

Johnson County Plan Commission
December 27, 2021 Meeting Minutes

The Johnson County Advisory Plan Commission met on Monday, December 27, 2021 in the Johnson County Courthouse Annex Auditorium. The meeting was called to order at 6:00 PM by Chairman Nathan Bush.

I. ROLL CALL:

Present: Chad Bowman, Nathan Bush, Charlie Canary, Gregg Cantwell, Chris Kinnett, Jonathan Myers (Alternate), Stoney Vann, Ron West, Attorney William Barrett (Legal Counsel - not voting), Michele Hansard (Director – not voting) and Angela Olson (Recording Secretary – not voting).

Absent: Pete Ketchum, Pat Vercauteren and Rachael Schaefer

II. APPROVAL OF MEETING MINUTES:

Chairman Nathan Bush called for a motion to approve the November 22, 2021 Plan Commission meeting minutes.

Motion: Approval of November 22, 2021 Plan Commission meeting minutes. **Moved** by Ron West. **Seconded** by Charlie Canary. **Yes:** Bowman, Bush, Canary, Cantwell, Kinnett, Myers, Vann and West. **No:** None. **Motion approved 8-0.**

III. PUBLIC HEARINGS:

W-14-21; Terry Johnson – Waiver Request. 24-acre parcel to the South of 634 S. 100 W.

Staff presented findings and facts to the board and recommended approval of request three (3) lot Roadside Subdivision where the subdivision is of a non-original lot of records and denial of the lots having areas of 2.63 acres.

Project Manager Steve Brehob with Banning Engineering (853 Columbia Rd., Ste. 101, Plainfield 46168) and Real Estate Agent Greg Leugers (26 E. Jefferson St., Franklin 46131) on behalf of the Petitioner were present to speak and address concerns.

Board members asked questions and expressed concerns, which were addressed by Petitioner and staff, as follows:

- Q. Board member Ron West inquired as to what the footage amount would equal to for the .63 acres?
 - A. 130 feet with a 200 feet width.

- Q. Board member Ron West asked would 130 feet have to be taken off one (1) lot to get it?
A. Yes, off the west end.
- Q. Board member Ron West inquired how you would then meet the two (2) acre requirement?
A. By shrinking back towards the road.
- Q. Board member Nathan Bush inquired as to when the wells were put in?
A. 2003
- Q. Board member Nathan Bush asked if the wells had been checked yet?
A. No.
- Q. Board member Charlie Canary asked where does the field tile run to?
A. To the North using a perimeter drain that runs to along the road.
- Q. Board member Charlie Canary inquired as to how big the field tile is?
A. Unknown.
- Q. Board member Nathan Bush inquired as to whether or not there were any well water problems in that area?
A. No.
- Q. Board member Jonathan Myers asked if the wells had been abandoned and concreted over?
A. No.
- Charlie Canary voiced his opinion and concerns regarding historical water problems and agriculture in the area.

Motion: To approve W-14-21 to provide for a three (3) lot Roadside Subdivision where the subdivision is of a non-original lot of records with Petitioner's Findings of Fact and denial of the lots having areas of 2.63 acres with Staff's Findings of Fact. **Moved** by Ron West. **Seconded** by Nathan Bush. **Yes:** Bush, Canary, Kinnett, Myers, Vann and West. **No:** Bowman and Cantwell. **Motion approved 6-2.**

W-15-21; Terry Johnson – Waiver Request. 12-acre parcel to the North of 634 S. 100 W.

Staff presented findings and facts to the board and recommended approval of request.

Project Manager Steve Brehob with Banning Engineering (853 Columbia Rd., Ste. 101, Plainfield 46168) and Real Estate Agent Greg Leugers (26 E. Jefferson St., Franklin 46131) on behalf of the Petitioner were present to speak and address concerns.

Board members asked questions and expressed concerns, which were addressed by Petitioner and staff, as follows:

- Q. Board member Nathan Bush inquired as to what the plans were for the remaining 9/10 acres?

A. Purchasing and adding additional acreage to make it as a farm field for agricultural purposes.
- Q. Board member Jonathan Myers asked how you would access that farm field?

A. Through the 122 feet road frontage.
- Q. Board member Nathan Bush inquired if they had plans in the future to sell the lot and stressed his flag lot concerns?

A. Yes.
- Charlie Canary voiced his opinion and concerns regarding agriculture in the area.
- Q. Board member Chad Bowman asked if someone is currently farming the property?

A. Yes.

Motion: To approve W-15-21 to provide for a three (3) lot Roadside Subdivision where the subdivision is of a non-original lot of records, with one (1) lot having 122 feet of road frontage and Petitioner’s Findings of Fact. **Moved** by Ron West. **Seconded** by Chad Bowman. **Yes:** Bowman, Bush, Kinnett, Myers, Vann and West. **No:** Canary and Cantwell. **Motion approved 6-2.**

W-16-21; Brian & Terry Johnson – Waiver Request. 1826 W. 550 S.

Staff presented findings and facts to the board and recommended approval of request.

Project Manager Steve Brehob with Banning Engineering (853 Columbia Rd., Ste. 101, Plainfield 46168) and Real Estate Agent Greg Leugers (26 E. Jefferson St., Franklin 46131) on behalf of the Petitioner were present to speak and address concerns.

Board members asked questions and expressed concerns, which were addressed by Petitioner, Remonstrators and staff, as follows:

- Q. Board member Stoney Vann asked the Remonstrator Mr. Clayburn how long he had resided at the nearby residence?
A. Forty (40) years.
- Q. Board member Nathan Bush asked the Remonstrator Mr. Clayburn where the drainage would go?
A. It would drain to the West two (2) ravines and eventually into Indian Creek.
- Q. Board member Ron West inquired as to whether or not there was city water available?
A. Yes, Princes Lakes.
- Q. Board member Nathan Bush inquired as to whether or not there was someone currently residing in the existing residence and does the Petitioner plan on selling the residence in the future?
A. No to both questions.
- Q. Board member Charlie Canary asked the Petitioner if he knew where the field tile drained to?
A. Unknown.
- Board members and staff discussed clarification of this waiver request, boundary retracements, road frontage, original lots of record and previous division/sale of properties.

Remonstrator Myles Clayburn (5389 S. 200 W., Trafalgar 46181) was present to express his concerns regarding traffic, drainage and nature of the area.

Remonstrator Jason Brothers (5446 S. 200 W., Trafalgar 46181) was present to express his concerns regarding traffic and safety.

Remonstrator Dan Boyd (5503 S. 200 W., Trafalgar 46181) was present to express his concerns regarding traffic, water, drainage, agricultural land and nature of the area.

Motion: To approve W-16-21 to provide for a three (3) lot Roadside Subdivision where the subdivision is of a non-original lot of record and Petitioners Findings of Fact. **Moved** by Ron West. **Seconded** by Jonathan Myers. **Yes:** Kinnett, Myers and West. **No:** Bowman, Bush, Canary, Cantwell and Vann. **Motion denied 3-5, motion failed.**

Motion: To deny W-16-21 to provide for a three (3) lot Roadside Subdivision where the subdivision is of a non-original lot of record. **Moved** by Nathan Bush. **Seconded** by Gregg Cantwell. **Yes:** Bowman, Bush, Canary, Cantwell and Vann. **No:** Kinnett, Myers and West. **Motion approved 5-3.**

Board directed staff to prepare negative Findings of Fact for vote at the January 24, 2021 meeting.

IV. NEW BUSINESS:

Adoption of Negative Findings of Facts for W-12-21

Motion: To adopt negative Findings of Facts for W-12-21. **Moved** by Charlie Canary. **Seconded** by Gregg Cantwell. **Yes:** Bush, Canary, Cantwell, Kinnett and Vann. **No:** Bowman, Myers and West. **Motion approved 5-3.**

V. ADJOURNMENT:

Chairman Nathan Bush called for a motion to adjourn the meeting at 7:51 PM.

Motion: Adjourn the meeting. **Moved** by Ron West. **Seconded** by Gregg Cantwell. **Yes:** Bowman, Bush, Canary, Cantwell, Kinnett, Myers, Vann and West. **No:** None. **Motion approved 8-0.**

Approved on: January 24, 2021

By:



Nathan Bush, Chairman

Attested By:



Pat Vercauteren, Secretary