

February 12, 2020

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday February 12, 2020 at 9:00 a.m. in the Hendricks County Government Center, Rooms 4 & 5, 355 South Washington Street, Danville, Indiana. Members present were Mr. Tim Dombrosky, Chairman; Ms. Krista Click, Environmental Health Director; Mrs. Tiffany Dalton, Deputy Surveyor, and Mr. Jeff Pell, Plan Commission Representative. Also present were Mrs. Suzanne Baker, Senior Planner; and Mrs. Brandy Swinford, Recording Secretary.

Mr. Dombrosky called the meeting to order with the Pledge of Allegiance. There was a quorum with four (4) members present.

Mr. Dombrosky called for the approval of the minutes of the January 15, 2020 meeting.

Mrs. Dalton motioned for the approval of the January 15, 2020 minutes.

Mr. Pell seconded the motion. Ms. Click abstained.

FOR – 3 – AGAINST – 0 – ABSTAINED – 1 –

MIP 96/20: (REPLAT) JOHN & DONNA DOTTEWHY; a 2-lot minor plat; 7.72 acres; Brown Township; S33-T17N-R1E; 7601 Eaker Court, Brownsburg (Kruse Consulting Inc.)

Mr. Dale Kruse appeared along with John & Donna Dottenwhy. He stated they were there to request an approval of a replat. They platted and built their home years ago. It is located on the east side of Preston Estates. The parcel is a little over seven (7) acres and they wish to split it in half. Their access comes in from Preston Estates. On the original plat, there was a requirement to dedicate right of way (ROW) through if it were ever fully developed, which they are doing. It would create two (2) lots, one on each side of the road ROW. There is an existing house on one lot where they've lived for thirty (30) years, and they wish to create a new lot on the north side where one of their children can build a home. He reviewed the staff comments. The first being the requirement to bring the road up to county standards if it were ever fully developed. He stated he wanted to clarify that that expense would be on the whoever the developer was and not the Dottenwhy's.

Mr. Dombrosky stated that he didn't think the county had any control over it. In theory, he guessed it would come out of the purchase price if it were the developer.

Mr. Kruse stated that he understood. The next comment talked about the accurate location of the well. He believed Joel worked through that with the Health Department and that location is noted on there now.

Ms. Click agreed that they had.

Mr. Kruse stated that they had received drainage board approval yesterday.

Mr. Dombrosky noted that the only thing he thought of was that they were showing a 35-foot building setback line. That can be 25 feet in a subdivision. Since those lots are a little restricted anyway, he didn't have a problem reducing those setbacks to the 25 feet.

Mr. Kruse stated that he will make that change. That it would be helpful.

Mrs. Baker noted that there was a grammatical error in comment number one. It should read "shall" instead of "should"

Mr. Dombrosky opened the public hearing. There being no one signed up to speak, he closed the public hearing.

Ms. Click motioned for approval of **MIP 96/20: (Replat) John & Donna Dottenwhy** subject to staff recommendations and changing the grammatical error in comment number one and changing the setback to 25 feet.

Mrs. Dalton seconded the motion.

FOR – 4 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff recommendations are as follows.

DRAINAGE CONDITIONS:

Subject to Drainage Board approval and the conditions of the County Surveyor.

STAFF RECOMMENDATIONS:

1. Any further subdivision utilizing the right of way dedicated with the replat shall be required to improve the right of way to County standards.
2. Accurate location of Lot 1 existing well with radius needs to be shown on the development plan.

CONDITIONS OF APPROVAL:

1. A properly executed County/Owner Inspection Agreement must be provided prior to approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. A septic system must be designed for these lots prior to building permit application to reflect the actual house location and size. The initial review of the submitted soil analysis indicates that the soils are rated severe and that septic systems are feasible on these lots. Additional soil borings for each lot may be required at the time of septic permit application. Proposed subsurface drain outlet elevations are required on each lot prior to final approval.
5. The absorption field areas must be fenced in such a way that accidental crossing of the site with equipment is prohibited. This may be done by farm fence, snow fence, or other similar materials. Preservation of the absorption field areas is the responsibility of the developer and if these areas are not preserved it could make the lots unbuildable.
6. Secondary septic field easements (SSFE) must be shown on the plat, or separate easement document to be recorded with the plat must be provided.
7. Prior to recording a statement must be added to the plat that states: Those designated as secondary septic field easements (SSFE) are secondary septic field easements that are hereby expressly reserved for the purpose of the placement of a sewage disposal field. Uses shall be limited to those consistent with the proper operation of a septic system and that will

February 12, 2020

not result in soil compaction. The easement shall terminate only with the written approval of the Hendricks County Health Officer.

MIP 1119/20: PAUL CZERNIAK; a 2-lot minor plat; 8.79 acres; Center Township; S34-T16N-R1W; located on the west side of N. County Road 50 E., approximately 0.50 miles south and 0.50 miles west of the intersection with N. County Road 100 E. (Kruse Consulting Inc.)

Mr. Dale Kruse appeared on behalf of the petitioner. He stated they purchased the property in 2014. It is located on the north edge of Danville. They desired to create two (2) parcels at the front of their property and then build a home on the remainder. They would sell one of the parcels before building their new home. He then reviewed the staff comments. Comment number 2 about the naming of the shared driveway. He has asked for a street name but has not gotten a response yet back from Mr. Czerniak. He will get with the addressing coordinator once he gets a name from him. He stated that they are creating an ingress/egress easement for the drive. He pointed out the area on the plat. He stated that they started this process back in 2015. It took him a while to figure out what he wanted to do. Once he decided, Mr. Kruse told him he would need to buy a small piece of land for the drive for his plan to work. That took him about a year to get that done. There was a discrepancy in the road description and ROW. He has a deed for it. He pointed out on the plat the area being discussed. He owns it so he can dedicate it.

Mr. Dombrosky stated that he thought he had addressed all the concerns he had. The only question he had, since he has the easement, there is a little flexibility in the drive location if needed. He asked that they have Mr. Ayres look at it to make sure it didn't need to be moved to the north a little.

Mr. Kruse agreed and stated that he would have him look at it.

Mrs. Baker stated that Mr. Ayres had left an additional comment that they make sure there is adequate site distance in both directions of the proposed drive location.

Mr. Kruse stated that there was adequate site distance now. Mr. Dombrosky stated that is what he was going to ask; was if Mr. Ayres wanted an actual diagram. He didn't think he would if the drive comes out at the corner.

Mrs. Baker stated she thought that Mr. Ayres had seen the revised plan when they moved the driveway.

Mr. Dombrosky replied that the comment still stands. If he waives it, then that is his decision.

Mr. Kruse stated that he understood and if he needed a diagram, that would be no problem. He stated they platted a non-access easement just so it was clear.

Mr. Dombrosky opened the public hearing. There being no one signed up to speak, he closed the public hearing.

Mrs. Dalton motioned for approval of **MIP 1119/20: Paul Czerniak** subject to staff recommendations and Mr. Ayres reviewing the driveway location and possibly requiring a site line diagram.

Mr. Pell seconded the motion.

FOR – 4 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff recommendations are as follows.

DRAINAGE CONDITIONS:

Subject to Drainage Board approval and the conditions of the County Surveyor.

STAFF RECOMMENDATIONS:

1. Show the adjoining property lines.
2. Title research and a legal opinion will be needed for the adjoining lot(s) and road right of way on CR 50 E, as it does not appear that Lot 1 has 50' of road frontage.
3. Applicant must show that there is adequate sight distance in both directions from the proposed driveway location.
4. The shared driveway should be named and the lots addressed from the new drive. Confirm with Kim Wells the addressing Coordinator, since there is one drive serving 3 lots.
5. Soils report needed for Lot 1.

CONDITIONS OF APPROVAL:

1. A properly executed County/Owner Inspection Agreement must be provided prior to approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. A septic system must be designed for these lots prior to building permit application to reflect the actual house location and size. The initial review of the submitted soil analysis indicates that the soils are rated severe and that septic systems are feasible on these lots. Additional soil borings for each lot may be required at the time of septic permit application. Proposed subsurface drain outlet elevations are required on each lot prior to final approval.
5. The absorption field areas must be fenced in such a way that accidental crossing of the site with equipment is prohibited. This may be done by farm fence, snow fence, or other similar materials. Preservation of the absorption field areas is the responsibility of the developer and if these areas are not preserved it could make the lots unbuildable.
6. Secondary septic field easements (SSFE) must be shown on the plat, or separate easement document to be recorded with the plat must be provided.
7. Prior to recording a statement must be added to the plat that states: Those designated as secondary septic field easements (SSFE) are secondary septic field easements that are hereby expressly reserved for the purpose of the placement of a sewage disposal field. Uses shall be limited to those consistent with the proper operation of a septic system and that will not result in soil compaction. The easement shall terminate only with the written approval of the Hendricks County Health Officer.

February 12, 2020

EX 277/20: MIP 1118 JOHN KOFODIMOS; an exception to the Subdivision Control Ordinance, Section 3.15 (2.a) Delays – Street Trees

Mr. Dale Kruse appeared with Mr. Kofodimos. He would like to ask for a delay in the planting of street trees due to the weather. He stated that he believed Joel had submitted a current configuration of the trees and what would be acceptable.

Mrs. Baker stated that he had.

Mr. Kruse stated that Mr. Kofodimos would like to get the plat recorded so he can start building his house.

Mr. Dombrosky stated that six (6) months is the typical time frame. He stated he doesn't have any concerns. It is typical for this time of year.

Ms. Click motioned for approval of **EX 277/20: MIP 1118 John Kofodimos** for six (6) months.

Mrs. Dalton seconded the motion.

FOR – 4 –

AGAINST – 0 –

ABSTAINED – 0 –

There being no further items to be discussed, the meeting was adjourned at 9:19 a.m.

Tim Dombrosky, Chairman