

**Area Plan Commission**  
**March 4, 2019 at 6:00 p.m.**  
**Minutes**

The Area Plan Commission held a regular meeting on **March 4, 2019 at 6:00 p.m.** in the Conference Room of the Government Center in Vernon, Indiana.

Those present: Brian Hatfield, Chad Ebinger, Brenda Habenicht, Eli Brown, Travis Shepherd, Paul Belding, Tyler Stock, Building Inspector Matt Bauguess and Executive Director Marie Shepherd.

The **first item** of business will be the reading, correction, and approval of the minutes from the February 4, 2019 meeting. After review of the minutes, Travis Shepherd made the motion to approve the minutes as prepared. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **second item** of business will be the rezone request of J & R Enterprises being represented by Brad Bender of FPBH. They would like to rezone approximately 4.775 acres from Commercial 4 and Agricultural to Residential Multi-Family. The request is being made for future development.

Commonly known as: 2985 N State Hwy 7, North Vernon, IN 47265

2415 W County Rd 300 N, North Vernon, IN 47265

Map Number: 40-09-29-100-027.001-004

40-09-29-100-028.000-004

40-09-29-100-026.002-004

40-09-29-100-026.003-004

40-09-29-100-027.000-004

Legal Description: PT NW  $\frac{1}{4}$  NWQ 29 7 8 0.742 ac

W RD N PT NW  $\frac{1}{4}$  NEQ 29 7 8 1.346 ac

PT NW  $\frac{1}{4}$  NEQ 29 7 8 Tract A 0.406 ac

PT NW NE 29 7 8 0.327 ac

PT NW  $\frac{1}{4}$  NEQ 29 7 8 Tract C 1.993 ac

**Recommendation of the Essential Service Committee:**

After a discussion on the request, Andy Ertel made the motion to approve the rezone. Travis Shepherd seconded the motion. This passed unanimously with 7 members voting in favor. The Area Plan Commission will hear the request at their March 4, 2019 meeting.

After a discussion between the board and Brad Bender, Travis Shepherd made the motion to approve the request. Eli Brown seconded the motion. This passed with 6 members voting in favor and 1 member (Chad Ebinger) abstaining.

The **third item** of business will be the rezone request of Perry and Julia Sizemore being represented by Derek McGrew. They would like to rezone 10,000 sq. ft at 3890 W County Rd 250 N, North Vernon from Agricultural to Institutional Utility. The rezone request is being made for the future construction of a telecommunications facility (cell tower site).

Commonly known as: 3890 W County Rd 250 N, North Vernon, IN 47265

Map Number: 40-09-30-200-011.000-011

Legal Description: SW ¼ NWQ 30 7 8 25.50 acres

**Recommendation of the Essential Service Committee:**

After discussing the rezone request, William Robbins made the motion to approve the request. Andy Ertel seconded the motion. This passed with 6 members voting in favor and 1 member (John Post) abstaining. The request will be heard by the Area Plan Commission on March 4, 2019.

After a discussion between the board and Mr. McGrew, Eli Brown made the motion to approve the request. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **fourth item** of business will be Scott & Kristi Short seeking final plat approval of Silo Pointe Subdivision.

We have a letter on file from Russell Vaught, North Vernon City Wastewater Superintendent that the sewer has been completed. In 30 days, the testing on the sewer will have to be completed before any houses can be hooked up.

After a discussion between the board and Scott and Kristi Short, Brian Hatfield made the motion to approve the final plat, contingent on the final sewer testing approval which will be done on March 28th. Eli Brown seconded the motion. This passed with 5 members voting in favor and 2 members (Chad Ebinger and Brenda Habenicht) abstaining.

The **fifth item** of business will be Chad Ebinger of FPBH. Mr. Ebinger will be presenting a survey that creates a new 1-acre tract off of an existing easement for Charles Couchman. The property is located at 2755 W County Rd 300 N, North Vernon.

After review of the survey, Brian Hatfield made the motion to approve the request. Travis Shepherd seconded the motion. This passed with 6 members voting in favor and 1 member (Chad Ebinger) abstaining.

The **sixth item** of business will be "Show Cause" hearing on Charles & Helen Mateer's property at 551 Country Manor West, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

Director Shepherd advised the board the property owner has made some progress and waiting for the United Way to assist during the Day of Caring. After reviewing the pictures, Brenda Habenicht made the motion to give the property owner till May 1, 2019. Paul Belding seconded the motion. This passed unanimously with 7 members voting in favor.

The **seventh item** of business will be the "Show Cause" hearing on Charles & Delores Bullington's property located at 1755 Country Manor, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, Brian Hatfield made the motion to turn the file over for legal action. Travis Shepherd seconded the motion. This passed unanimously with 7 members voting in favor.

The **eighth item** of business will be the "Show Cause" hearing on Robert Dalmbert's property located at 536 S Elm St, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

The home was condemned on January 25, 2019. Director Shepherd advised the board she has received an email from the property owner's attorney, Dennis Stark who is handling the estate. Per our request, the windows have been boarded up, and the doors locked. The current plan, per Dennis Stark, is to secure the property, patch the roof damage and either rehab the property or sell it to someone who could rehab it. A final option would be to tear the property down, if all fails.

After discussion and reviewing the pictures, Brian Hatfield made a motion to review in 30 days. Tyler Stock seconded the motion. This passed unanimously with 7 members voting in favor.

The **ninth item** of business will be the "Show Cause" hearing on Davis Bunting FLP's property located at 2540 Tynwick Court, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

Director Shepherd advised the board that a new tenant moved in two weeks ago, and the previous tenant left the trash and debris there. Per recommendation of the director, Brian Hatfield made the motion to give the property owner 30 days and if not cleaned up turn the file over for legal action. Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor.

The **tenth item** of business will be the "Show Cause" hearing on Davis Bunting FLP's property located at 2267 Huntingdon Way, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, Travis Shepherd made the motion to turn the file over for legal action. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **eleventh item** of business will be the “Show Cause” hearing on Brandon & Deborah Davidson’s property located at 3812 Country Manor E, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, Brian Hatfield made the motion to turn the file over for legal action. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **twelfth item** of business will be the “Show Cause” hearing on Robin Dulong & Dan Townsley’s properties at 1368 & 1369 Blossom Ct, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, Travis Shepherd made the motion to turn the file over for legal action. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **thirteenth item** of business will be the “Show Cause” hearing on James Miller’s property located at 2862 Stratford Way, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After a discussion with the property owner, Travis Shepherd made the motion to turn the file over for legal action. Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor.

The **fourteenth item** of business will be the “Show Cause” hearing on Pamela Sue Nicholas’s property located at 1465 Hawthorne Dr, North Vernon. The property owners have been notified that all trash and debris must be removed from the property. They have failed to comply.

After reviewing the pictures, Brenda Habenicht made the motion to turn the file over for legal action. Tyler Stock seconded the motion. This passed unanimously with 7 members voting in favor.

The **fifteenth item** of business will be the “Show Cause” hearing on Arnetta Petro’s property located at 2941 Wentworth Pl, North Vernon. The property owners have been notified that all trash and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. They have failed to comply.

After reviewing the pictures, Brian Hatfield made the motion to turn the file over for legal action. Travis Shepherd seconded the motion. This passed unanimously with 7 members voting in favor.

The **sixteenth item** of business will be the “Show Cause” hearing on Ralph Wilson’s property located at 3009 Kensington Sq., North Vernon. The property owners have been notified of the dilapidated mobile home and garage. They have failed to comply.

The property owner stated the garage actually sits on 3010 Kensington Sq. and he does own the garage. After a discussion with the property owner, Brian Hatfield made the motion to review the property in 60 days. Brenda Habenicht seconded the motion. This passed with 6 members voting in favor, 1 member (Tyler Stock) voting to deny.

The **seventeenth item** of business will be the appointments to the ESC for 2019. Travis Shepherd made a motion to appoint John Post from the incorporated area and Tyler Stock from the unincorporated area. Chad Ebinger seconded the motion. This passed unanimously with 7 members voting in favor.

The **eighteenth item** of business will be the opening of bids for the following properties:

Brad Kage opened the bids to remove the junk, debris, salvage and unnecessary clutter and the dilapidated structure and camper from the premises at 2801 McIntosh Lane, CSL, North Vernon. The bids were as follows: Mahoy Construction \$800.00; Arch Excavation \$700.00 and Cody Bryant Excavating LLC \$1,500.00. Travis Shepherd made the motion to award the bid to Arch Excavation. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

Brad Kage opened the bids to remove the junk, debris, salvage and unnecessary clutter and the dilapidated camper from the premises at, 1716 Heathglen Circle CSL, North Vernon. The bids were as follows: Mahoy Construction \$800.00; Arch Excavation \$700.00 and Cody Bryant Excavating LLC \$1,500.00. Travis Shepherd made the motion to award the bid to Arch Excavation. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

Brad Kage opened the bids to remove the junk, debris, salvage and unnecessary clutter and the abandoned and dilapidated mobile home from the premises at 2264 Huntingdon Way CSL, North Vernon. The bids were as follows: Mahoy Construction \$1,600.00; Arch Excavation \$2,700.00 and Cody Bryant Excavating LLC \$2,500.00. Travis Shepherd made the motion to award the bid to Mahoy Construction. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

Brad Kage opened the bids to remove the dilapidated structure from the premises at 1790 Heatherlan Lane, CSL, North Vernon. The bids were as follows: Mahoy Construction \$1,450.00 and Arch Excavation \$800.00. Brenda Habenicht made the motion to award the bid to Mahoy Construction. Paul Belding seconded the motion. This passed unanimously with 7 members voting in favor.



**Old Business:**

Tyler Stock discussed his ideas for the Ordinance Review Committee. The small committee would consist of representatives from the City Council, County Council and Commissioners, Town of Vernon, Area Plan and a couple of residents, possibly a contractor. This group would review the ordinance, resources needed, staffing etc. Chad Ebinger suggested to put together a plan and present it to the Council before budget time. The board advised Tyler to bring a list of potential members and a mission statement to the next meeting to discuss.


Director Shepherd and Brad Kage discussed the Residential Daycares with the board. The recommendation is if they are going to run a daycare and not live at the residence, they would have to rezone to commercial, the board agreed.

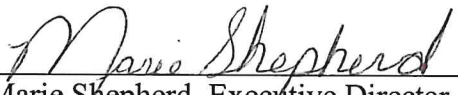
**Adjournment:**

With no further business to discuss, Travis Shepherd made the motion to adjourn. Tyler Stock seconded the motion. This passed unanimously with 7 members voting in favor.

Respectfully submitted,

Respectfully submitted,

  
Chad Ebinger, President  
Jennings County Area Plan Commission

  
Marie Shepherd, Executive Director  
Jennings County Area Plan Commission