:50	6:10	<i>Loren Homsey</i>	219-964-1054
BRUCE BARNES	APC	5:50	6:09	<i>Bruce Barnes</i>	317-223-6218
BRADY BARNES	APC	5:50	6:09	<i>Brady Barnes</i>	317-223-6218