



JOHNSON COUNTY

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

Phone: (317) 346-4350
www.co.johnson.in.us

MEETING AGENDA

Johnson County Advisory Plan Commission
September 28, 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 August 24, 2020 meeting.

PUBLIC HEARINGS

CONTINUED HEARINGS

None.

NEW HEARINGS

W-8-20. Glenn and Julie Rice. 557 N 150 W, Franklin. Page 3

WAIVER of the Johnson County Subdivision Control Ordinance to provide for a two-lot Roadside Subdivision where the parent tract is 10 acres (parent tract must be at least 12 acres in area to be subdivided via the Roadside Subdivision process).

W-9-20. Robert and Patricia Tearman 6982 S 125 W, Trafalgar..... Page 9

WAIVER of the Johnson County Subdivision Control Ordinance to provide for a two-lot Minor Subdivision with one of the lots having 50 feet of road frontage and 50 feet of lot width (minimum 100 feet of road frontage required per lot, with a minimum 208-foot lot width required at the front setback line).

OLD BUSINESS None.

NEW BUSINESS

Impact Fee Draft Discussion/Review..... see separate handout

REPORTS and RECOMMENDATIONS

Preliminary review of Proposed Residential Design Standards..... Page 16

Proposed amendment to 2020 Technical Review Committee Calendar..... Page 21

ADJOURNMENT

The next meeting of the Johnson County Advisory Plan Commission is scheduled for October 19, 2020 at 6:00 PM in the public auditorium of the Courthouse West Annex Building.

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Staff Report

CASE NUMBER: W-8-20
ADDRESS: 557 North 150 West, Franklin
Section 18, Township 12, Range 4
PETITIONER: Glenn and Julie Rice

REQUEST

WAIVER of the Johnson County Subdivision Control Ordinance to provide for a two-lot Roadside Subdivision where the parent tract is 10 acres (parent tract must be at least 12 acres in area to be subdivided via the Roadside Subdivision process).

STAFF RECOMMENDATION

Staff recommends the **approval** of this request.

PROPERTY DESCRIPTION

This 10-acre site is zoned A-1 (Agricultural) and is improved with one single-family dwelling and an accessory structure.

The site is surrounded to the north, east and west by similar size parcels used residentially, to the west by larger tracts of land used agriculturally, to the north by large parcels used agriculturally, all of which are zoned A-1.

WAIVER REQUEST

This waiver request, if approved, would allow for the subsequent split, via the Roadside Subdivision process, of the subject 10-acre parent lot into two lots. The newly-created lot will be two acres in size and the remaining parent tract, which would include the existing dwelling, would be eight acres. The petitioner is wanting to split the property for a family member.

Between 1976 and 2003, the Subdivision Control Ordinance exempted any split of property creating parcels 10 acres or greater from subdivision review and regulations. This exemption resulted in several building lots between 10 and 12 acres throughout the rural areas of the County. This subject parcel was created in 1999.

Today, to be eligible for subdivision via the Roadside Subdivision process, the original "parent" parcel must have a minimum area of 12 acres. This requirement is intended to preserve agricultural land and open space and to discourage the piecemeal encroachment of significant residential density into agricultural areas. This parcel, at 10 acres, falls a little short of that 12-acre requirement. The petitioner is requesting a Roadside Subdivision resulting in two lots, whereas the regulations would allow up to four. The portion of the property that would be divided off is not being used for agricultural purposes. The staff would regard the low-density residential development proposed here to be appropriate.

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 create one new buildable lot, which would not negatively impact public safety, health or welfare.

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;

Staff Analysis: The parcel would need to require additional land in order to meet the requirement. The adjoining land is not owned by the petitioner.

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;

Staff Analysis: The subject lot is not the minimum size required for division of land so the property owner can not ever divide the subject lot is a waiver is not granted.

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 Future Land Use Map of the Johnson County Comprehensive Plan recommends Agricultural use of the site. The proposed waiver would allow for residential development at approximately one dwelling unit per five acres. The proposed residential density of one dwelling unit per two-acres is well-situated for the Plans' recommendations.

GENERAL INFORMATION

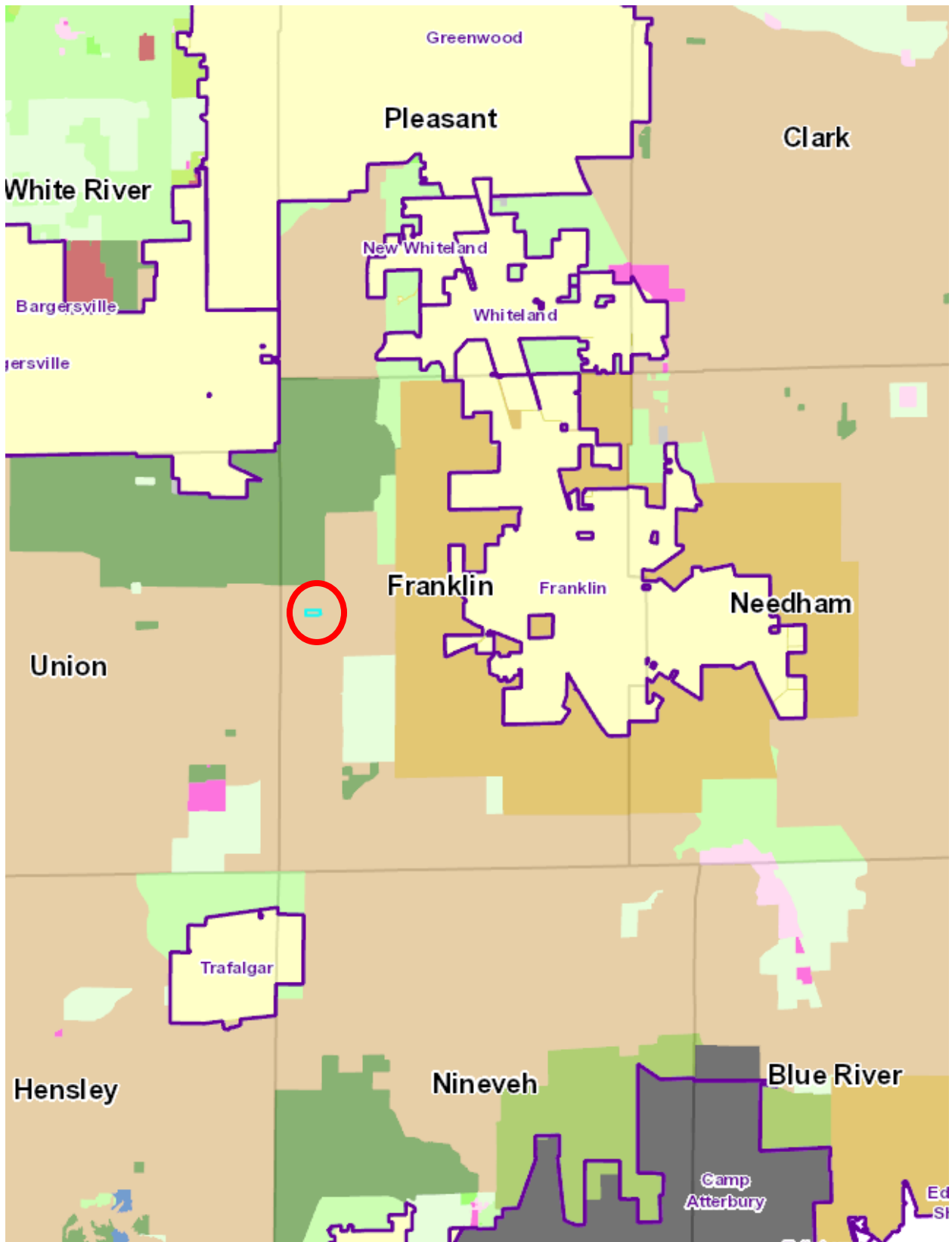
Applicant: Glenn and Julie Rice
557 North 150 West
Franklin IN 46131

Owner: Same

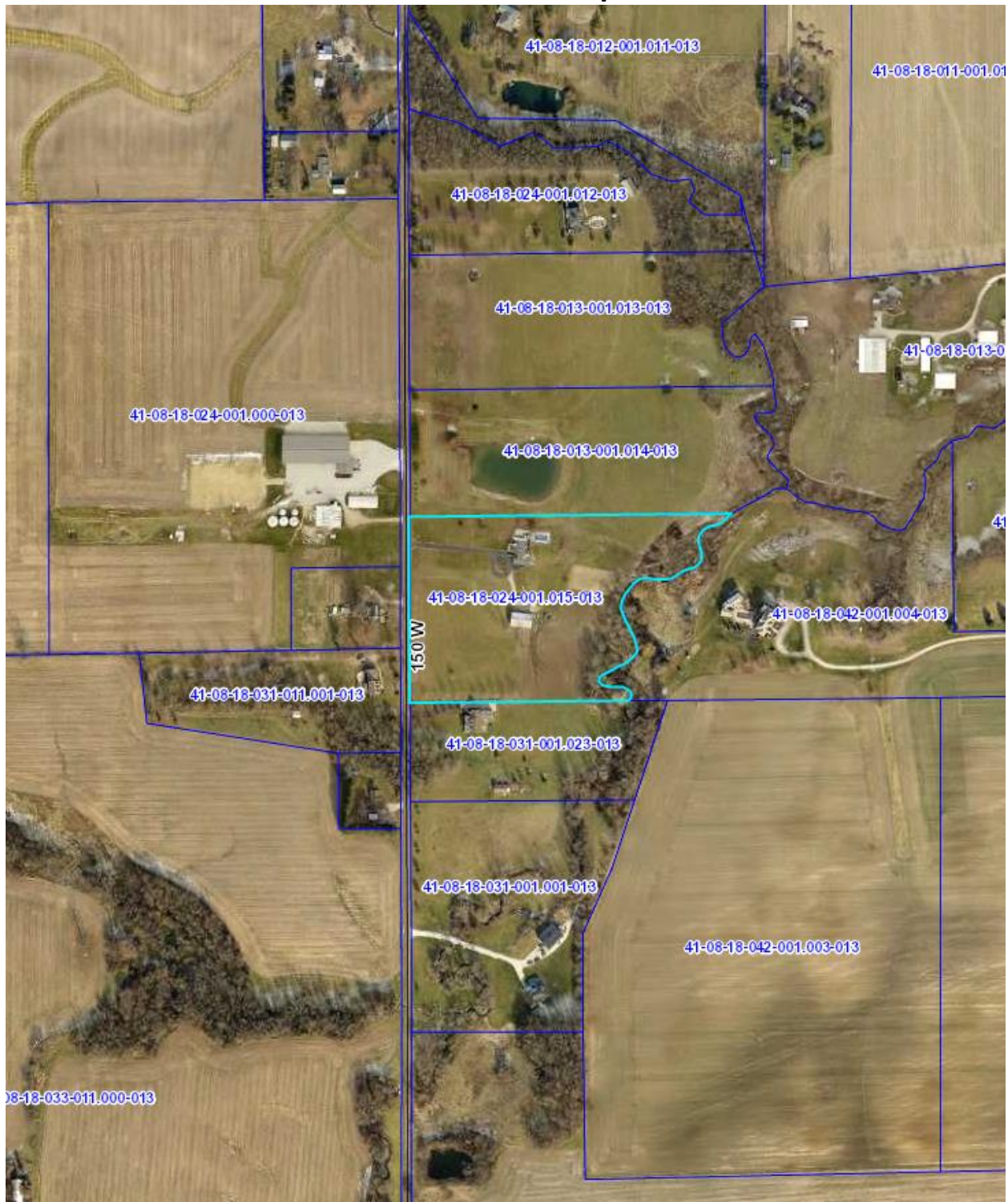
Current Zoning: A-1 (Agricultural)
Existing Land Use: Single Family Dwelling
Future Land Use: Agricultural

-MNH

W-8-20 Base Map



W-8-20 Base Map II



W-8-20 Proposed Roadside Subdivision



W-8-20 PETITIONER FINDINGS OF FACT

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 be no detriment to the public safety, health or the welfare of any
property that is nearby.

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 property is 10 acres with plenty of road frontage for the required 200
feet. The parent acreage is only 10 acres which makes it unique when
requesting the waiver. It is also unique because we are not dividing to sell. The land
is being used for an adult child who has had medical issues to build close.

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.

It would be sad with the amount of space on our property if the waiver is
not granted. It would not cause a hardship other than not being able to
build a house close to us that will allow someone the opportunity to live
on thier own, yet still have help if needed close by. We've owned for 20yrs

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

To our knowledge the waiver in no means will be a deteriment to the
zoning. It will be re-plotted by a surveyor if waiver is granted.

Staff Report

CASE NUMBER: W-9-20
ADDRESS: 6982 South 125 West, Trafalgar
Section 30, Township 11, Range 4
PETITIONER: Robert and Patricia Tearman

REQUEST

WAIVER of the Johnson County Subdivision Control Ordinance to provide for a two-lot Minor Subdivision with one of the lots having 50 feet of road frontage and 50 feet of lot width (minimum 100 feet of road frontage required per lot, with a minimum 208-foot lot width required at the front setback line).

STAFF RECOMMENDATION

Staff recommends **approval** of this request.

PROPERTY DESCRIPTION

This ten-acre site is zoned R-R (Rural Residential) and is improved with a single-family dwelling and accessory structures.

The site is surrounded to the north, east and west by smaller size parcels used residentially and agriculturally, and to the south by smaller parcels used residentially, with an occasional larger track of land used agriculturally, all of which are zoned A-1.

WAIVER REQUEST

This request, if approved, would allow for the subsequent filing of a two-lot Minor Subdivision which would split off 4.8 acres from the ten-acre parent parcel, allowing one additional buildable lot.

Per the Johnson County Subdivision Control Ordinance, all lots created in the R-R zoning district through a Minor Subdivision process must have at least 100 feet of road frontage and 208 feet of lot width. This standard is intended to prevent the creation of flag lots and other illogically or inefficiently configured lots.

The existing house on the parent tract currently uses an ingress/egress easement on the land adjacent to the property. They will continue to use the easement and propose that the new lot will utilize the same easement to minimize the driveway cuts along public right-of-way. They will provide a 50-foot strip alongside the easement in case any unforeseeable issues arise for the easement.

There are a few flag-shaped parcels in the area. The property with which the petitioner shares a driveway is a flag lot. While the creation of flag lots is not desirable and should be avoided if possible, this property is narrow, 356' by 1221', where any division of this land could not satisfy all lot standard set forth in the ordinance. The division will grant one additional buildable lot in

an area zoned rural residential, without adding an additional curb cut. The proposed residential density of one dwelling unit per five-acres is well-situated for the Plans' recommendations.

As the Waiver would not contravene the recommendations of the Comprehensive Plan and would not compromise the enjoyment, use or value of adjoining properties, staff recommends its approval.

FINDINGS OF FACT, STAFF ANALYSIS

1. 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 public safety, health or welfare.

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

Staff Analysis: The narrow shape of the parent parcel prevents any divisions to be allowed to by right.

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;

Staff Analysis: The narrow shape of the parent parcel prevents any divisions to be allowed to by right. The parent parcel uses an existing ingress/egress where the creation of one additional flag lot would not cause any out of the ordinary situation for the area.

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 Future Land Use Map of the Johnson County Comprehensive Plan recommends Agricultural use of the site. The proposed waiver would allow for residential development at approximately one dwelling unit per five acres. The proposed residential density of one dwelling unit per two-acres is well-situated for the Plans' recommendations.

GENERAL INFORMATION

Applicant: Robert and Patricia Tearman
6982 South 125 West
Trafalgar IN 46181

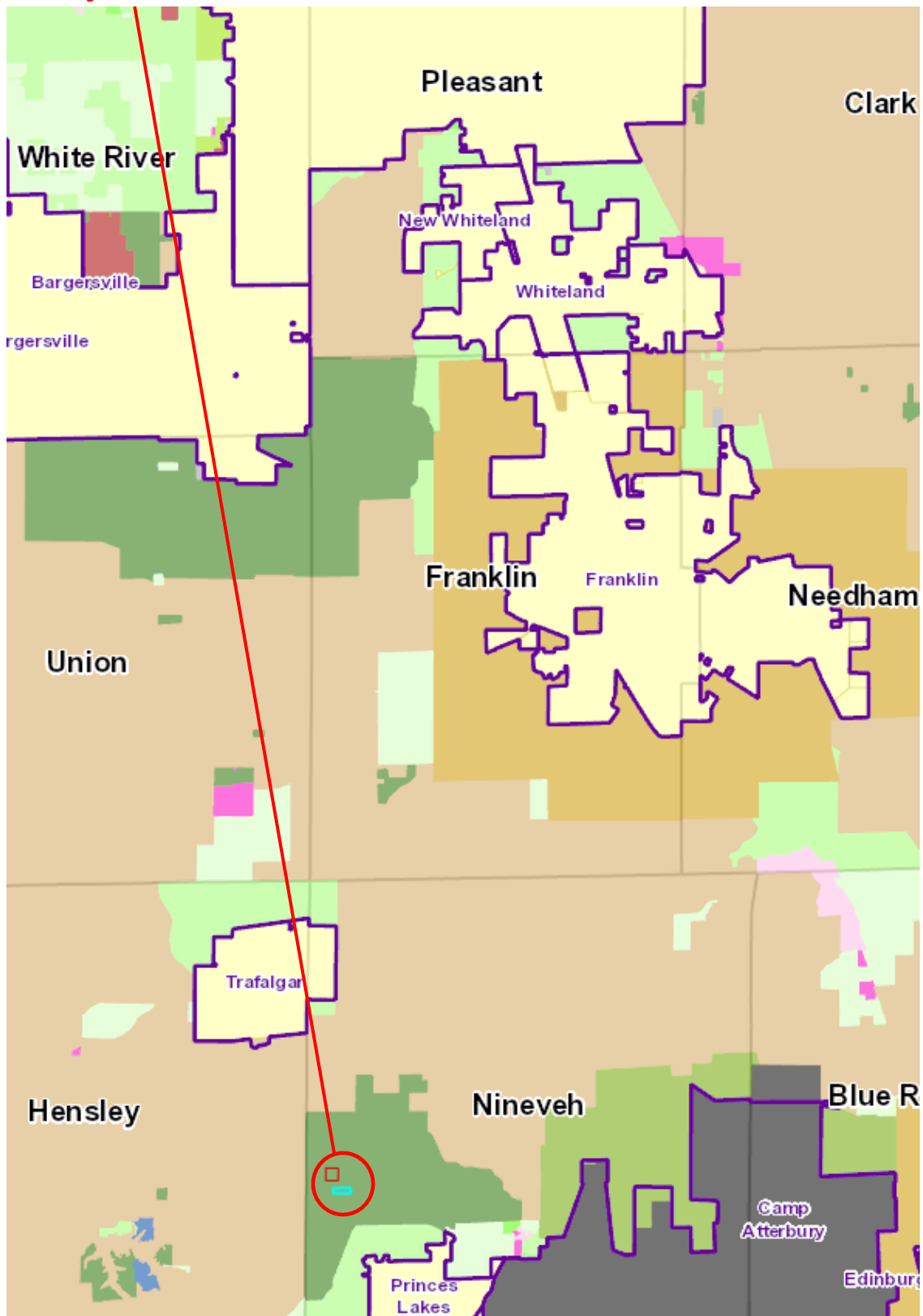
Owner: Same

Current Zoning: R-R (Rural Residential)
Existing Land Use: Single-family Residential
Future Land Use: Agricultural

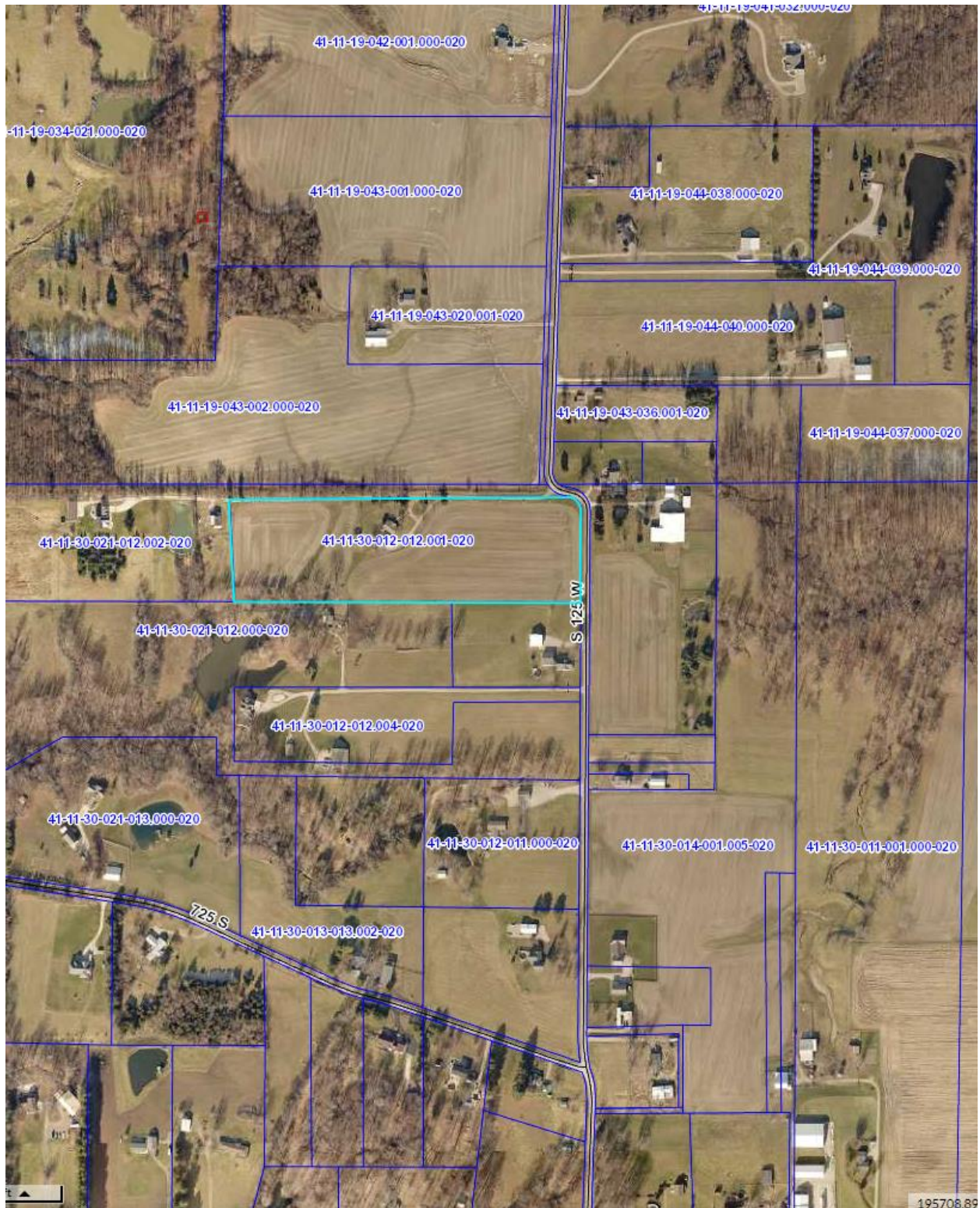
-MNH

subject site

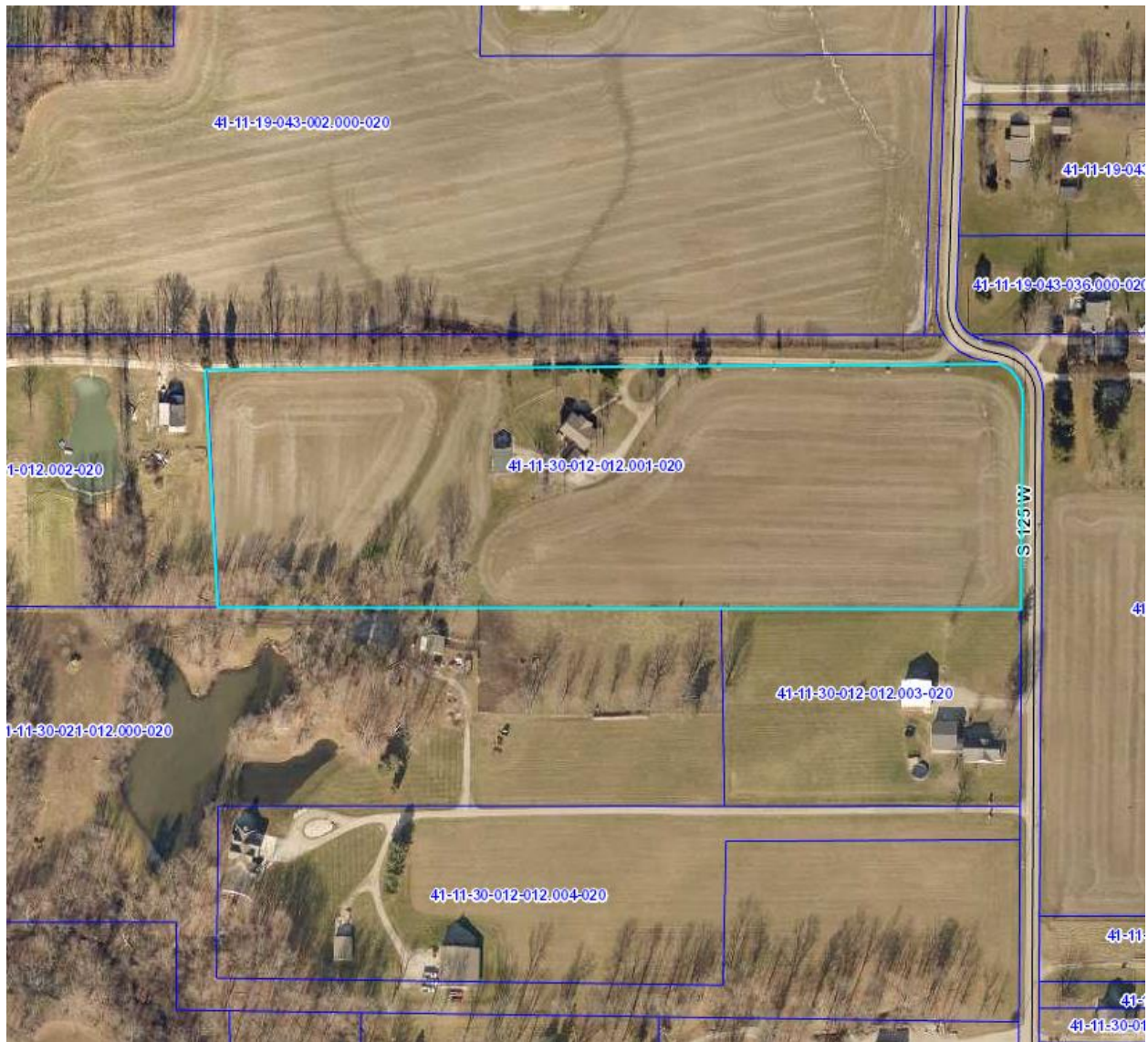
W-9-20 BASE MAP



W-9-20 BASE MAP II



W-9-20 AERIAL PHOTOGRAPH



W-9-20 PROPOSED SITE CONFIGURATION



W-9-20 PETITIONER'S FINDINGS OF FACT

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

No - I don't believe that granting the waiver will be detrimental to the public safety, health or welfare or injurious to nearby property.

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 existing parcel has a deeded easement "Ingress Egress" to the existing 6980 S. 125 W. road frontage.

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.

We would like to build on the front "new" property and continue to farm the land around it. As of now it is Agricultural. Without the "waiver" it would take too much of the land.

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

~~At~~ Our request is only 2 homes over 10 acres and the county rule 1 house per acre.

PROPOSED RESIDENTIAL DESIGN STANDARDS

A sub-committee of the Johnson County Plan Commission has been working over the past several months on this set of design standards, which will be added to the zoning ordinance, to establish minimum architectural requirements for all single-family (and duplex) development in the county's jurisdiction. This DRAFT set of design standards is included here for preliminary discussion by the Plan Commission. The Plan Commission will not vote on these draft design standards at its September 28, 2020 meeting; it will only review and provide comments at that time.

Overview

These design regulations shall apply to all single-family and two-family residential development in major subdivisions platted after the regulations' date of adoption. The regulations are intended to ensure that new residential development:

- complements existing housing stock, while providing for versatility and diversity in new construction,
- contributes aesthetically, economically and functionally to the built environment of Johnson County, and
- supports healthy long-term housing and property values.

Notes

"Section I. Primary Dwellings" will be added as a new section to the zoning ordinance, and will apply to development of all single-family and two-family dwellings within major residential subdivisions in all residential zoning districts, except the Planned Unit Development (PUD) district. (All PUDs are written with their own unique set of design and development standards.)

"Section II. Site Features and Area Context" will be incorporated into the existing development standards section of the zoning ordinance.

"Section III. Lot dimensions and Features" will amend existing development standards within the zoning ordinance for zoning districts R-1, R-2 and R-3.

I. Primary Dwellings

A. Exterior materials. A primary dwelling's exterior materials, excluding windows, entry doors, overhead doors, and associated trim, shall include:

1. brick, stone, or other traditional masonry media laid individually and adhered by mortar;
2. wood siding, cement-based siding, resin-bound engineered wood siding, or an equivalent-quality siding material;
3. galvanized or galvalume metal panel or siding;
4. glass, stucco, or pre-cast concrete panel; or
5. EIFS and heavy-grade vinyl siding (minimum 0.044-inch), which are permitted only on a dwelling's elevations facing a rear lot line, and may account for no more than 40 percent of any one elevation's area. However, single-family dwellings in the R-3 and R-4 zoning districts may employ EIFS or heavy-grade vinyl siding on any of a dwelling's elevations, but on no more than 50 percent of a dwelling's total elevation area.

B. Windows. Not less than 15 percent of a dwelling's exterior wall facing a public street shall be windows. Not less than 10 percent of a dwelling's exterior wall facing a rear lot line shall be windows. Not less than 5 percent of a dwelling's exterior wall facing a side lot line shall be windows.

C. Eaves. Primary dwellings shall provide minimum 12-inch eaves along all facades.

D. Roofs.

1. Roofs shall be surfaced with asphalt shingle, industry-approved synthetic shingle, slate, shake, standing seam metal, or tile.
2. Sloped main roofs shall have a minimum pitch of 6/12. However, lower-pitched roofs historically associated with a clearly-established architectural idiom, such as Craftsman, Prairie, Italianate, Federal, Spanish and bungalow, shall be permitted at the Director's discretion.

3. Flat roofs shall require parapet screening, which shall completely obscure from ground view all rooftop mechanical equipment and facilities, and shall be constructed of the same material as the primary façade.
- E. Attached Garages.**
1. No more than two car bays may share a common garage door.
 2. The width of an attached garage may not exceed 40 percent of the total width of the dwelling. However:
 - a) There is no garage width limitation for side entry (45- to 90-degree) attached garages, or for attached garages offset 20 feet or more behind the front façade of a dwelling.
 - b) Attached garage width may be up to 50 percent of the total width of the dwelling if at least two of the following architectural elements are provided: decorative garage door, garage door windows, embellishing masonry, or similar enhancing architectural elements.
- F. Detached Accessory Structures.**
1. Detached accessory structures with a building area of 200 square feet or less shall provide minimum 10-foot side setbacks and minimum 5-foot rear setbacks, and shall not be located within any drainage, utility, and other platted or recorded easement.
 2. Detached accessory structures with a building area greater than 200 square feet, and open-air game courts, shall meet the minimum setbacks required of primary dwellings.
- G. Architectural Diversity.**
1. Adjoining lots shall not be developed with the same primary dwelling building model.
 2. No more than 30% of the lots on a block may be developed with the same dwelling building model.
 3. Variety in dwelling building models shall be based on architectural articulation, floor plan, fenestration, use of exterior materials and colors, massing and silhouette.

4. The developer may propose an alternative method for meeting anti-monotony regulations. Such method may be approved administratively by the Director if it is deemed to meet or exceed the purpose of the regulations. The Director's administrative decision may be formally appealed to a public hearing of the Board of Zoning Appeals by any party.

II. Site Features

A. Fences.

1. Fences in side or rear yards may be no taller than 6 feet.
2. Fences in front yards may be no taller than 3.5 feet. However, on a corner lot, a front-yard fence may be up to six feet tall in one of the two, but not both, of the required front yards.
3. All fences must meet the clear sight requirements detailed in Section 6-101-5-F.1 of this ordinance.
4. Barbed wire, razor wire, electrified wire and similar materials are prohibited.
5. Chain link fences are allowed, but must be vinyl-coated black or dark green, and may not be filled with slats.
6. A fence may not be erected in any drainage and/or utility easement without adequate allowance for stormwater through-flow.

B. Front Yard. No more than 40 percent of the total front yard area may be covered by driveway, sidewalk, parking area, or any other impervious surface. However, on corner lots, no more than 50 percent of the total front yard area may be covered by impervious surface.

Section III. Lot Dimensions

<i>Zoning</i>	<i>min lot area (acres)</i>	<i>min lot width (feet)</i>	<i>min building area (square feet)</i>
R-1	n/a	90	2-story: 2,400 1-story: 1,600
R-2	n/a	80	2-story: 2,000 1-story: 1,000
R-3	n/a	70	2-story: 1,800 1-story: 900

Technical Review Committee 2020 Calendar Proposed Amendment

MEMO

To: David Hittle, Director

From: Richard R. Hoover, P.E., Planning Engineer

August 5, 2020

Re: TRC Schedule and Submittals

We currently have two (2) Technical Review Committee (TRC) meetings each month; however, the second meeting of the month creates filing deadlines and a meeting that aren't necessary. The second meeting normally falls 3 to 4 calendar days prior to the monthly Drainage Board meeting with the odd month having an extra week between the second TRC meeting and the DB meeting. For example, we currently have scheduled for September:

SEPTEMBER

		1 Drainage Board	2 TRC Submittal	3	4	5
6	7 Labor Day	8	9 TRC Mtng SWPPP Submittal	10	11	12
13	14	15	16 TRC Submittal	17	18	19
20	21	22	23 TRC Mtng	24	25	26
27	28 Plan Com	29	30 SWPPP Submittal			

The second meeting is 13 days prior to the October 6th DB meeting. There is sufficient time that could be used to address TRC comments, resubmit plans, and have any issues addressed prior to the DB meeting. In addition to the TRC submittal deadlines, another filing deadline for submittal of the SWPPP was created and is scheduled one week prior to the TRC filing deadline. Most submittals for the SWPPP and TRC deadlines are made during the SWPPP filing deadline simply because most construction plan design has to be completed to perform the SWPPP design. Currently the SWPPP is approved prior to the TRC meeting; however, changes to the construction plans due to TRC comments could also require changes to the

SWPPP. Staff and other TRC members feel rushed to adequately review and comment on plans given generally only 4 work days to review submittals. An example is one subdivision submittal could be done; however, two or three additional submittals on top of that one creates an unreasonable time frame for adequate review. As an example, the Planning Department had 4 days in June to review Meadows at Bellevue. Even with the transition for the Planning Engineer slot and having two engineers available for review, it was difficult to provide comments for that particular submittal. One engineer spent approximately 12 to 16 hours of review time for that one project while the other engineer spent time dealing with the normal work load of the position.

For October, we currently have the following schedule:

OCTOBER

				1	2	3
4	5	6 Drainage Board	7 TRC Submittal	8	9	10
11	12	13	14 TRC Mtng SWPPP Submittal	15	16	17
18	19	20	21 TRC Submittal	22	23	24
25	26 Plan Com	27	28 TRC Mtng SWPPP Submittal	29	30	31

The second TRC meeting is 7 days prior to the DB meeting; however, because of the holiday, there are 4 work days while without the holiday, there would be 3 work days. This is insufficient time to address TRC comments, resubmit plans, and address any issues prior to the DB meeting. In essence, this second meeting is actually for the December DB meeting and not the November meeting. The same is true for the second TRC meeting in November except there is a single work day for revisions because of the Thanksgiving holiday. That meeting would actually be a submittal for the January DB meeting. December has a single TRC meeting scheduled.

NOVEMBER

1	2	3 Election Day	4 TRC Submittal	5 Drainage Board	6	7
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8	9	10	11 Veteran's Day	12 TRC Mtng SWPPP Submittal	13	14
15	16	17	18 TRC Submittal	19	20	21
22	23 Plan Com	24	25 TRC Mtng SWPPP Submittal	26 T-Giving	27 T-Giving	28
29	30					

DECEMBER

		1 Drainage Board	2 TRC Submittal	3	4	5
6	7	8	9 TRC Mtng	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24 X-Mas	25 X-Mas	26
27	28	29	30	31 NY Eve	1 NY Day	

The existing schedule has 4 submittal deadlines and two meetings each month. We believe it would more efficient to have a single filing deadline for both the TRC and the SWPPP for one Drainage Board meeting. The filing deadline would be on a Wednesday 5 weeks prior to a scheduled Drainage Board meeting with a TRC meeting two weeks after filing, and with final plans submitted and comments addressed two weeks after the TRC meeting. For instance, the filing deadline for the October DB meeting would be Wednesday, September 2nd, the TRC meeting would be scheduled two weeks later on September 16th, and final plans and all comments would be addressed by September 30th for the October 6th DB meeting.

The calendar for the remainder of the year would be:

OCTOBER

				1	2	3
4	5	6 Drainage Board	7	8	9	10
11	12	13	14 TRC Mtng	15	16	17
18	19	20	21	22	23	24
25	26 Plan Com	27	28 Final Plans for 11/05 DB mtng TRC Submittal for 12/01 DB	29	30	31

NOVEMBER

1	2	3 Election Day	4	5 Drainage Board	6	7
8	9	10	11 Veteran's Day	12 TRC Mtng	13	14
15	16	17	18	19	20	21
22	23 Plan Com	24	25 Final Plans for 12/01 DB Mtng	26 T-Giving	27 T-Giving	28
29	30					

DECEMBER

		1 Drainage Board	2 TRC Submittal for 01/05 DB	3	4	5
6	7	8	9	10	11	12
13	14	15	16 TRC Mtng	17	18	19
20	21	22	23	24 X-Mas	25 X-Mas	26
27	28 Plan Com	29	30 Final Plans for 01/05 DB mtng TRC Submittal for 02/02 DB	31 NY Eve	1 NY Day	

We feel going forward with this type of scheduling each month will alleviate confusion and have a benefit of sufficient review time as well as allowing more time to deal with the day to day operations of County Departments involved with the Drainage Board and Plan Commission.