



## JOHNSON COUNTY

Department of Planning & Zoning  
86 West Court Street  
Franklin, Indiana 46131

Phone: (317) 346-4350  
[www.co.johnson.in.us](http://www.co.johnson.in.us)

## MEETING AGENDA

Johnson County Advisory Plan Commission  
October 19, 2020, 6:00 PM  
Public Auditorium, West Annex Building  
86 West Court Street, Franklin, Indiana

### CALL TO ORDER

### ROLL CALL

### APPROVAL of MINUTES

Approval of minutes from the September 28, 2020 meeting.

### PUBLIC HEARINGS

### CONTINUED HEARINGS

None.

### NEW HEARINGS

Z-2-20. Benham & Edwards LLC. NE corner of 100 E & 300 S, Franklin. .... Page 3  
REZONING of 67 acres from the A-1 (Agricultural) zoning district to the  
R-R (Rural Residential) zoning district to allow for the development of no more than  
three minor residential subdivisions and no more than 12 buildable lots in total.

W-10-20. Rogers Waiver. SW Corner of 500 S & 725 W, Morgantown. .... Page 11  
WAIVERS of the Johnson County Subdivision Control Ordinance to provide for two  
Roadside Subdivisions, together totaling five residential lots, with lot areas of 16, 16, 10,  
10, and 8 acres. (any lot newly-created via Roadside Subdivision must be exactly two  
acres in area).

W-11-20. Wampler Waiver. 5397 Travis Road, Greenwood. .... Page 21  
WAIVER of the Johnson County Subdivision Control Ordinance to provide for a two-lot  
Minor Subdivision with one of the lots having zero feet of road frontage (minimum 50  
feet of road frontage required per lot).

M-5-20. Wampler Minor Subdivision. 5397 Travis Road, Greenwood. .... Page 29  
WAIVER of the Johnson County Subdivision Control Ordinance to provide for a two-lot  
Minor Subdivision with one of the lots having zero feet of road frontage (minimum 50  
feet of road frontage required per lot).

#### OLD BUSINESS

None.

#### NEW BUSINESS

Impact Fee Draft ..... see separate handout  
Impact Fee Proposed Resolution. .... Page 39

#### REPORTS and RECOMMENDATIONS

None.

#### ADJOURNMENT

The next meeting of the Johnson County Advisory Plan Commission is scheduled for November  
23, 2020 at 6:00 PM in the public auditorium of the Courthouse West Annex Building.

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# Staff Report

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CASE NUMBER: Z-2-20  
ADDRESS: Northeast corner of 100 E (South Nineveh Road) & 300 S, Franklin  
Parcel #s: 41-08-33-044-015.000-011 & 41-08-34-032-009.000-011  
Section 34, Township 12, Range 4  
PETITIONER: Benham & Edwards, LLC, by Stephen Huddleston

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## REQUEST

REZONING of 67 acres from the A-1 (Agricultural) zoning district to the R-R (Rural Residential) zoning district to allow for the development of no more than three minor residential subdivisions and no more than 12 buildable lots in total.

## STAFF RECOMMENDATION

Staff recommends **approval** of this request, subject to the following commitments:

1. A "right to farm" declaration shall be signed and attached to the plat.
2. The property may be subdivided into a maximum of three minor subdivisions that will allow a maximum of four (4) lots each.

## PROPERTY DESCRIPTION

This 67-acre site is located at the intersection of South Nineveh Road and 300 South. It is zoned A-1 (Agricultural), is unimproved and is used agriculturally. It is one-and-a-half miles southwest of the City of Franklin.

The site is surrounded on all sides by agricultural fields and occasional single-family dwellings at a very low-density, all zoned A-1.

## REZONING REQUEST

This request, if approved, would rezone the subject site to the R-R, Rural Residential zoning district. This will allow to petitioner to subdivide the land into smaller lots for residential development.

The petitioner is proposing to create three individual minor subdivisions, where each minor subdivision will create four individual lots for residential homes. The Subdivision Control Ordinance allows exempt divisions of land where each resulting parcel is greater than twenty (20) acres for large tracts of land. The parent tract of 67 acres could be divided into three parcels that are each 20 acres or more. Exempt divisions are not required to be approved by staff or the Plan Commission. Each new 20+ acre tract of land would then be eligible to be divided into smaller lots through the minor subdivision platting process. The platting process includes Technical Review Committee review, Drainage Board approval, and Plan Commission approval, all of which would occur following approval of the rezoning. Per the regulations of the Subdivision Control Ordinance, a maximum of 12 residential lots overall will be available with the rezoning request.

Though this request is consistent with the land use recommendation of the Comprehensive Plan, concerns arise with any proposal which would locate multiple septic systems in a concentrated area. For that reason, staff recommends a commitment limiting the 67-acre subject site to development of no more than twelve single-family dwellings.

In accordance with IC 36-7-4-603, when considering a rezoning request the Plan Commission shall pay reasonable regard to:

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

The Johnson County Comprehensive Plan Future Land Use Map recommends rural residential for this area. The plan states:

The rural residential designation is intended primarily to provide appropriate locations for a "country" lifestyle, to protect significant natural features, and to retain the rural character and open spaces that many Johnson County residents seek. While they may also contain farms, these areas may be less conducive to long-term agriculture due to soil conditions, encroaching development, or other factors. Single-family residences should be permitted at a low density no greater than one unit per acre since these lands typically will not be served by municipal utilities and preservation of open spaces is desired. While most development is generally not in subdivisions, shared driveways and frontage roads should be used to limit driveway cuts onto county collectors and arterials where possible. Small farms and keeping of horses or similar animals would be appropriate, along with a range of other uses (golf courses, airstrips, etc.) that require large tracts of land and/or more rural settings.

Therefore, staff recommends a favorable recommendation to the County Board of Commissioners with the following commitments:

1. A "right to farm" declaration shall be signed and attached to the plat.
2. The property may be subdivided into a maximum of three minor subdivisions that will allow a maximum of four (4) lots each.

#### GENERAL INFORMATION

Applicant: Benham & Edwards, LLC  
2838 South 25 West  
Franklin, IN 46131

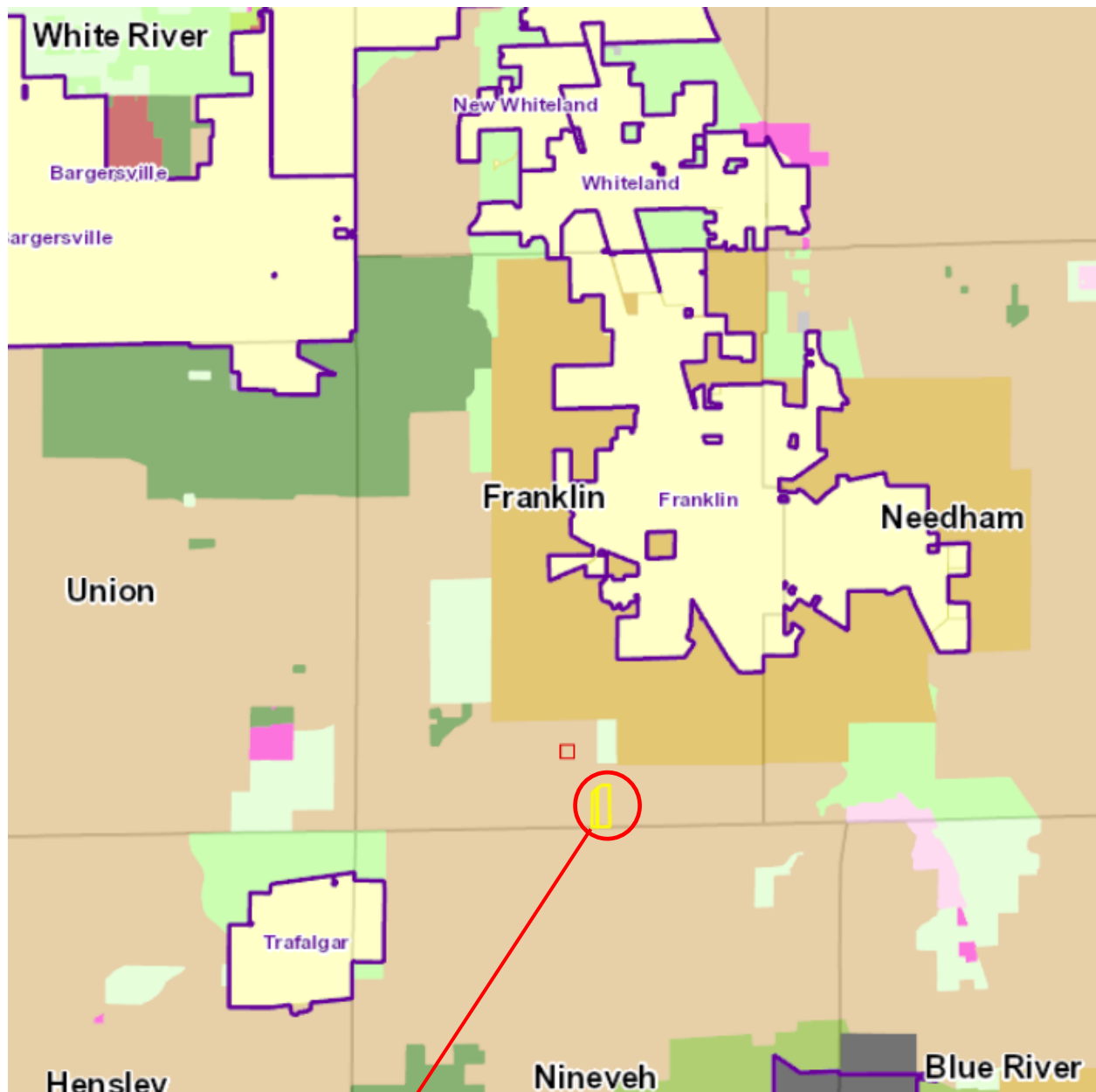
Representative: Steve Huddleston  
Huddleston and Huddleston  
98 West Jefferson St.  
Franklin, IN 46131

Owners: Linda Herr (1/6)  
Paul Tharp (1/6)  
Alan B. Krebs (1/12)  
Philip L. Krebs (1/12)  
Ellen B. Krebs Testamentary Trust (1/2)

Zoning: A-1  
Land Use: Agricultural  
Future Land Use: Rural Residential

-MNH

## Z-2-20 Base Map I



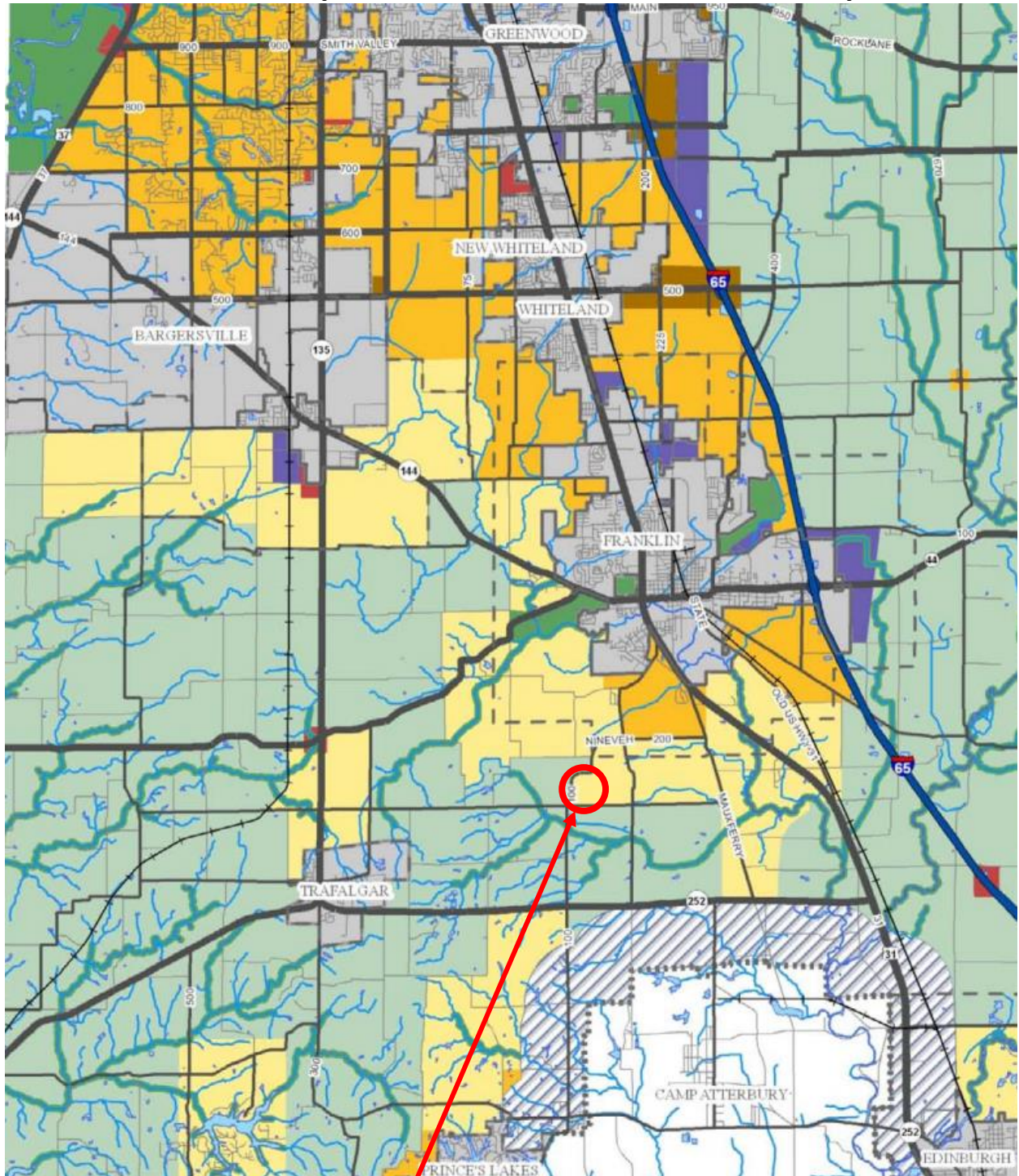
**subject site**

## Z-2-20 Base Map II





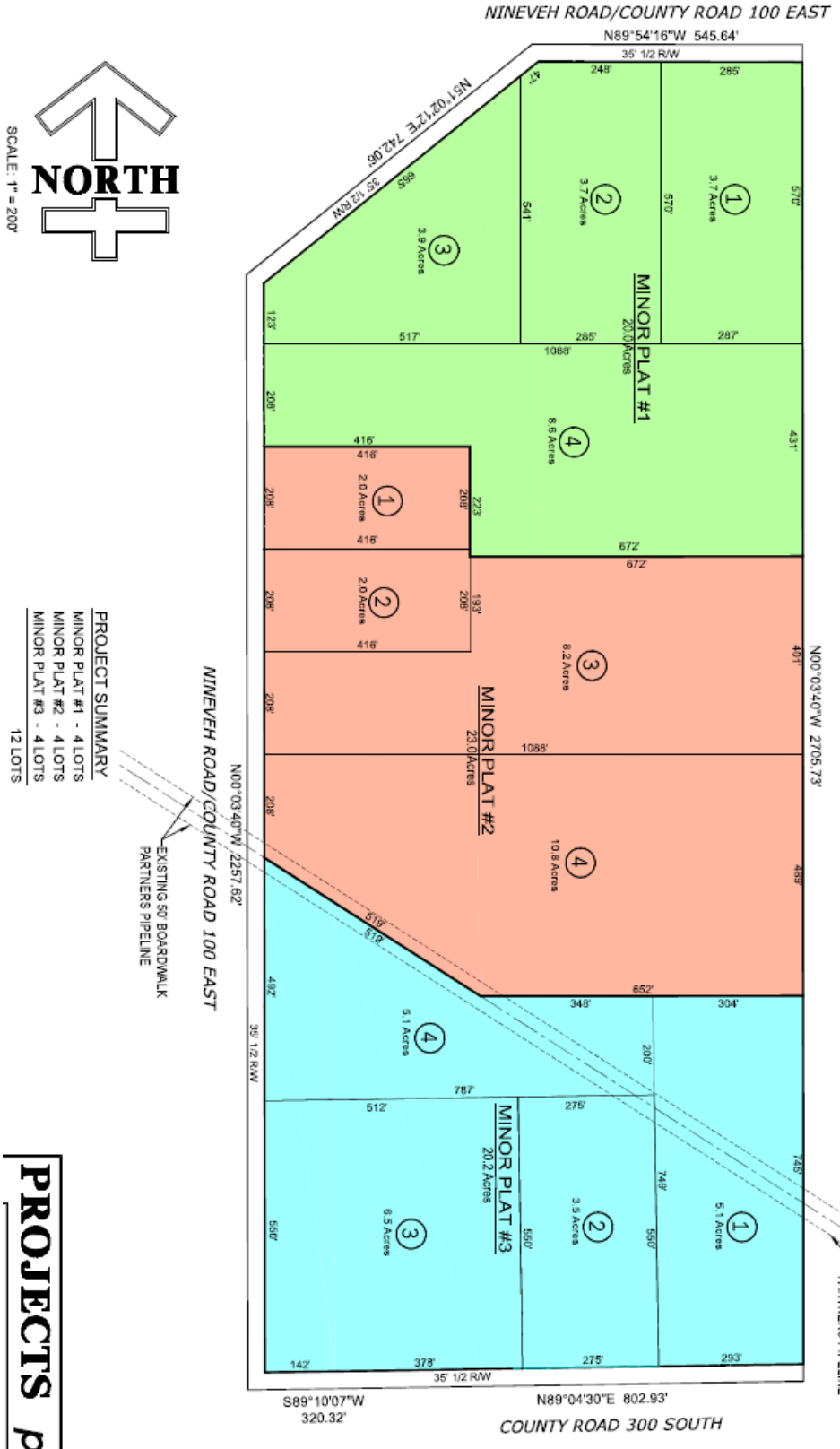
## Z-2-20 Comprehensive Plan Future Land Use Map



**subject site**



Z-2-20 Proposed master layout of minor subdivisions



## Z-2-20 RIGHT TO FARM DEED RESTRICTIONS

### RIGHT TO FARM DEED RESTRICTION

The owner of the herein described real estate, for himself, and for all future owners and occupants of said real estate, or any parcel or division thereof, for and in consideration of the right to develop the real estate for other than agricultural uses, hereby:

(1) Acknowledges and agrees that the real estate is adjacent to an area zoned or used for agricultural purposes, which uses include but are not limited to:

- (a) Production of crops;
- (b) Animal husbandry;
- (c) Land application of animal waste;
- (d) Raising, breeding and sale of livestock and poultry, including confinement feeding

operations;

- (e) Use of farm machinery; and/or
- (f) The sale of farm products.

(2) Waives any and all objections to any agricultural uses within two miles of any boundary of the real estate.

(3) Agrees that agricultural uses do not constitute a nuisance so long as they are not negligently maintained, do not cause bodily injury to third parties, or directly endanger human health.

(4) Agrees that this covenant is for the benefit of Johnson County, Indiana, and for all persons engaged in agricultural uses within two miles of any boundary of the real estate and is enforceable by any of the foregoing.

# Staff Report

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CASE NUMBER:	W-10-20
ADDRESS:	Southwest corner of 500 South and 725 West, Morgantown Section 18, Township 11, Range 3
PETITIONER:	Matthew Rogers

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## REQUEST

WAIVERS of the Johnson County Subdivision Control Ordinance to provide for two Roadside Subdivisions, together totaling five residential lots, with lot areas of 16, 16, 10, 10, and 8 acres. (any lot newly-created via Roadside Subdivision must be exactly two acres in area).

## STAFF RECOMMENDATION

Staff recommends **denial** of this request.

## PROPERTY DESCRIPTION

This petition involves two tracts of land, each eligible for a Roadside Subdivision. One tract of land is 20 acres and the second tract is 40 acres. Both tracts zoned A-1 (Agricultural), are unimproved, and are partially developed with a 6.5-acre lake.

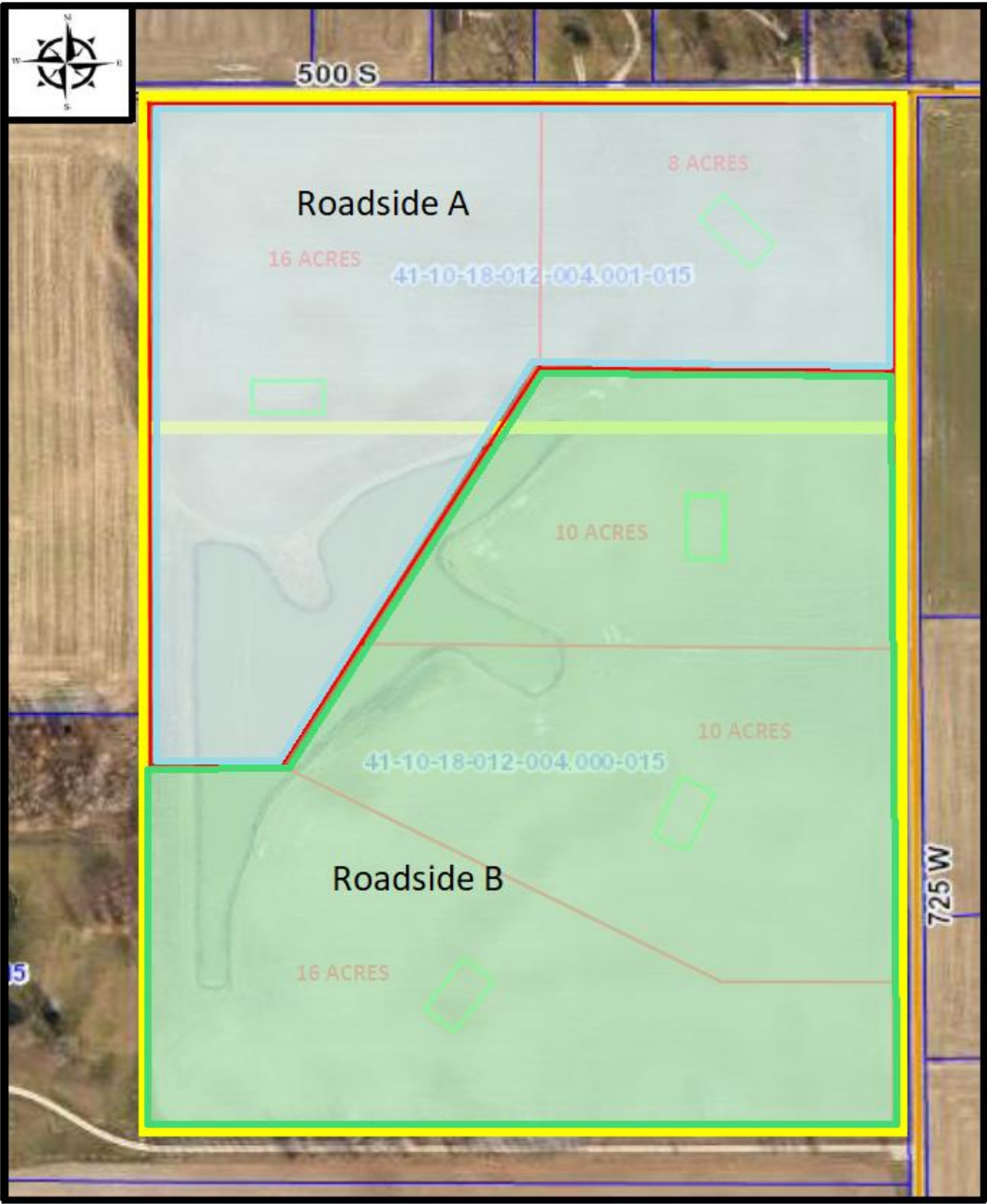
The site is surrounded on the north, south, and east by larger tracts of land used agriculturally, with an occasional single-family dwelling. To the west are larger tracts of land use residentially, with the occasional agricultural field. All surrounding properties are zoned A-1.

## WAIVER REQUEST




New lots created via the Roadside Subdivision process are required to be exactly two acres in size. The two-acre minimum ensures that a new lot has enough area - but no more than is necessary - to accommodate a septic system. The two-acre maximum, implemented county-wide over time, is intended to preserve the amount of land available for agricultural use within the county.

This waiver request, if approved, would allow for two roadside subdivisions where all proposed new tracts having an area greater than two acres. Roadside Subdivision A will have a 16-acre lot and an 8-acre lot. Roadside Subdivision B will have lots of 10 acres, 10 acres, and 16 acres. The petitioner wishes to equally distribute the land among all parcels and utilize the lake on the property. The diagram on the next page shows the two proposed Roadside Subdivisions.

Site Plan Of Roadside Subdivision Waiver - Rogers



Legend:

-  - Parent Parcel Boundaries
-  - Proposed Subdivision Boundaries
-  - Anticipated Home Sites

The Comprehensive Plan's Future Land Use Map recommends ongoing agricultural use and states: "This land use designation is intended to support modern agricultural practices on large tracts of land with minimal land use conflicts. Mainly, it encompasses lands where farming is the principal use and can reasonably be protected from intrusion by incompatible land uses. This category includes crops, animal production and woodlands. Farmsteads, barns, stables, grain elevators, related agricultural buildings, agri-businesses and common accessory structures would be appropriate, as well. Cottage industries may also be desirable uses in the area. Limited non-farm residential may occur, but at very low densities. Subdivisions (major and non-agricultural subdivisions of land) should not be permitted."

Tracts of land that are around ten acres in size and not owned by the same owners of adjoining land have historically been converted to residential use and not continue the agricultural use of the land. Additionally, the probability of future owners of the 16 and 10 acres tracts of land requesting more divisions of that individual tract of land is high.

The Roadside Subdivision regulations are intended to provide property owners the opportunity to create tracts of land for residential development, but in a manner that minimizes encroachment of residential uses into agricultural areas. This subject property and the majority of the land surrounding it are agricultural fields. This request would not support the intent of the subdivision regulations, nor would it encourage the preservation of agricultural land. Further, there is no hardship present, unique to this property, which warrants relief from the regulations' requirements. An exhibit on page \_\_\_ demonstrates potential roadside subdivision configurations that would meet all required standards. Grant of this waiver could encourage future requests for additional, similar splits from similar surrounding properties in the area, and more intrusion on agricultural fields.

Staff, therefore, asserts that the required findings have not been met, and recommends denial of this request.

#### STAFF ANALYSIS OF FINDINGS OF FACT

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**The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to nearby property;**

Staff Analysis: The division of the property would not impact the general public. Any future development of the site would need to comply with building code and other applicable regulations.

**The conditions upon which the request for a waiver are based are not unique to the property for which the waiver is sought and are not applicable generally to other properties**

Staff Analysis: There are no conditions, unique to this property, that would necessitate tracts of land larger than 2 acres. The 2-acre requirement can be achieved without affecting the usability of the remaining tract of land. This property and similar surrounding properties could accommodate the development generally desired by the petitioner without waivers of ordinance requirements.



Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if this Ordinance is strictly adhered to; and

Staff Analysis: This parcel does not present any particular physical condition that prevents the parcel to adhere to the ordinance. This property and similar surrounding properties could accommodate the development desired by the petitioner without waivers of ordinance requirements.

The waiver will not, in any manner, contravene provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map, as interpreted by the Commission.

Staff Analysis: The Comprehensive Plan's Future Land Use map classifies this area as Agricultural. This land use designation is intended to support modern agricultural practices on large tracts of land with minimal land use conflicts. Mainly, it encompasses lands where farming is the principal use and can reasonably be protected from intrusion by incompatible land uses.

#### GENERAL INFORMATION

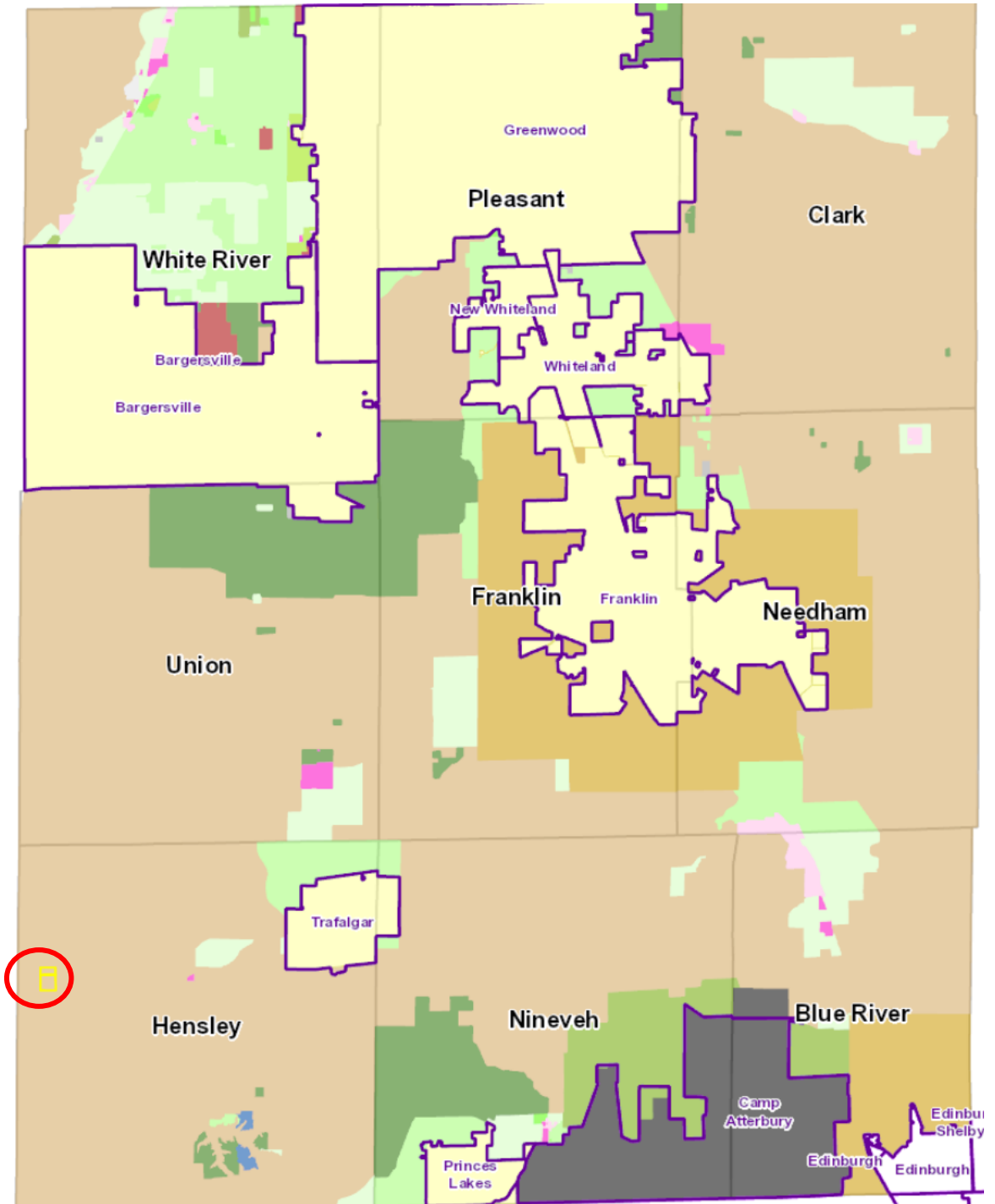
Applicant: Matthew R. Rogers  
187 East 375 South  
Franklin, IN 46131

Owner: R & J Partnership  
2908 S. Hickey Road  
Morgantown, IN 46160

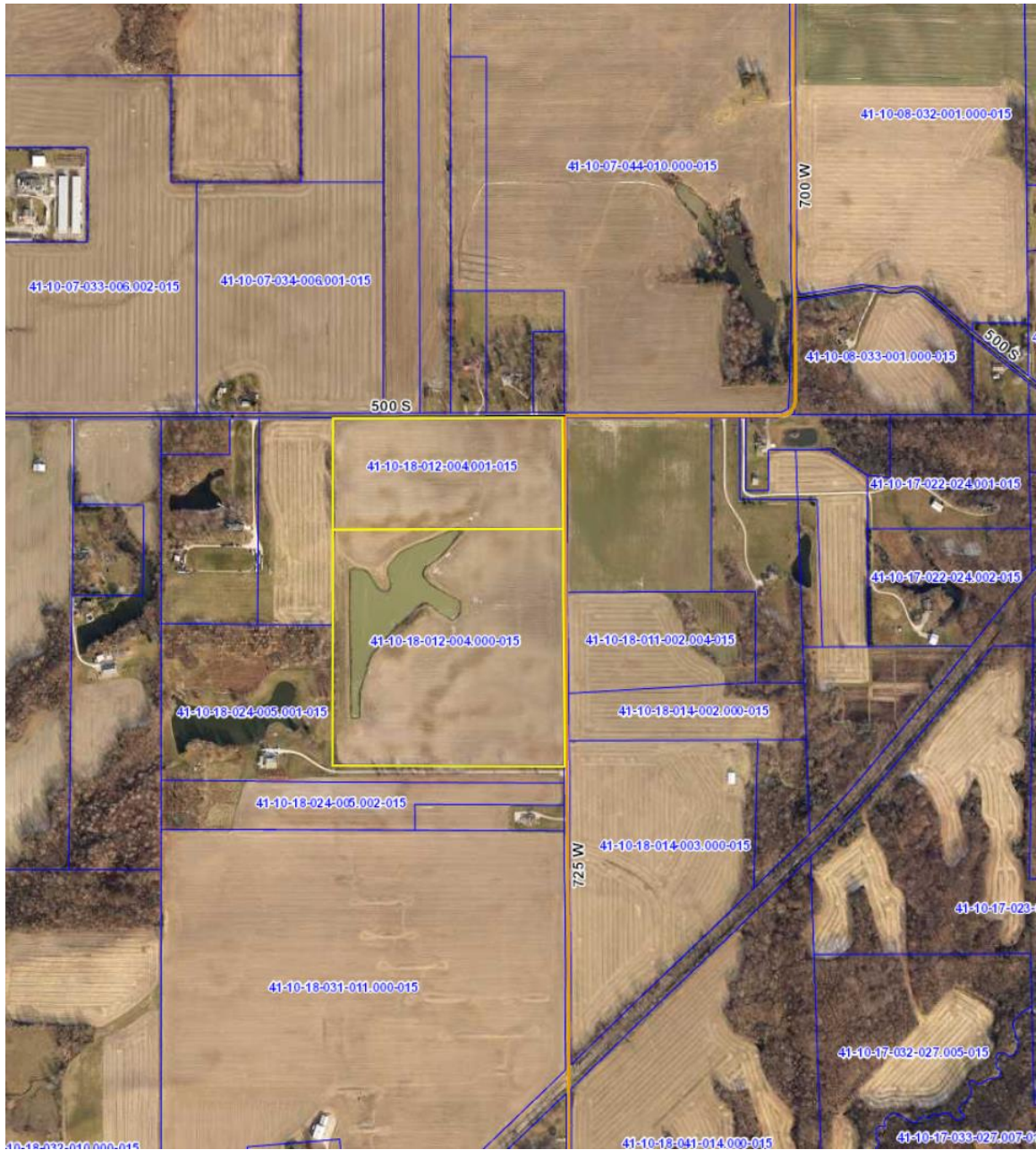
Current Zoning: A-1 (Agricultural)  
Existing Land Use: Agricultural  
Future Land Use: Agricultural

-MNH

## W-10-20 Base Map



## W-10-20 Base Map II



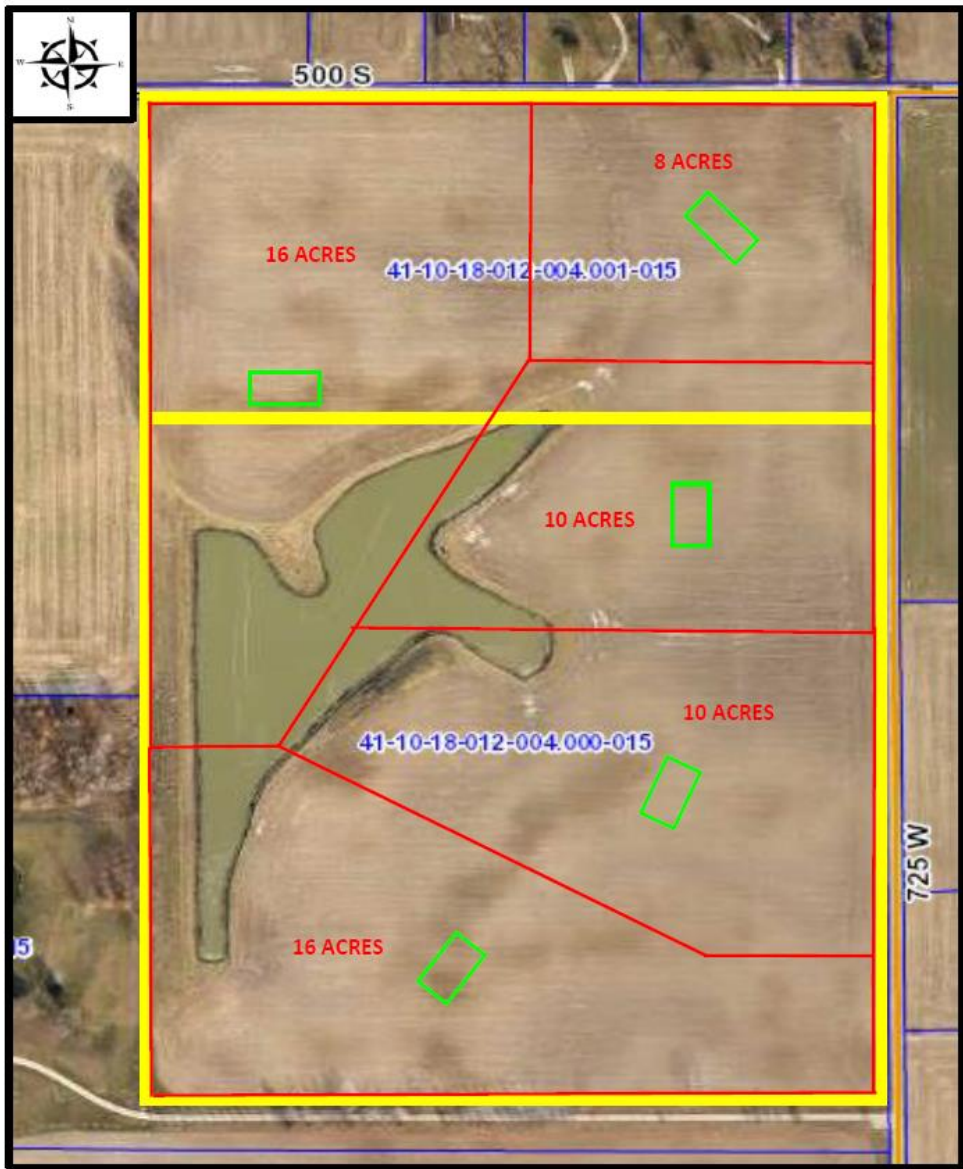
## W-10-20 Aerial Map








# W-10-20 Proposed Roadside Subdivisions

## Site Plan Of Roadside Subdivision Waiver - Rogers



### Legend:

-  - Parent Parcel Boundaries
-  - Proposed Subdivision Boundaries
-  - Anticipated Home Sites



## W-10-20 PETITIONER FINDINGS OF FACT

### FINDINGS OF FACT – SUBDIVISION CONTROL WAIVER

#### PLAN COMMISSION

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to nearby property.  
There will not be a detriment to the public safety, health or welfare, or be injurious  
to any nearby property as this land will serve as future single family residential  
home sites.  

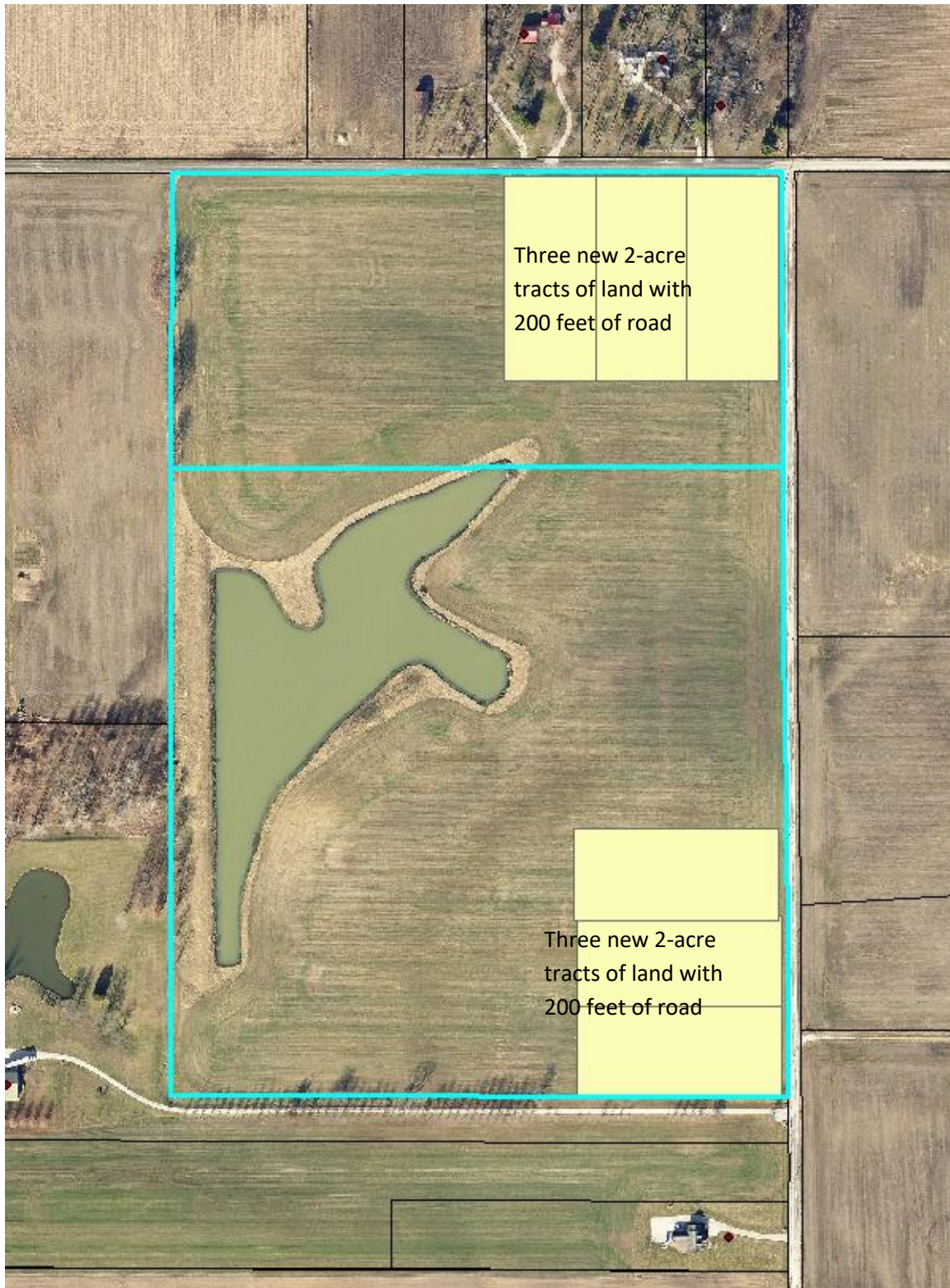
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2. The conditions upon which the request for a waiver are based are unique to the property for which the waiver is sought and are not applicable generally to other properties.  
This waiver would allow for the subdivided parcels to exceed the exact 2 acre  
requirement while still adhering to the 208 feet of road frontage minimum.  

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3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if this Ordinance is strictly adhered to.  
Proposed waiver would allow for 5 single family residential homes sites that range from 8 acres to  
16 acres. This waiver is being requested due to the ordinance of the roadside subdivision where new parcels must  
must be exactly 2 acres. There is an existing large lake on the western part and 5 nice "building sites" for the  
proposed lots. The topography does not lend itself to smaller 2 acre parcels.  

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4. The waiver will not, in any manner, contravene provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map, as interpreted by the Commission.  
The comprehensive plan designates the future land use of the property as  
agricultural but is not intended to prohibit residential development of the property.  
Subdividing the 60 acres into larger lots will preserve the rural character of the  
area and still allow for agricultural uses.  

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**W-10-20 STAFF EXHIBIT:  
TWO POTENTIAL ORDINANCE-COMPLIANT SUBDIVISIONS**



# Staff Report

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CASE NUMBER: W-11-20, Wampler Waiver  
ADDRESS: 5397 Travis Road, Greenwood  
PETITIONER: Ryan Wampler, by Maurer Surveying

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## REQUEST

WAIVER of the Johnson County Subdivision Control Ordinance to provide for a two-lot Minor Subdivision with one of the lots having zero feet of road frontage (minimum 50 feet of road frontage required per lot).

## STAFF RECOMMENDATION

Staff recommends **denial** of this request.

## PROPERTY DESCRIPTION

This 10.32-acre site in White River Township is zoned R-1, Single Family Residential. The site is improved with a single-family dwelling and several accessory structures.

The site is surrounded to the east and west by similar-sized parcels with single-family dwellings. To the north and south are major subdivision housing developments.

## WAIVER REQUEST

The petitioner is requesting to divide the 10.32-acre parcel into two lots. The division will result in Lot 1 with 6.76 acres and Lot 2 with 3.34 acres. Lot 2 will be situated behind lot 1 with zero feet of road frontage, with Lot 1 having 335 feet of road frontage. The lot standards for a parcel zoned R-1 require a minimum of 50 feet of road frontage. The petitioner is proposing to plat a 50-foot easement across Lot 1 in lieu of providing a 50-foot strip of land to the road. The easement will follow the existing driveway.

Here, the parent parcel could be divided into two lots in a way that both would meet street frontage requirements. So, there is no condition unique to this property that prevents the minimum road frontage requirement from being met. Two subdivisions to the east and land to the west are similar to this property, with each lot providing the required 50 feet of road frontage.

Creating a parcel with no individual lot frontage is problematic for several reasons. First, a landlocked parcel has no means of establishing its own road access. If a dispute over a shared easement occurs (tomorrow, in ten years, or in 50 years) with no viable or easy solution, a property owner will lack the ability to alleviate the problem and create their own access. Also, such waivers could result in compromised emergency services access, as the de facto “private roads” created by lot-dependent access easements inevitably evolve over time in a way that make wayfinding more difficult. Further, grant of this waiver could encourage future requests for additional, similar splits. Waivers like these, especially in White River Township, encourage owners of similarly-sized properties to follow suit and sell off the rear portions of lots which

should be, in time, aggregated and developed properly as major subdivisions. This results in inefficient use of land and encourages additional illogical divisions of land.

Approval of this waiver request would allow the petitioner to subsequently seek approval of a minor subdivision.

Staff recommends denial of this waiver request.

#### FINDINGS OF FACT, STAFF ANALYSIS

The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to nearby property;

Staff Analysis: Grant of the waiver would not impact, and therefore would not be detrimental to, public safety, health or welfare, and would not be injurious to nearby property.

The conditions upon which the request for a waiver are based are not unique to the property for which the waiver is sought and are not applicable generally to other properties

Staff Analysis: Nothing unique to the property itself to validate no road frontage for a proposed lot. A 50-foot road frontage can be achieved. Similar surrounding properties could accommodate the development desired by the petitioner without waivers of ordinance requirements.

Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would not result, as distinguished from a mere inconvenience, if this Ordinance is strictly adhered to;

Staff Analysis: This parcel does not present any particular physical condition that prevents the parcel to adhere to the ordinance. This is a mere inconvenience to the petitioner.

The waiver will not, in any manner, contravene provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map, as interpreted by the Commission.

Staff Analysis: The Comprehensive Plan designates the future land use of the property as rural residential. Grant of this waiver would not ensure the orderly and efficient development of Johnson County.

#### GENERAL INFORMATION

Subdivider: Ryan Wampler  
5326 Travis Road  
Greenwood, IN 46143

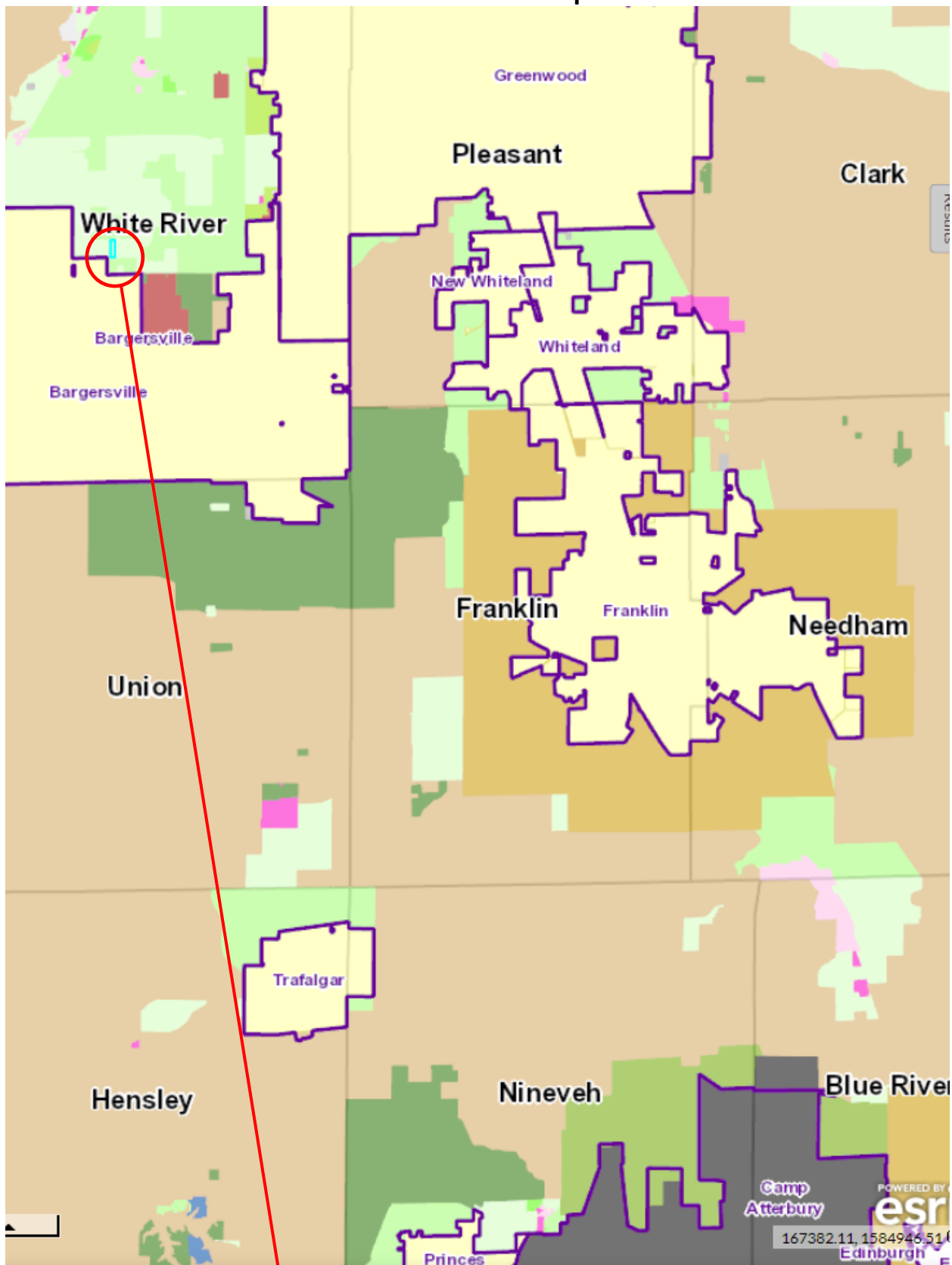
Owner: Same

Current Zoning:	R-1, Single Family Residential
Existing Land Use:	Single-family residential
Future Land Use:	Rural Residential

-MNH

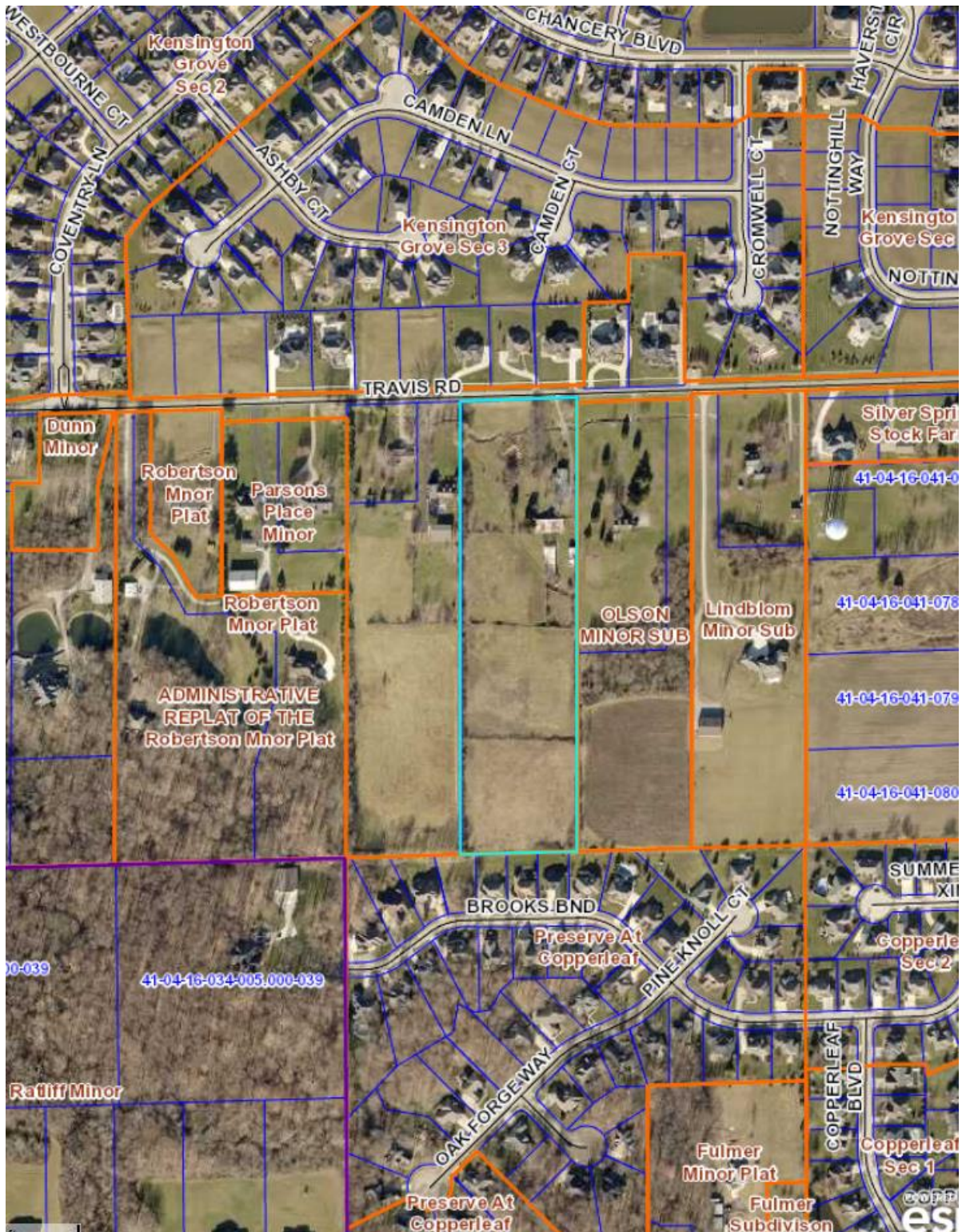


## W-11-20 Base Map



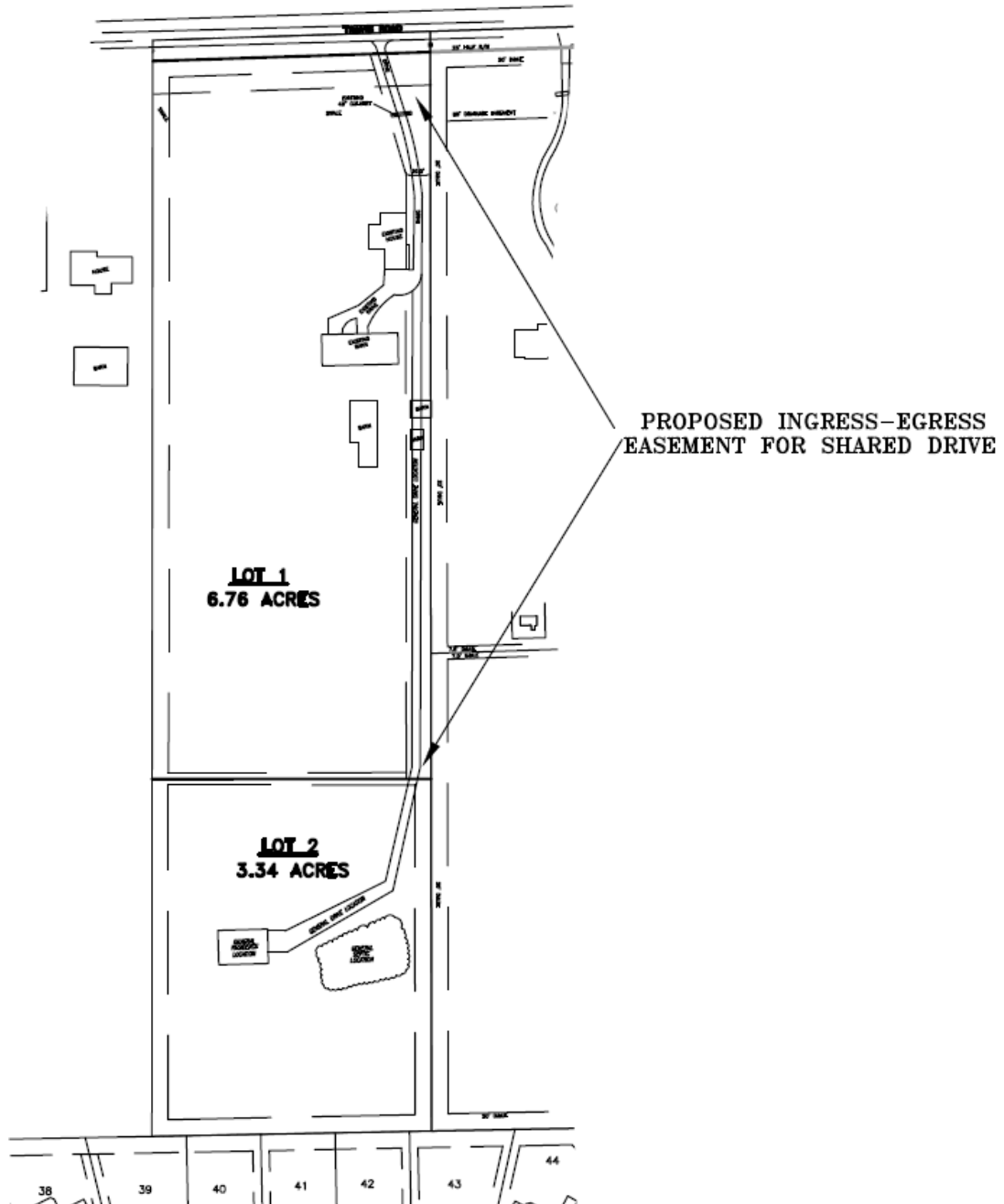
**Subject Site**

## W-11-20 Base Map II



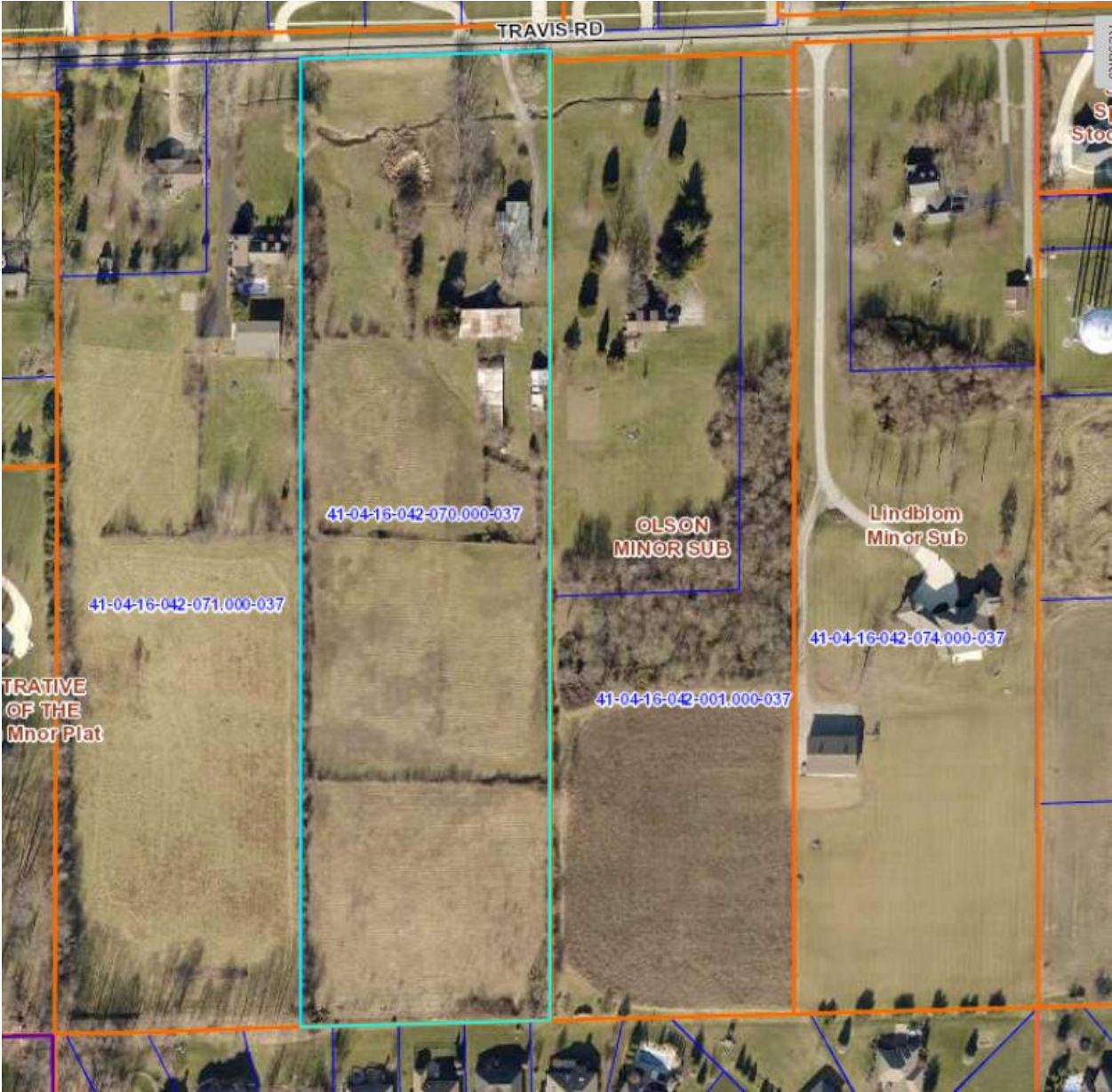
**W-11-20 SITE PLAN**

**WAMPLER MINOR PLAT**  
**WAIVER FOR NO ROAD FRONTAGE**





W-11-20 Surrounding Properties



## W-11-20 Petitioner's Findings of Facts

1. The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to nearby property.  
Granting of the waiver for no road frontage will not be detrimental to the public safety, health, or welfare or be injurious to nearby property because it will only be to allow one lot not to have road frontage and for the lot to have access to Travis Road on a shared drive. The shared drive will actually be more safe than having 2 driveways with reducing the number of access points onto Travis Road.
2. The conditions upon which the request for a waiver are based are unique to the property for which the waiver is sought and are not applicable generally to other properties.  
The condition that causes this waiver is the large swale along Travis Road that makes it difficult for another driveway to have access to Travis Road. With there only being 1 driveway, the granting of the waiver would allow for clear, clean lines of occupancy. Instead of the Rear lot owning a 50'x880' strip around the shared drive to maintain, there will be a straight line between the 2 lots so the front lot will own the front and the rear lot will own the rear.
3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if this Ordinance is strictly adhered to.  
The large swale along Travis Road creates a unique hardship for not allowing another drive for access and creates a situation that requires a shared drive for the proposed Minor Plat. To keep the property lines square and easy to determine, a no frontage lot would be the best situation for the minor plat and would eliminate the creation of a 'flag' shaped lot.
4. The waiver will not, in any manner, contravene provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map, as interpreted by the Commission.  
This waiver will not contravene provisions of the Zoning Ordinance, Comprehensive Plan, or Official Map as the resulting Minor Plat will be comprised of large Residential Lots similar to the surrounding lots.



# Staff Report

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CASE NUMBER: M-5-20, Wampler Residential Subdivision  
ADDRESS: 5326 Travis Road, Greenwood  
Section 16, Township 13, Range 3  
PETITIONER: Ryan Wampler, by Maurer Surveying

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## STAFF RECOMMENDATION

Staff recommends **denial** of this Minor Plat request because its realization requires approval of a Waiver, W-11-20, which staff opposes.

If, however, the Plan Commission approves Waiver W-11-20, it should also approve this Minor Plat subject to satisfaction of all amendments requested by the Technical Review Committee, Drainage Board, and checkpoint agencies. Further detail will be provided verbally at the hearing.

## PROPERTY DESCRIPTION

This 10.32-acre site in White River Township is zoned R-1, Single Family Residential. The site is improved with a single-family dwelling and several accessory structures.

The site is surrounded to the east and west by similar-sized parcels with single-family dwellings. To the north and south are major subdivision housing developments.

## PROPOSED MINOR PLAT

The petitioner is requesting to divide the 10.32-acre parcel into two lots. The division will result in Lot 1 with 6.76 acres and Lot 2 with 3.34 acres. It is proposed that both lots will share one, existing access point from Travis Road. Per the petitioner, most of the existing structure on Lot 1 will be removed.

The existing lot is served by an existing well, but Bargersville Utilities (water) is available at this location. Each proposed lot would have sanitary septic systems.

## WAIVER

This proposed minor subdivision requires grant of Waiver W-11-20. The waiver request is separate from the minor subdivision approval request because, should the waiver be denied, the petitioner will seek a continuance of the minor subdivision plat to modify the plat.

## GENERAL TERMS AND CONDITIONS

### **Technical Review Committee**

The Technical Review Committee reviewed the Wampler Minor Plat on September 23, 2020 and its aggregate comments are included in the attached Technical Review Committee Letter. Approval from each Technical Review Committee member agency is required before the final plat may be approved for recording.

### **Johnson County Drainage Board**

The Johnson County Drainage Board reviewed and approved the drainage plan for the Wampler Minor Plat at its October 6, 2020. The approval is subject to the inclusion of language on the final plat which requires conversion of a certain amount of cultivated field to grass or its natural equivalent.

### **Johnson County Planning Engineer, Johnson County GIS Department, Johnson County REMC**

Each of the above entities has reviewed this petition and has indicated no objections.

### **Johnson County Health Department, Johnson County Highway Department, White River Township Fire Department,**

Each of the above entities has reviewed this petition but has not provided approval or objections. A follow-up will be provided verbally at the Planning Commission Meeting. Indianapolis Power & Light has a transmission line easement on the southeast corner of the property.

### **GENERAL INFORMATION**

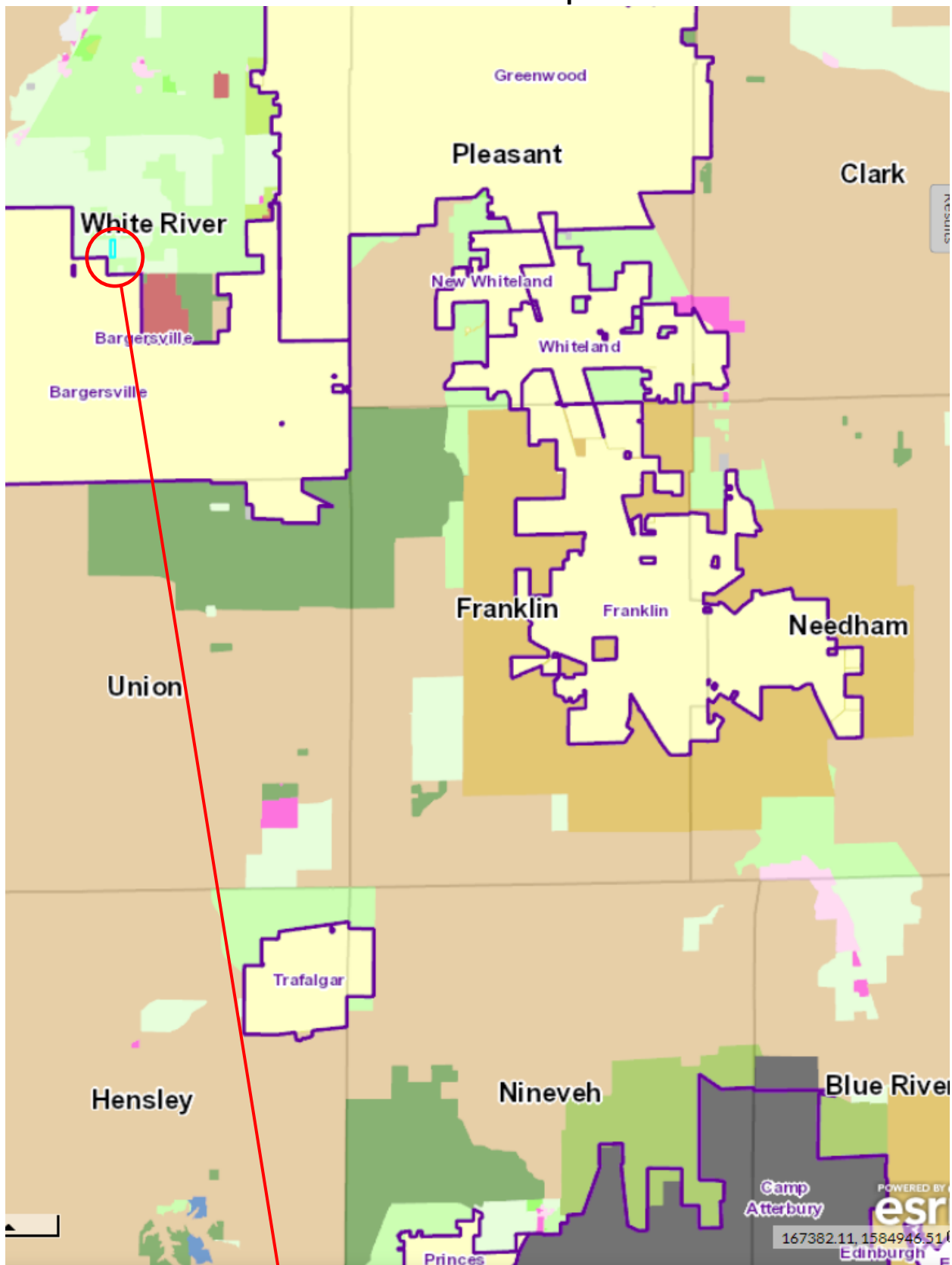
Subdivider: Maurer Surveying, Inc.  
4800 West Smith Valley Road, Suite P  
Greenwood, Indiana 46142

Owner: Ryan Wampler  
5397 Travis Road  
Greenwood, IN 46143

Current Zoning: R-1, Single Family Residential  
Existing Land Use: Single-family residential  
Future Land Use: Rural Residential

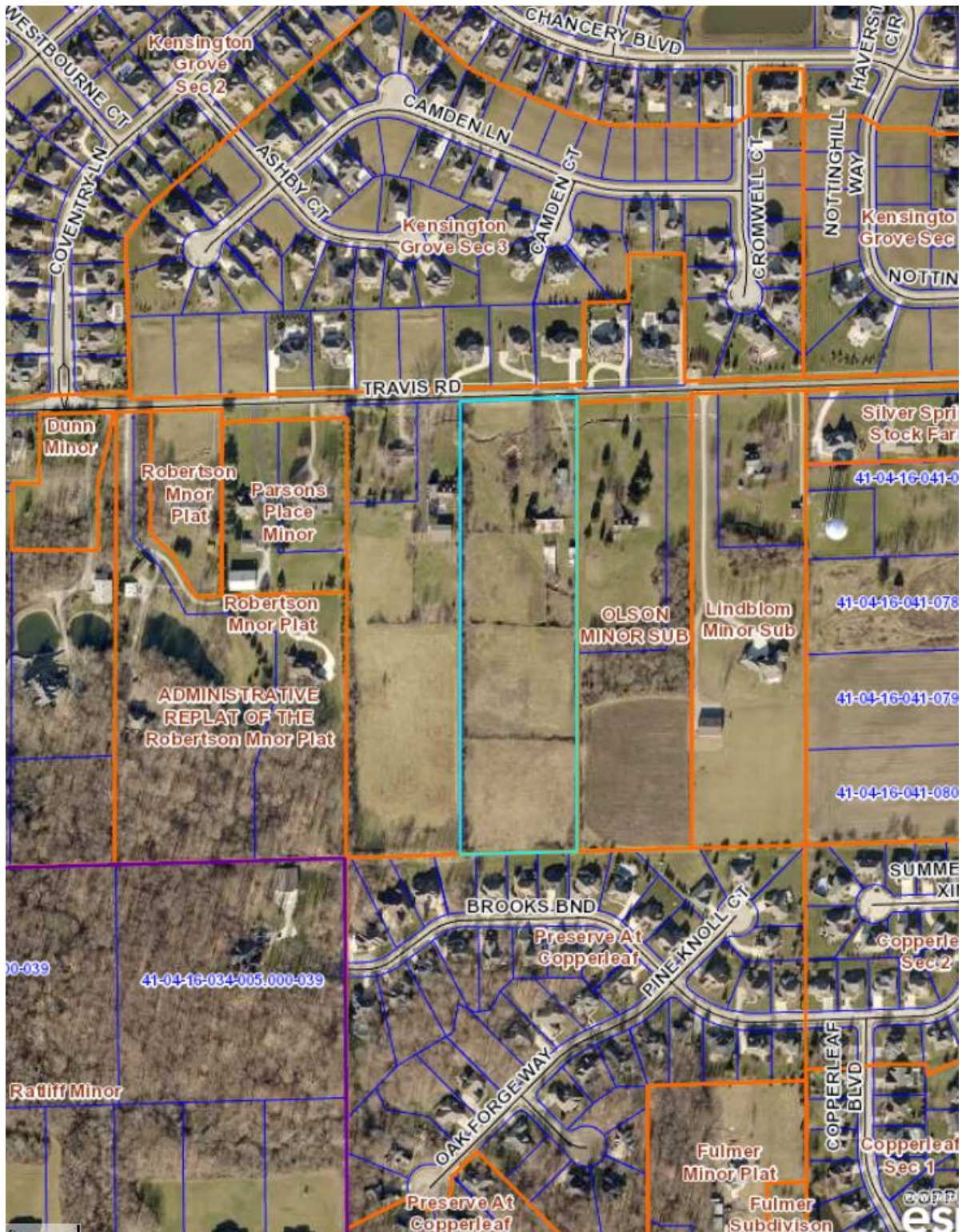
-MNH

## M-5-20 Base Map



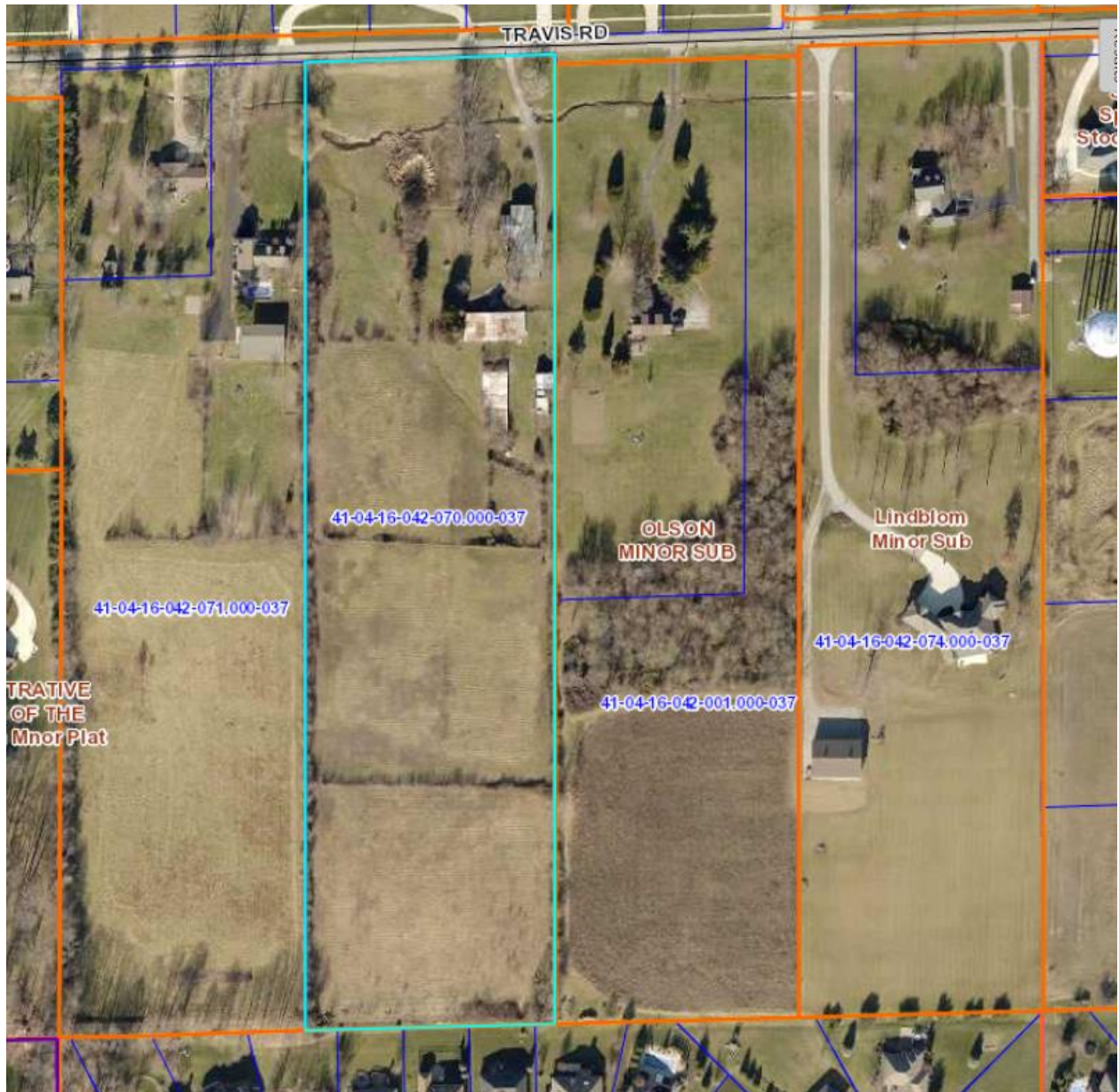
**Subject Site**

## M-5-20 Base Map II

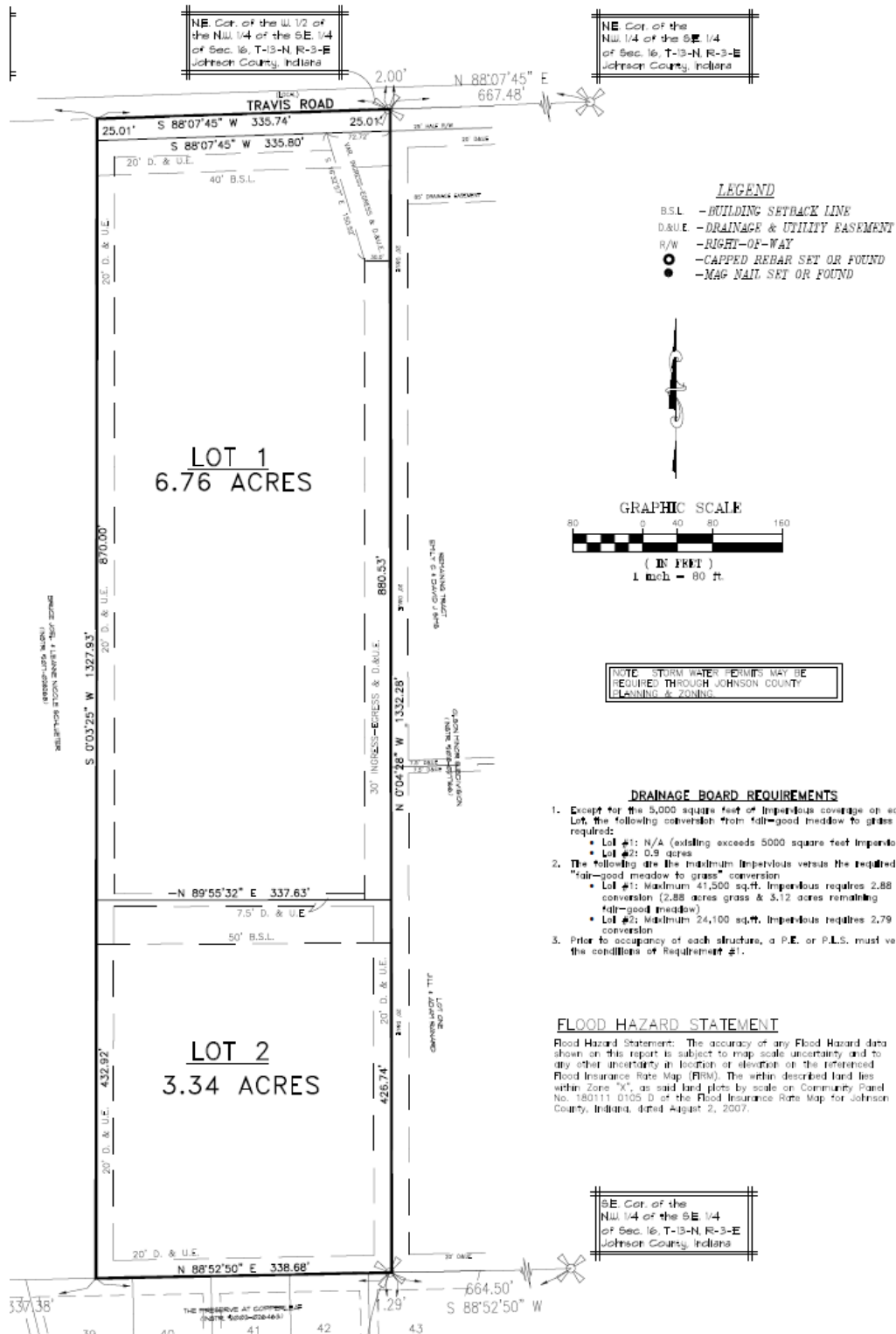




## M-5-20 AERIAL MAP



**M-5-20 Proposed Subdivision Plat**  
**WAMPLER MINOR PLAT**  
 RESIDENTIAL SUBDIVISION  
 WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA





## M-5-20 Technical Review Comments Page 1 of 3



### JOHNSON COUNTY

Department of Planning and Zoning  
86 West Court Street  
Courthouse Annex  
Franklin, Indiana 46131

Phone: (317) 346-4350  
Website: [www.co.johnson.in.us](http://www.co.johnson.in.us)

September 23, 2020

Andrew Barkocy, P.L.S.  
Maurer Surveying  
4800 West Smith Valley Road, Suite P  
Greenwood, Indiana 46142

RE: M-5-20 Wampler Minor Plat  
Sketch Plan Review

Dear Mr. Barkocy:

On September 23, 2020, the Johnson County Technical Review Committee electronically provided comments for a sketch plan/preliminary plat review for the above referenced project. Comments from Planning and Zoning include:

1. Follow the Subdivision Control Ordinance, Section 6-102-7 A. "Sketch Plan for All Subdivisions" for required guidelines for Sketch Plan submittal, including but not limited to existing features (structures, roads, ponds, etc.), utilities, topography, vicinity map, and area map.
2. Follow the Subdivision Control Ordinance, Section 6-102-7 E., "Plat and Supporting Data for Minor Subdivisions" for required guidelines for Plat and Supporting Data submission.
3. Follow the Subdivision Control Ordinance, Section 6-102-3E.7, submit the Plat and Supporting Data a minimum of 20 days prior to the Plan Commission Meeting.
4. Per Comment #1, above, provide the following items on the Supporting Data plat:
  - a. Locations of proposed/existing wells and septic systems.
  - b. Include Road Classification of "Local" next to Travis Road.
5. Lot #2 does not meet the minimum road frontage requirement. A waiver has been submitted.
  - a. If the waiver is approved, indicate the Building Setback Line (BSL) on Lot #2.
  - b. If the waiver is approved, existing buildings in the proposed easement will need to be removed.
6. Final Plat: Include language required for sight visibility. That language can be found in the Subdivision Control Ordinance 6-102-4B.8 (page 37). Not all sub categories will apply to

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this plat.

7. Final Plat: Add note "Storm Water Permits may be required through Johnson County Planning and Zoning".
8. Final Plat: Plan Commission Approval Statement is needed with a signature block.
9. Final Plat: Place signature lines in the following order: Assessor, Auditor, Recorder.
10. Final Plat: Include "Duly Entered for Taxation - Subject to Final Acceptance" above the Auditor's signature.
11. Final Plat: Under the title, indicate the type of subdivision: Residential; Commercial; or Industrial.
12. Final Plat: When submitted, the plat will require the following specific language for right of way dedication: "We the undersigned, owners of real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the plat herein. The right-of-way is hereby dedicated, fee simple absolute, and is to be owned and maintained by the jurisdiction in which it lies."
13. Final Plat: Provide a mylar copy and digital copy of the approved and recorded plat.
14. Planning Engineer comments:
  - a. Please provide a Drainage Report showing how the Sketch Plan/Minor Plat will meet the standards for release rates (developed 100-year = pre-developed 100-year and 10-year developed = 10-year pre-developed).
  - b. It is suggested that the site utilize the standard farmland/bare ground conversion for the lots. Please contact the Planning Engineer for additional information.
15. Johnson County Surveyor comments:
  - a. The following should be added to the plat notes:
    - i. **No construction or improvements shall impair or negatively impact any Private Drain Tile (IC 36-9-27-2), or Natural Surface Watercourse (IC 36-9-27.4-3). When encountered said tile or watercourse will be re-routed so as not to impair or negatively impact surface or subsurface water flow.**
  - b. Drainage Board approval (preliminary & final) is required.
  - c. Drainage Board approval is required prior to presentation before the Johnson County Plan Commission. Please submit an application to the Office of the Johnson County Surveyor to be placed on the November 5, 2020 Drainage Board Public Hearing for the Minor Plat Preliminary and Final approvals. If the approvals are granted at the November meeting, this plat could appear before the November Plan Commission Public Hearing.
16. Johnson County Highway Department approval is required. See attached comment letter.
17. Johnson County Health Department approval for septic is required. Comments:

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- a. The soil reports for both the north and south parcels were received. Both reports show a high water table.
- b. The south lot requires drainage improvements. The drain will have to go into an existing tile that is deep enough and in good condition, or a stream, or pond. If none of the above are on this parcel, then an off-lot easement may be required.
- c. An on-site meeting with Mr. Wampler has been scheduled for Friday, September 25, 2020.
- d. Drainage improvements would be required up front by the developer. One common drain is most favorable.

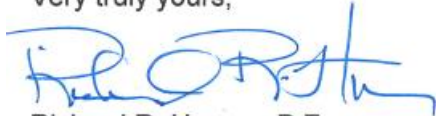
18. White River Township Fire Department approval is required.

19. Johnson County REMC approval is required. Comments:

- a. There is a variable and a defined access-egress DU&E on the east side where our facilities are currently in place.
- b. This was converted to underground in May of this year.
- c. The poles remained in place for a few more months and were recently removed.
- d. The old pole line still shows on the sketch provided.
- e. The underground facilities in place are within the easements in a., above.
- f. Pdf of site attached, need to rotate view (180°).

Please call me at 317-346-4350 if you have any questions.

Very truly yours,



Richard R. Hoover, P.E.  
Planning Engineer

cc: Project File/Office File

attachment

## M-5-20 Highway Department's Comments

# Johnson County Highway Department

1051 Hospital Road | Franklin, Indiana 46131 | Phone: (317) 346-4630 | Fax: (317) 738-5378

Lucas M. Mastin  
Director

Neil B. VanTrees, P.E.  
Highway Engineer

Date: September 24, 2020  
From: Neil VanTrees, P.E.  
Nathanial Annis, Engineer Technician  
cc: Michelle Hansard, AICP, Senior Planner  
Subject: **Wampler Minor Plat**

Johnson County Highway Department has reviewed the September 8, 2020 Wampler Minor Plat and has provided the following comments.

1. Travis Road is a local road. It requires 25' half right of way. It is shown correctly.
2. The existing driveway will serve both lots. A ingress/egress easement along with maintenance requirements shall be prepared and recorded on both lots. Additional driveway(s) on the frontage will not be permitted.
3. The existing fence and posts shall either be removed or relocated outside the proposed right of way. Any trees/shrubs/vegetation shall be removed in the right of way.

## PROPOSED RESOLUTION – IMPACT FEE STUDY

### **RESOLUTION \_\_\_\_\_**

#### **A RESOLUTION APPROVING JOHNSON COUNTY'S PROPOSED IMPACT FEE ORDINANCE**

**WHEREAS**, in accordance with IC § 36-7-4-1300 *et seq.*, Johnson County has caused to be prepared by A&F Engineering the Johnson County Road Impact Fee Zone Improvement Plan;

**WHEREAS**, it has been the stated objective of the County that the analysis contained in the Zone Improvement Plan supports and should result in the implementation of an Impact Fee, which meets the requirements of Indiana Law;

**WHEREAS**, IC § 36-7-4-1311 requires each plan commission that has planning jurisdiction over any part of the geographic area in which the impact fee is to be imposed to approve the proposed impact fee ordinance;

**WHEREAS**, the Johnson County Advisory Plan Commission has planning jurisdiction over some of the areas addressed in the Zone Improvement Plan; and

**WHEREAS**, the Johnson County Advisory Plan Commission has given due deliberation to the Zone Improvement Plan prepared by A&F and the proposed impact fee ordinance.

**NOW, THEREFORE, BE IT RESOLVED** that the Johnson County Advisory Plan Commission hereby approves the proposed impact fee ordinance.

So approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.