



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
January 23rd 2023 - 6:00 PM
Public Auditorium, West Annex Building
86 West Court Street, Franklin, Indiana

CALL TO ORDER BY PLAN COMMISSION ATTORNEY

ROLL CALL

ELECTION OF PLAN COMMISSION OFFICERS

- a. Chairman
- b. Vice-Chairman
- c. Secretary

OTHER APPOINTMENTS

APPROVAL of MINUTES

Approval of minutes from the November 28th, 2022 meeting.

PUBLIC HEARINGS

-CONTINUED HEARINGS-

-NEW HEARINGS -

M-1-23. Beth Morris Minor Subdivision. Approx. at 1450 N 400 W, Bargersville.....Page 3

Approval of a Residential Subdivision Plat, to be known as Beth Morris Minor Subdivision, dividing 21.23 acres into two lots.

W-1-23. Dorman waiver – Charles – Pricilla Sheperd Plat. 5118 W. Stones Crossing

Road, Greenwood.....Page 14

WAIVER of the Johnson County Subdivision Control Ordinance to provide for a potential three-lot Minor Subdivision with two of the lots having a depth-to-width ratio of 2.6:1 (in Minor Subdivisions, lots with an area less than five acres may have a depth-to-width ratio no greater than 2:1)

OLD BUSINESS None.

NEW BUSINESS

Approval of 2023 Contract for Johnson County Plan Commission Attorney with Williams Barrett & Wilkowski, LLP.

REPORTS and RECOMMENDATIONS

2023 Unified Development Ordinance

ADJOURNMENT

The next meeting of the Johnson County Advisory Plan Commission is scheduled for February 27th 2023 at 6:00 PM in the public auditorium of the Courthouse West Annex Building.

STAFF REPORT

CASE NUMBER: M-1-23
ADDRESS: 21.23 acres approximately at 1450 N 400 W, Bargersville, IN
Parcel 41-09-10-041-023.000-036
PETITIONER: Annetta Morris by Main Street Consulting, Brad Ott

REQUEST

Approval of a Residential Subdivision Plat, to be known as Beth Morris Minor Subdivision, dividing 21.23 acres into two lots.

STAFF RECOMMENDATION:

Staff recommends approval of this Minor Plat subject to satisfaction of all amendments requested by the Technical Review Committee and checkpoint agencies. Further detail will be provided verbally at the hearing.

PROPERTY DESCRIPTION

This 21.23-acre site is zoned R-R, Rural Residential, is used agriculturally, and is not improved. The site is surrounded by large parcels used residentially, all of which are zones R-R.

PROPOSED MINOR PLAT

This request, if approved, would provide for the subdivision of the subject site into two lots. All lots will have road frontage on 400 W (Earl Vaughn Rd). One lot will be 4.990 acres and the remaining tract will be 15.844 acres.

Both lots will have access to N 400 W. Both lots will utilize private sanitation system for any development.

GENERAL TERMS AND CONDITIONS

Technical Review Committee

The Technical Review Committee reviewed the Beth Morris Minor Plat on December 20, 2022 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 Beth Morris Minor Plat at its January 3, 2023 meeting.

Johnson County Highway Department, Johnson County Planning Engineer, Johnson County Health Department, Johnson County GIS, Franklin Schools, Bargersville Fire Department, and REMC.

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

Bargersville Water

The applicant has stated they intend to use public water as a source of water. They will need to see approval from Bargersville for the connection. A follow up will be provided verbally at the Planning Commission Meeting.

GENERAL INFORMATION

Applicant: Brad Ott, Main Street Consulting
675 N Main St
Franklin, IN 46131

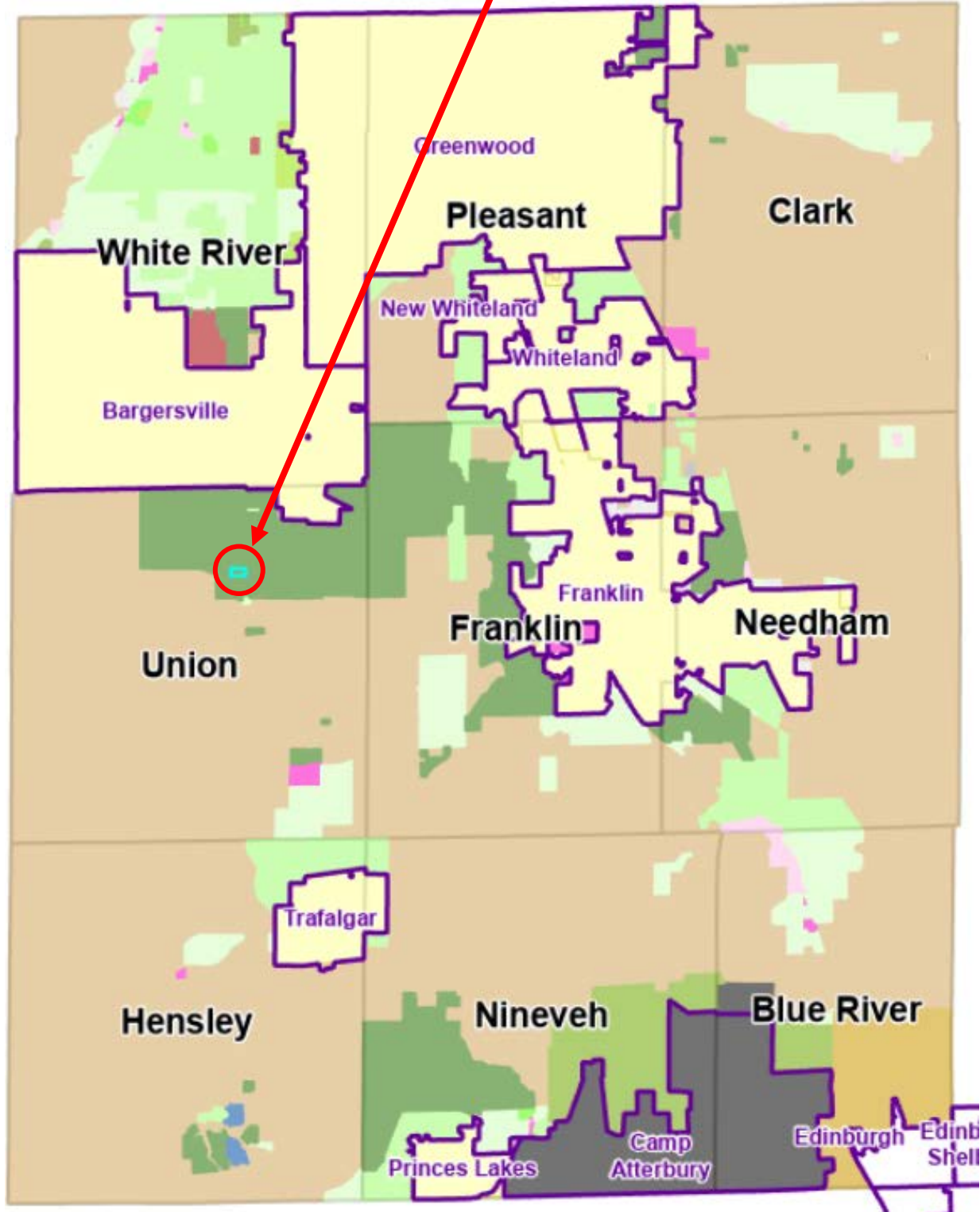
Owners: Annetta Morris
1630 N 400 W
Bargersville, IN 46106

Zoning: R-R (Rural Residential)
Land Use: Agricultural
Future Land Use: Rural Residential

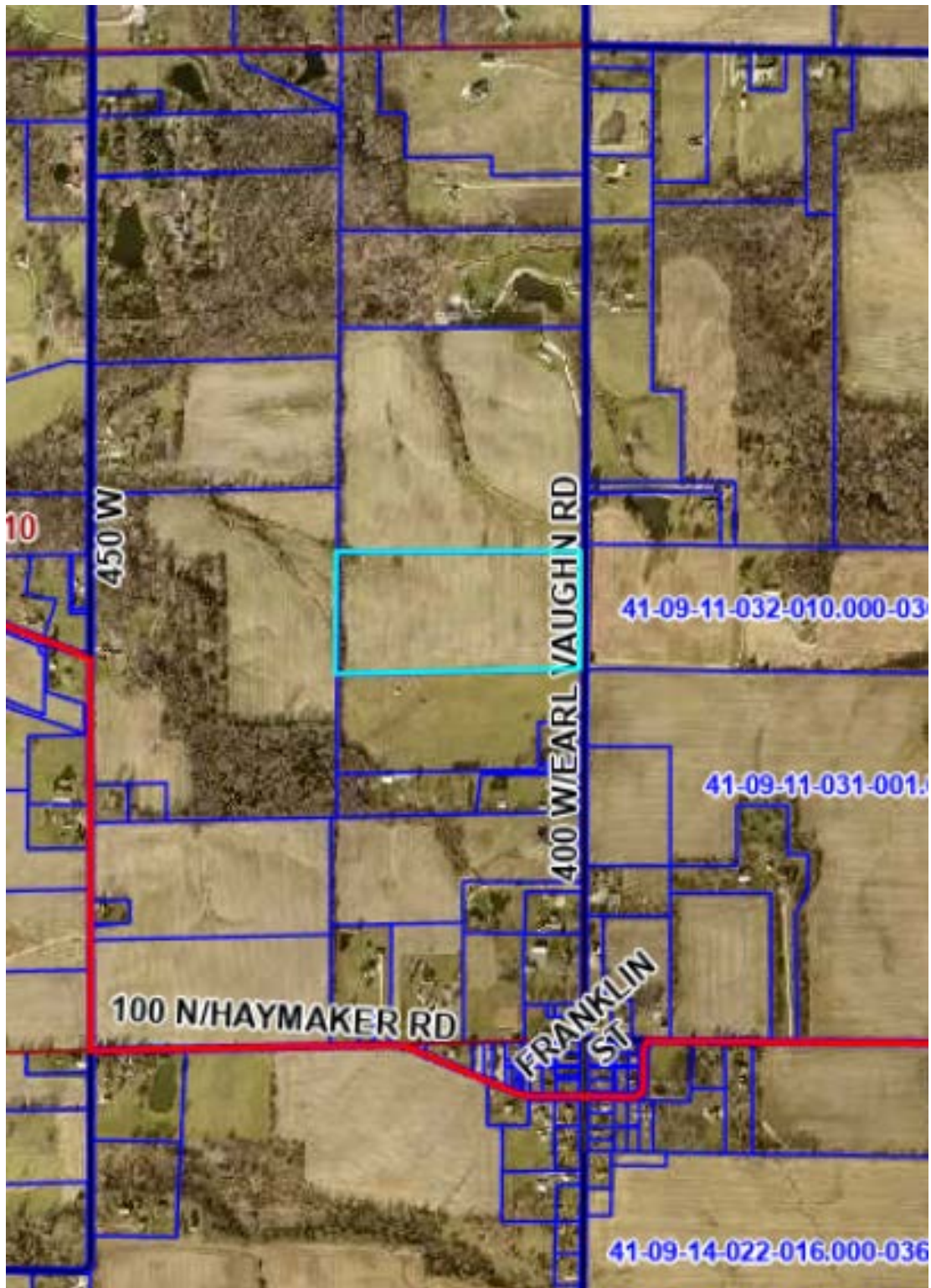
-RLS

M-1-23 BASE MAP

SUBJECT SITE



M-1-23 AERIAL MAP



M-1-23 AERIAL MAP II



M-1-23 PROPOSED SUBDIVISION

BETH MORRIS MINOR SUBDIVISION

Part of Section 10, Township 12 North, Range 03 East

Union Township, Johnson County, Indiana

RESIDENTIAL

QUITCLAIM DEED
GRADY & ANNETTA JACKSON
INSTRUMENT 2016-004080
1630 N 400 W (37± ACRES)

PLAT/CABINET: _____ SLIDE: _____
INSTRUMENT NO. _____

PLAT/CABINET: _____ SLIDE: _____
INSTRUMENT NO. _____

QUITCLAIM DEED
CURTIS A BROWN
INSTRUMENT 2011-014258
1509 N 450 W (53± ACRES)

QUITCLAIM DEED
CURTIS A BROWN
INSTRUMENT 2011-014258
1509 N 450 W (53± ACRES)

REMAINING TRACT ~ 15.844± ACRES

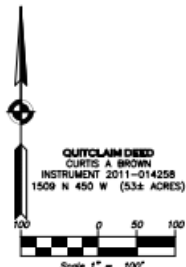
QUITCLAIM DEED
ANNETTA MORRIS
INSTRUMENT 2001-028859
21.226± ACRES
BOUNDARY RETRACEMENT SURVEY
CKW LAND SURVEYING, INC.
for AMBER BERNINGER
INSTRUMENT 2015-021377
TRACT ONE (21.23± ACRES)

LOT ONE ~ 4.990± ACRES

QUITCLAIM DEED
AMBER & ZACHARIAH BERNINGER
INSTRUMENT 2015-023423
1320 N 400 W (15.61± ACRES)
15.614± ACRES
BOUNDARY RETRACEMENT SURVEY
CKW LAND SURVEYING, INC.
for AMBER BERNINGER
INSTRUMENT 2015-021377
TRACT TWO (15.61± ACRES)

QUITCLAIM DEED
CYNTHIA LEE McINTOSH
INSTRUMENT 2015-013370
1401 N 400 W (34.45± ACRES)

QUITCLAIM DEED
JAMES B MARTIN
INSTRUMENT 2019-007138
(103± ACRES)



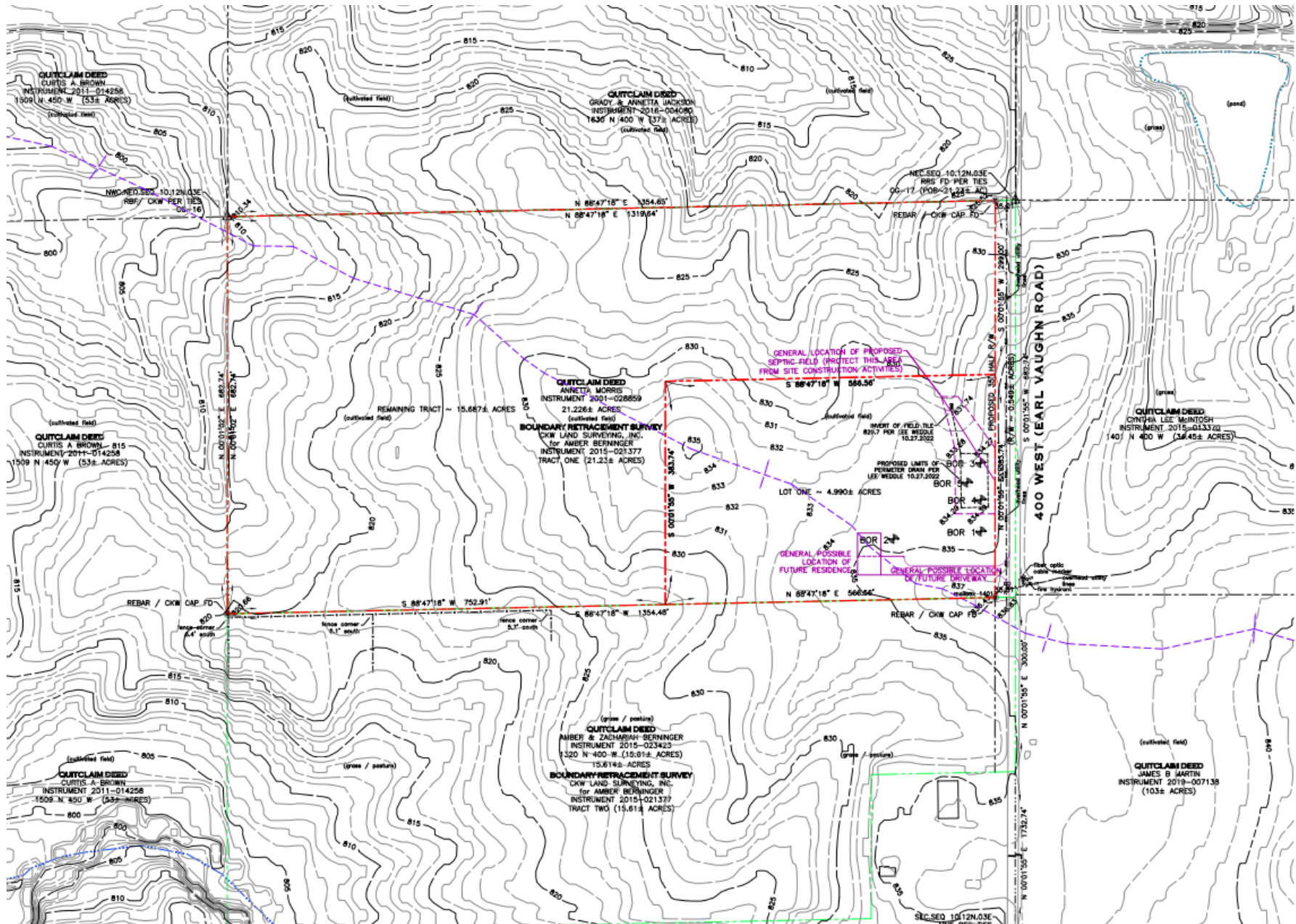
MAIN STREET
CONSULTING COMPANY

675 North Main Street P.O. 377,458-4765
Franklin, IN 46121 att@mainstreetconsulting.com
www.mainstreetconsulting.com

SEC. SEC. 10.12N.03E
MNF PER TIES
CI-17

PROJECT 22/022
SHEET 1 of 2

M-1-23 SUPPORTING DATA PLAN



M-1-23 TECHNICAL REVIEW COMMENTS Page 1 of 4



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

December 21, 2022

Brad Ott, P.L.S., P.E.
Main Street Consulting
675 North Main Street
Franklin, Indiana

RE: DR-3506-22; M-1-23 Beth Morris Minor Plat
Sketch Plan Review

Dear Mr. Ott:

On December 20, 2022, 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. 400 W is a local road that only requires a 25' half row (35' proposed).
2. Change Planning and Zoning Director signature line to "Michele Hansard, AICP."
3. Add "Nathan Bush" to the Plan Commission Chairman Signature Line.
4. Add "Chris Kinnett" to the Plan Commission Secretary Signature Line.
5. Elizabeth A. Alvey will be the 2023 Auditor.
6. Michael S. Watkins will be the 2023 Accessor.
7. Final submission of the preliminary plat (with application and filing fee) is due to the office on 1/5/2023. Applicant must send plat to all checkpoint agencies and receive approval before plat can be approved by Plan Commission. Staff would like approval by 1/13.
8. Final Plat: Include signature lines for all property owners.
9. Final Plat: Ensure note "Storm Water Permits may be required through Johnson County Planning & Zoning" has been added.
10. Final Plat: Ensure placement signature lines in the following order: Assessor; Auditor; Recorder.
11. Final Plat: Ensure the note "Duly Entered for Taxation - Subject to Final Acceptance" has

M-1-23 TECHNICAL REVIEW COMMENTS Page 2 of 4

been added above the Auditor's signature.

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 Drainage Board Requirements as follows.

- a. Except for 5,000 square feet of impervious coverage, Lot 1 convert 0.47 acres from farmland to grass.
- b. Except for 5,000 square feet of impervious coverage, the Remaining Tract will convert 0.15 acres from farmland to grass.
- c. A ratio of for the conversion of 1.00 acre of farmland to grass for additional impervious areas above the first 5,000 square feet shall meet the following requirements:

Lot 1: 7,614 square feet of impervious area for every 1.00 acre of farmland converted to grass up to a maximum of 30,000 square feet of impervious area above the initial 5,000 square feet of impervious area.

Remaining Tract: 6,693 square feet of impervious area for every 1.00 acre of farmland converted to grass up to a maximum of 50,000 square feet of impervious area above the initial 5,000 square feet of impervious area.
- d. Prior to occupancy of each structure, a P.E. or P.L.S. must verify and certify conditions of these Drainage Board Requirements. The fees for these professional services shall be paid by the individual or entity requesting said Certificate of Occupancy from the County.

14. Final Plat: Provide one (1) Mylar and one (1) electronic (pdf) copy of the approved and recorded plat.

15. Johnson County Surveyor comments:

- a. The following should be added to the plat notes:

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 not to impair or negatively impact surface or subsurface water flow.

16. Drainage Board approval (preliminary & final) is required.
17. Johnson County Highway Department approval is required. See attached comments
18. Johnson County Health Department approval is required. See attached comments.

M-1-23 TECHNICAL REVIEW COMMENTS Page 3 of 4

19. Bargersville Fire Department approval is required.

20. REMC approval is required. Comments include:

If you have any questions or concerns, please call me at your earliest convenience.

Very truly yours,



Richard R. Hoover, P.E.
Planning Engineer

cc: Project File/Office File

M-1-23 TECHNICAL REVIEW COMMENTS Page 4 of 4



Johnson County Highway Department

1051 Hospital Road
Franklin, IN 46131

(317) 346-4630 Office
(317) 738-5378 Fax

www.jchighway.com
highway@co.johnson.in.us

Lucas M. Mastin
Highway Supervisor

Daniel E. Johnston, P.E.
Highway Engineer

Date: December 6, 2022
To: File
From: Daniel Johnston, P.E., Highway Engineer
Nathanial J. Annis, Engineer Technician
Cc: Richard R. Hoover, P.E. Johnson County Planning & Zoning
Subject: Beth Morris Minor Subdivision- Sketch Plan

1. County Road 400 W is classified as a Local Road and 25' right-of-way dedication is required. Plans show 35' dedication. If the property owner would like to dedicate over the required amount, our department will accept the right-of-way as shown.
2. Future access points will require a line of sight study, and driveway permit.
3. As a standard comment, if present, old fencing, posts, trees, rocks/ boulders, shrubs and other obstructions/ hazards shall be removed from the right-of-way.

STAFF REPORT

CASE NUMBER: W-1-23
ADDRESS: 5118 W. Stones Crossing Road, Greenwood
PETITIONER: Tammy Dorman, By Maurer Surveying, INC

REQUEST

WAIVER of the Johnson County Subdivision Control Ordinance to provide for a potential three-lot Minor Subdivision with two of the lots having a depth-to-width ratio of 2.6:1 (in Minor Subdivisions, lots with an area less than five acres may have a depth-to-width ratio no greater than 2:1)

STAFF RECOMMENDATION:

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

PROPERTY DESCRIPTION

This 6.88-acre site in White River Township is zoned R-1, Single Family Residential. The site is improved with a single-family dwelling, detached accessory structure, and pool. Center Grove High School and Center Grove Middle School are to the East. All surrounding parcels are zoned R-1.

WAIVER REQUEST

The petitioner intends to divide Lot 1 of the Charles & Priscilla Shepherd Minor Plat, a 6.88 acre lot into two lots. One lot will be 3.26 acres and contain all existing improves and the other lot will be 3.24 acres. This lot is already part of a two lot subdivision so overall the revised plat of the subdivision will have three lots.

Under the Subdivision Control Ordinance, lots under five acres must not exceed a depth-to-width ratio of 2:1. After the dedication of the required right-of-way, Lot 1 and 2 will have a 2.66:1 ratio. The petitioner is proposing two divide the existing parcel into two equal lots. The other lot of this subdivision has a 2.94:1 ratio. In order to achieve rectangular lots like the surrounding parcels, the depth of the lots will be slightly longer than allowed. The 2.66:1 depth-width ratio represents a small deviation from the standard, and is useful by logically dividing the exisiting parcel in half.

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

Staff recommends approval of this waiver request.

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;

Granting 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.

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.

Granting of the waiver would legally allow the petitioner to divide the property in a manner largely guided by the existing features which are unique to the property and area.

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 proposed property lines follow the existing improvements and divide the property in equal parts. The surrounding parcels have similar depth-to-width ratios.

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 rural residential. Granting this waiver would allow for development and use of the property in a manner aligned with the rural residential recommendation.

GENERAL INFORMATION

Applicants: Andrew Barkocy, Maurer Surveying, Inc.
4800 W. Smith Valley Road, Suite P
Greenwood, IN 46143

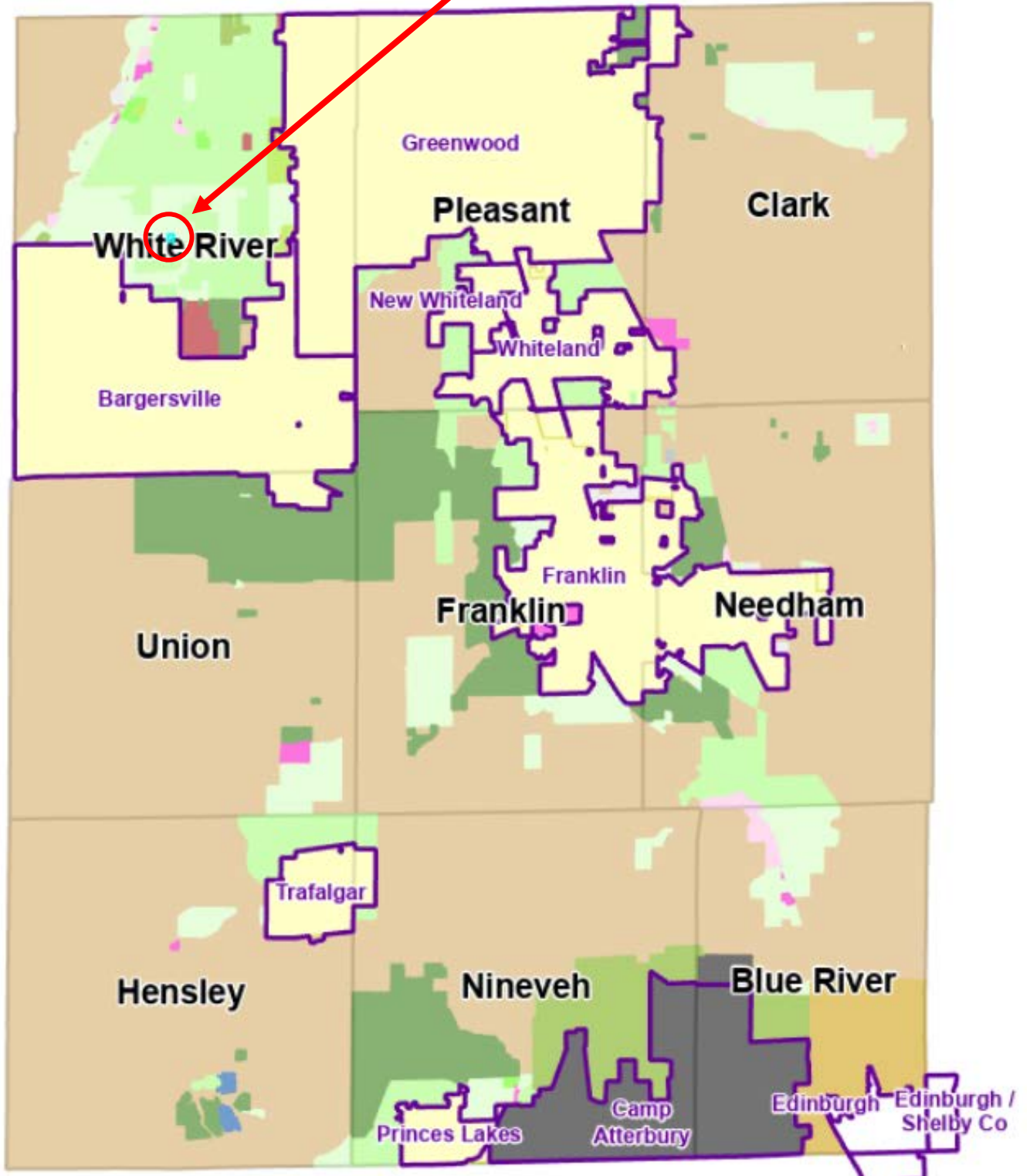
Owners: Tammy Dorman
5118 W. Stones Crossing Rd
Greenwood, IN 46143

Zoning: R-1 (Single-Family Residential)
Land Use: Residential
Future Land Use: Rural Residential

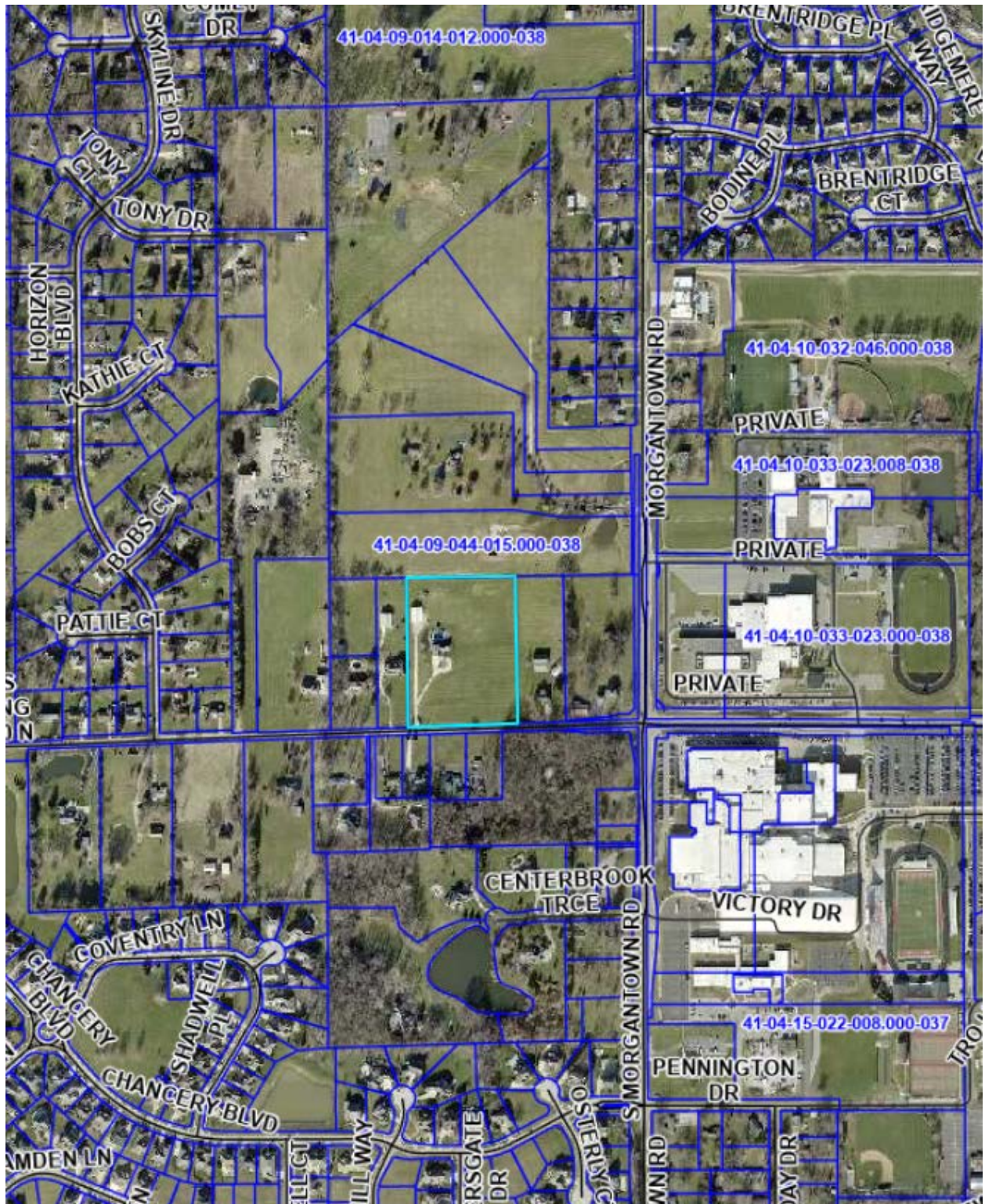
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W-1-23 BASE MAP

SUBJECT SITE



W-1-23 AERIAL MAP



W-1-23 AERIAL MAP II



W-1-23 Proposed Subdivision

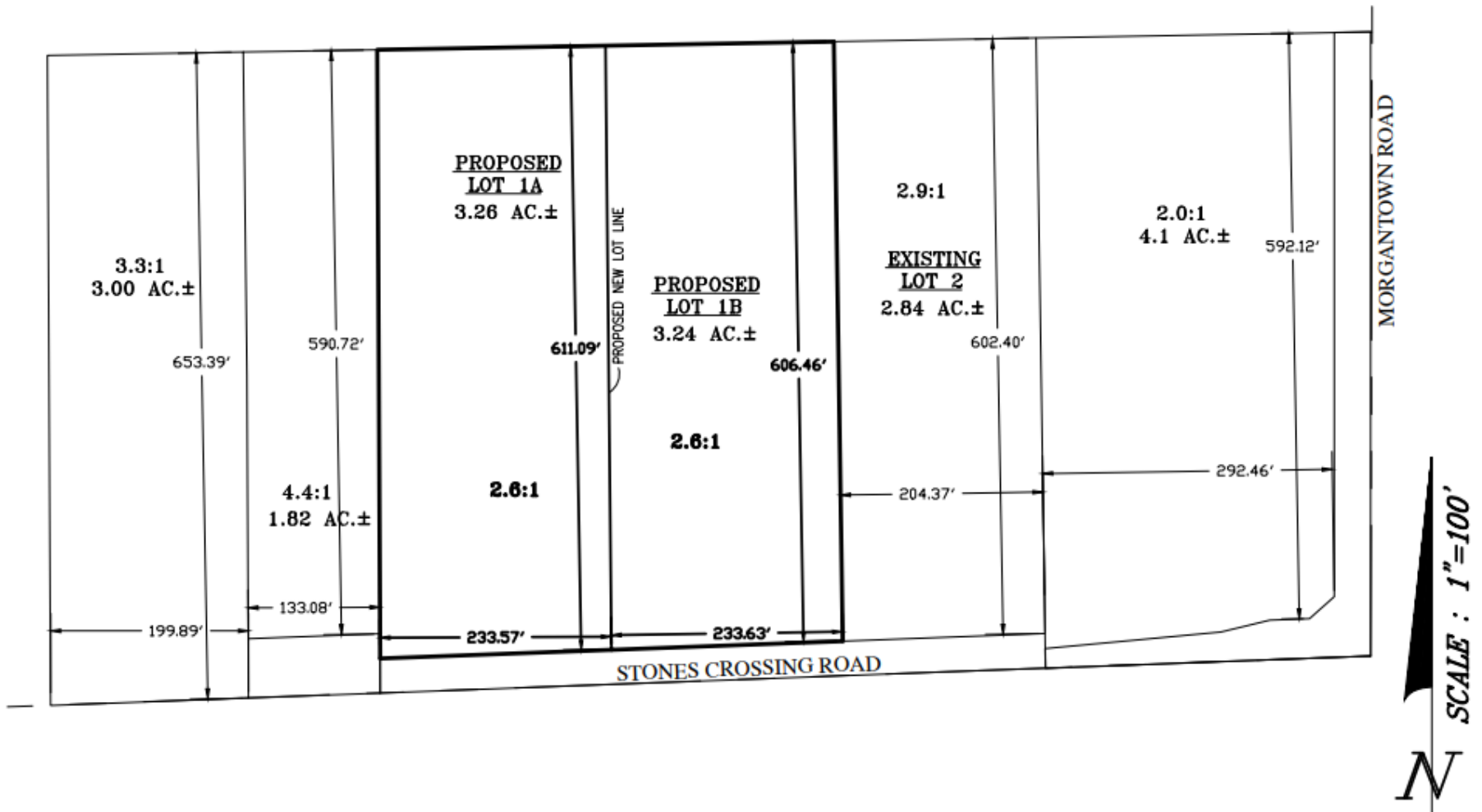
REPLAT OF LOT 1 IN CHARLES & PRISCILLA SHEPHERD MINOR DEPTH TO WIDTH WAIVER REQUEST



N

W-1-23 Proposed Dimentional Plat

REPLAT OF LOT 1 IN CHARLES & PRISCILLA SHEPHERD MINOR DEPTH TO WIDTH WAIVER REQUEST



W-1-23 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.

The granting of the waiver will not be detrimental to the public safety, health, or welfare or be injurious to nearby property because granting this waiver will only allow for 1 more buildable lot. It will only allow for depths of the lots to be 139.17' & 143.95' longer than required and therefore having no affect on the public safety health, or welfare or be 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.

The existing lot already has a residence with a pool, barn, and drive that is built on the far west side of the total 6.5 acres. This left a very large open space on the east side of the property. The other lot within this existing minor plat and the 2 parcels to the west exceed the 2:1 depth to width ratio as well and by more than what is being requested on these lots. The depth of all these lots are equal in length and therefore making a reasonable sized parcel requires the depth to exceed twice the width.

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 front portion of this existing lot has an extreme elevation change off the road of approximately 17 feet of drop, which makes the front approximately 200' of the lot un-buildable. This is why the existing residence on the west side is built back off the road. The buildable areas of the proposed new lots would meet the 2:1 depth to width ratio.

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

If the waiver is granted, a 2 lot minor plat will be completed to create two 3.26 acre lots which is more in line with the lots to the east and west of the site. It is larger for the current zoning of the lot of R-1, however the larger lots are more prevalent in this surrounding area.