

July 12, 2022

A meeting of the Hendricks County Area Plan Commission was held on Tuesday, July 12, 2022, at 6:30 p.m., in Meeting Rooms 4 & 5 of the Hendricks County Government Center, 355 South Washington Street, Danville, Indiana 46122. Members present were Mr. Brad Whicker; Mr. Bob Gentry; Mr. Ron Kneeland; Mrs. Margaret Gladden and Mr. Tom Whitaker. Staff members present were Mr. Tim Dombrosky, Secretary and Director of Planning; Mr. Ryan Robling, Senior Planner; Mr. Greg Steuerwald, County Attorney; and Mrs. Brandy Swinford, Recording Secretary.

The meeting was opened with the Pledge of Allegiance. There was a quorum with five (5) members present.

Mr. Whicker stated that the first order of business was to approve the minutes from the June 14, 2022 meeting.

There was not a quorum of members that were present at the June meeting so the minutes could not be voted upon it was the consensus to continue the matter to the August meeting.

**DPR 308/22: HEARTLAND SOLUTIONS – PARKING LOT EXPANSION (PRIMARY);** a development plan review for parking lot expansion; 3.44 acres; Guilford Township; S20-T14N-R2E; located at the northeast quadrant of S. County Road 1025 E., east of Hendricks County Rd. (First Group Engineering)

Mr. Dombrosky presents. He reviews the location, current and surrounding zoning, and comprehensive plan. They wish to add 26 additional parking spaces. It is coming before the plan commission due to the request for two (2) modifications. One is for the parking layout for more than 50% of the parking being in front of the building. This is due to their location having three (3) frontages. The second is for the number of spaces. With these additional spaces, they will have 92 spaces but bases upon their number of employees it should be 170 parking spaces in accordance with the ordinance.

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

Mr. Kneeland motioned for approval of **DPR 308/22: Heartland Solutions – Parking Lot Expansion (Primary)** with the requested modifications.

Mr. Gentry seconded the motion.

FOR – 5 –                      AGAINST – 0 –                      ABSTAINED – 0 –

It was noted that the next petition (ZA 497/22: Heaven Zigler) had been withdrawn by Comer Law.

**MAP 752/22: WALTER SULLIVAN (PRIMARY);** a 3-lot major plat; 17.27 acres; Marion Township; S1-T15N-R2W; located at the end of Brianne Lane, approx. 2500 feet north of where it intersects with W. US Hwy 36 (Kruse Consulting)

**WA 337/22: MAP 752 – SULLIVAN;** a Waiver to the Subdivision Control Ordinance, Section 6.03.12 – Permanent Cul-de-sacs (Kruse Consulting)

Mr. Dombrosky presents. He reviews the location, current and surrounding zoning and comprehensive plan. It was noted that it was in the Crystal Lakes subdivision which was a 26-lot subdivision done in 2004. The original design provided 2 cul-de-sacs, but it was changed to have one of them become a stub street to avoid a non-compliant cul-de-sac that exceeded the maximum length. Now

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they wish to make the 17-acre parcel looking to develop into a 3-lot estate subdivision. It is extending Brianne Lane into a cul-de-sac to provide frontage for the three (3) lots because the stub street would only allow frontage for one lot. Therefore, extending public infrastructure makes it a major plat. He discussed the construction plans and drainage easement. They have requested a waiver for the number of lots to be accessed from the cul-de-sac. The ordinance states that no more than 25% of the lots can be accessed from cul-de-sacs. He noted that staff recommends approval for both the petition and waiver as well.

Mr. Whicker asked if there were any questions.

Mr. Dale Kruse, Kruse Consulting was present. He reviewed the staff comments and the estate zoning classifications.

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

Mr. Gentry motioned for approval of **MAP 752/22: Walter Sullivan (Primary) and WA 337/22** with the estate subdivision classification and noting that the estate regulation 11.3.K will not be imposed on the surrounding properties and accepting the waiver to allow all the lots to be accessed from the cul-de-sac.

Mr. Kneeland seconded the motion.

FOR – 5 –                      AGAINST – 0 –                      ABSTAINED – 0 –

**DPR 507/22: ZAXBY'S (PRIMARY);** a development plan review for a new restaurant; 1.33 acres; Guilford Township; S20-T15N-R2E; located across from the Walmart Supercenter on Upland Way – Camby (Carter Engineering Consultants)

Mr. Dombrosky presents. He reviews the location, current and surrounding zoning, and comprehensive plan. He shows the site plan and landscaping plan. He noted that the location has 3 frontages. The landscaping plans meet all the county's standards. They were asking for a modification to allow parking in the front of the building. With this size of building, it would be difficult to get all 28 parking spaces behind the building. Staff is recommending approval.

Mr. Whicker asked if there were any initial questions.

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

Mr. Whitaker motioned for approval of **DPR 507/22: Zaxby's (Primary)** with the requested modification.

Mrs. Gladden seconded the motion.

FOR – 5 –                      AGAINST – 0 –                      ABSTAINED – 0 –

**TZA 03/22: PROPOSED AMENDMENT TO THE HENDRICKS COUNTY ZONING ORDINANCE** regarding Accessory Structure Height

Mr. Dombrosky stated that the BZA hears two (2) types of variance cases more others. One being the accessory dwelling and the second being accessory structure height. With recreational vehicles being larger and barn construction being popular, building peaks have gotten higher. Currently,

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the maximum building height is 24 feet for accessory buildings in our residential districts. The maximum primary structure height is 40 feet. He is proposing changing it to 32-40 feet. They never have remonstrators at the BZA for height, if they do have any it is for the design of the building. There was discussion about having the accessory structure be less than the primary and their feelings on it.

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

Mr. Gentry motioned for a favorable recommendation for **TZA 03/22**.

Mr. Kneeland seconded the motion.

FOR – 5 –

AGAINST – 0 –

ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 7:04 p.m.

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Tim Dombrosky, Secretary