

## **Johnson County Plan Commission**

### **August 28, 2023 Meeting Minutes**

The Johnson County Advisory Plan Commission met on Monday, August 28, 2023 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, Gregg Cantwell, Steve Hickman, Chris Kinnett, Jonathan Myers, Stoney Vann, Ron West, Attorney Stephen Watson (Legal Counsel - not voting), Michele Hansard (Director – not voting) and Angela Olson (Recording Secretary – not voting).

**Absent:** Charlie Canary and Ron Deer (Alternate)

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#### **II. APPROVAL OF MEETING MINUTES:**

Chairman Nathan Bush called for a motion to approve the July 24, 2023 Plan Commission meeting minutes.

**Motion:** To approve the July 24, 2023 Plan Commission meeting minutes. **Moved** by Jonathan Myers. **Seconded** by Chris Kinnett. **Yes:** Bowman, Bush, Cantwell, Hickman, Kinnett, Myers, Vann and West. **No:** None. **Motion approved 8-0.**

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#### **III. PUBLIC HEARINGS:**

**M-2-23 through M-7-23; Greg Leugers – Minor Plat Requests.  
Possum Hollow and Watson Rd.**

Staff presented findings and facts to the board and recommended to approve these minor plats subject to satisfaction of all amendments requested by the Technical Review Committee and checkpoint agencies. Also with the condition that an approval perimeter drainage plan is approved by the Health Department prior to recording of plat.

Land Survey Assistant Chandler Harden with Banning Engineering (1415 Wigwam Ln., Martinsville 46151) on behalf of the Petitioner was present to speak and address questions and/or concerns.

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

- Q. Board member Nathan Bush inquired as to what the road frontage requirement was for all of these lots?

- A. Ninety (90) feet.
- Q. Attorney Stephen Watson inquired as to whether or not staff had Findings of Fact prepared?  
A. Yes, in the power point presentation only.
  - Q. Board member Stoney Vann asked for clarification on what the Health Department's concern was?  
A. An approved perimeter drainage plan.
  - Q. Board member Stoney Vann asked for confirmation that the Petitioner currently did not have an approved perimeter drainage plan?  
A. No, the Petitioner does not have an approved perimeter drainage plan.
  - Q. Board member Nathan Bush inquired as to whether or not the approved perimeter drainage plan was just for housing permit or septic permit?  
A. Septic permit.
  - Q. Board member Ron West inquired as to whether or not the developer would consider doing a drainage and utility easement?  
A. Yes.
  - Q. Board member Nathan Bush asked the Petitioner if he had any new plans?  
A. Yes.
  - Q. Board member Chris Kinnett inquired as to why the Possum Hollow South Minor Plat was only going to be divided into three (3) lots instead of four (4) lots?  
A. Flood plain area which may cause future property owner(s) possible building issues.
  - Board members, staff and Remonstrator discussed Drainage Board notice(s), drainage board concerns and approval.
  - Q. Board member Ron West inquired as to whether or not the Petitioner was selling the lots only or will be controlling what types or quality of residences would be built?  
A. Unknown. Staff advised that typically this Petitioner sells off the lots only.
  - Q. Board member Nathan Bush asked staff if there were any outstanding checkpoint agency approvals?  
A. None other than the Nineveh Fire Marshall approval but since the fire department is a volunteer fire department their approval is not necessary.

Remonstrator Linda Hawn (605 Possum Hollow Rd., Greenwood 46143) was present to express her concerns regarding changes to the nature of the area.

Remonstrator Bob Giesecking (681 Possum Hollow Rd., Greenwood 46143) was present to express his concerns regarding drainage and road conditions.

**Motion:** To approve M-2-23 through M-7-23 to create a residential subdivision plat to be known as Watson Road West Minor Plat dividing 20.019 acres into four (4) lots, to create a residential subdivision plat to be known as Watson Road North Minor Plat dividing 20.079 acres into four (4) lots, to create a residential subdivision plat to be known as Watson Road East Minor Plat dividing 20.005 acres into four (4) lots, to create a residential subdivision plat to be known as Possum Hollow West Minor Plat dividing 20.036 acres into four (4) lots, to create a residential subdivision plat to be known as Possum Hollow North Minor Plat dividing 20.103 acres into four (4) lots, to create a residential subdivision plat to be known as Possum Hollow South Minor Plat dividing 20.572 acres into three (3) lots, staff's Findings of Fact and condition that an approval perimeter drainage plan is approved by the Health Department prior to recording of plat. **Moved** by Ron West. **Seconded** by Gregg Cantwell. **Yes:** Bowman, Bush, Cantwell, Hickman, Kinnett, Myers and West. **No:** Vann. **Motion approved 7-1.**

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**W-6-23; Eric Williams – Waiver Requests. 3319 E. 700 N.**

Staff presented findings and facts to the board and recommended to deny these waiver requests.

Petitioner Eric Williams (3319 E. 700 N., Whiteland 46184) was present to speak and address questions and/or concerns.

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

- Q. Board member Ron West referred to the picture of the purposed plot layout that was provided in the staff report and inquired as to why the small strip could not be done away with?
  - A. Petitioner stated that he would get rid of the small strip to provide more road frontage.
- Q. Attorney Stephen Watson asked staff if they had any comments and/or concerns regarding Ron West proposal to the Petitioner to remove the small strip?
  - A. No issues.
- Q. Board member Ron West asked the Petitioner if he would commit to not build any residence within 500 feet from the Henderson's property line?
  - A. Yes.

- Q. Board member Jonathan Myers asked staff if these flag lots were smaller than the designated lots that we have been steering away from or greater than?
  - A. The flag lots from the minor subdivision are zoned R-1 single family residential and the standard that's in place in the subdivision control ordinance helps prevent that on tracts five (5) acres or less. Out in the agricultural A-1 areas our road frontage of 200 feet helps to prevent that standard as well. We do not have any other rules or regulations like the R-1 that prevent this configuration.
  
- Q. Board member Gregg Cantwell inquired that if these waiver requests were approved would the septic still have to go through for approval?
  - A. This would be considered a Roadside Subdivision so the Petitioner would still have to submit for formal approval of the roadside which would include the Health Department's approval.
  
- Q. Board member Chris Kinnett inquired as to whether or not this parcel would have public water or well?
  - A. Well.

Remonstrator Karen Henderson (3305 E. 700 N., Whiteland 46184) was present to express her concerns regarding changes to the nature of the area and traffic.

**Motion:** To approve W-6-23 to provide for a two (2) lot Roadside Subdivision to allow the subdivision on a non-original lot of record, where the subdivision is of a ten (10) acre Agriculturally zoned lot, where both lots will have between fifty (50) and eighty-eight (88) feet of road frontage, where both lots will be approximately five (5) acres, Petitioner's Findings of Fact and condition that a residential structure will not be built within 500 feet from the Henderson property line. **Moved** by Ron West. **Seconded** by Jonathan Myers. **Yes:** Bowman, Cantwell, Hickman, Myers, Vann and West. **No:** Bush and Kinnett. **Motion approved 6-2.**

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**IV. ADJOURNMENT:**

Chairman Nathan Bush called for a motion to adjourn the meeting at 7:12 PM.

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

Approved on: September 25, 2023

By:

  
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Nathan Bush, Chairman

Attested By:

  
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Chris Kinnett, Secretary