

Area Plan Commission
October 7, 2019 at 6:00 p.m.
Minutes

The Area Plan Commission held a regular meeting on **October 7, 2019 at 6:00 p.m.** in Meeting Room 101 on the first floor of the Government Center in Vernon, Indiana.

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

The **first item** of business was the reading, correction, and approval of the minutes from the September 3, 2019 regular meeting and the September 16, 2019 special meeting. After review of the minutes, Travis Shepherd made the motion to approve the minutes with one correction, Mahoy be added to the 20th item in front of Construction. Brenda Habenicht seconded the motion. This passed unanimously with 7 members voting in favor.

The **second item** of business was the rezone request Edward Donnell, Carol Donnell and Raymond Gilpin Jr. They would like to rezone 321 N Fifth Street, North Vernon from Heavy Industrial and 311 N Fifth Street, North Vernon from Residential Duplex to Residential Single Family. The request is being made to bring the property into compliance with the Jennings County Unified Zoning Ordinance. Along with his residence, Mr. Gilpin will operate a home-based business on the property. (Mr. Gilpin will have a survey done to combine the two properties.)

Commonly known as: 321 N Fifth Street, North Vernon, IN 47265

311 N Fifth Street, North Vernon, IN 47265

Map Number: 40-09-34-240-013.000-004

40-09-34-240-014.000-004

Legal Description: PT NWQ 34 7 8 .50 acres

PT NWQ 34 7 8 50x150

Recommendation of the Essential Service Committee:

After discussing the rezone request, Andy Ertel made the motion to approve the rezone. Russell Vaught seconded the motion. This passed unanimously with 9 members voting in favor. The Area Plan Commission will hear the request at their October 7, 2019 meeting.

Recommendation of the Area Plan Commission:

After discussing the rezone request, Brian Hatfield made the motion to approve the rezone. Eli Brown seconded the motion. This passed unanimously with 7 members voting in favor. The City Council will hear the request at their October 15, 2019 meeting.

The **third item** of business was the rezone request of Wesley & Darlene Bradshaw, being represented by Daniel Coots of Coots, Henke & Wheeler. They would like to rezone 10,000 square feet at 1995 W County Rd 725 N, North Vernon. They would like to rezone the property from Agricultural to Institutional Utility for the construction of a communication tower.

Commonly known as: 1995 W County Rd 725 N, North Vernon, IN 47265

Map Number: 40-04-33-300-014.000-010

Legal Description: PT SW ¼ SWQ 33 8 8 36.07 acres

Recommendation of the Essential Service Committee:

After discussing the rezone request, Mike Cole made the motion to approve the request. Jerry Shepherd seconded the motion. This passed with 8 members voting in favor and 1 member (John Post) abstaining. The request will be heard by the Area Plan Commission on October 7, 2019.

Recommendation of the Area Plan Commission:

After discussing the rezone request, Travis Shepherd made the motion to approve the rezone. Brenda Habenicht seconded the motion. This passed with 6 members voting in favor and 1 member abstained (John Post). The County Commissioners will hear the request at their October 10, 2019 meeting.

The **fourth item** of business was the “Show Cause” hearing on Hickory Manor Mobile Home Park, owned by Hickory Manor, LLC. The Area Plan Commission has received complaints on the condition of the mobile home park located on Hurley Drive in North Vernon. This item has been tabled until the November 4, 2019 meeting.

The **fifth item** of business was the “Show Cause” hearing on Jeremy Newton’s property located at 785 Tudor Pl, North Vernon, IN. At the July 1, 2019 Area Plan meeting, the board decided to monitor this property for 30 days. The property owner has been in contact with Area Plan Commission, to let us know the progress of the cleanup.

After reviewing the pictures, 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 **sixth item** of business was the “Show Cause” hearing on Davis Bunting FLP’s property located at 3500 Penny Ln, North Vernon, IN. The property owner has been notified that all trash, litter and debris must be removed from the property. The “Show Cause” hearing on the property was tabled at the August 2019 meeting. Even after the additional time to clean the property up, it remains in violation.

After reviewing the pictures, Eli Brown 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 **seventh item** of business was the “Show Cause” hearing on Olsa D. Parker’s properties at 3736 & 3737 Langston Way, North Vernon, IN. The property owner has been notified that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. Property owner has contacted the Area Plan Commission, but the property remains in violation. (At the June 3, 2019 meeting, the Area Plan Commission gave the property owner 30 days.)

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

The **eighth item** of business was the “Show Cause” hearing on James T. Parker’s property located at 3001 Whittington Dr, North Vernon, IN. The property owner has been notified that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. Property owner has contacted the Area Plan Commission, but the property remains in violation.

After a discussion with the property owner, Brenda Habenicht made the motion to give the property owner 30 days to get rid of the tires and license or remove the truck from the property, if not completed in 30 days turn the file over for legal action. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **ninth item** of business was the “Show Cause” hearing on Robert & Melanie McDowell’s property located at 3617 Rensleer Pl, North Vernon, IN. The property owner has been notified that all trash, litter and debris must be removed from the property. The property owner has not contacted the Area Plan Commission. The property remains in violation.

After a discussion with the property owner, Eli Brown made the motion to close the complaint. Travis Shepherd seconded the motion. This passed unanimously with 7 members voting in favor.

The **tenth item** of business was the “Show Cause” hearing on Norman A & Kimberly J Day’s property located at 1700 E County Rd 50 N, North Vernon, IN. A complaint was received by the Area Plan Commission Office that a home and detached garage (that might have had asbestos) were demolished and buried. The property owner has been contacted.

After a discussion with the property owner, Tyler Stock made the motion for the Day’s to come to the office and obtain and demolition permit and note the debris was buried on the property. John Post seconded the motion. This passed unanimously with 7 members voting in favor.

The **eleventh item** of business was the “Show Cause” hearing on Scott & Leslie Corya’s property located at 9485 S County Rd 75 W, Deputy, IN. The property owners have been notified that all trash, litter and debris must be removed from the property; as well as any unlicensed/inoperable vehicles. The property owners have contacted the Area Plan Commission, but the property remains in violation.

After a discussion with the property owner, Travis Shepherd made the motion to give the property owner 30 days and if not cleaned up turn the file over for legal action. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **twelfth item** of business was the “Show Cause” hearing on Susan Shinabarger’s property located at 3821 Country Manor E, North Vernon, IN. At the February 4, 2019 Area Plan Commission meeting, the board tabled the item for 30 days to allow time for an agreement to be reached between the property owner, CSL and Director Shepherd. The property remains in violation.

The property owners discussed with the board they have their property listed with a realtor and that CSL will not give them a permit for a remodel. They have one month left on their listing. Travis Shepherd made the motion to table for 30 days and bring back to the board meeting on November 4, 2019. Brian Hatfield seconded the motion. This passed unanimously with 7 members voting in favor.

The **thirteenth item** of business was the “Show Cause” hearing on Gary D & Wanda L Ostrom’s property located at 1518 Almond Ave, North Vernon, IN. The hearing is due to the mobile home being condemned on September 25, 2019.

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

The **fourteenth item** of business was the opening of bids for the following properties:

There were no bids for Cobaugh Property LLC located at 5460 & 5490 E High School Rd, Butlerville, IN 47223. Director Shepherd is currently working on this project.

Old Business:

Tyler Stock updated the board regarding the Ordinance Review Committee. Tyler is setting up one-on-one meetings with the board members. There will be an APC special meeting for further discussion on Wednesday, October 23, 2019 at 6:00 p.m.

New Business:

Director Shepherd had a discussion with the board regarding setbacks and easements. Brad Kage explained to the board that you cannot interfere with the use of the easement.

John Post made the following motions: 1) if a house has been demolished by natural causes, fire, etc. they can rebuild on the exact same footprint with no variances required. 2) if someone is adding on to an existing structure and that structure doesn’t meet current setbacks, they don’t need a variance as long as they don’t go closer to the property line. 3) any detached structure being built must be current setbacks. Eli Brown seconded the motion. This passed unanimously with 6 members in favor, (Brian Hatfield had to leave early).

Adjournment:

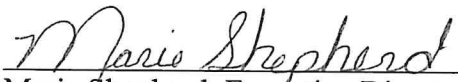
With no further business to discuss, Tyler Stock made the motion to adjourn. Travis Shepherd seconded the motion. This passed unanimously with 6 members voting in favor.

Respectfully submitted,



Chad Ebinger, President
Jennings County Area Plan Commission

Respectfully submitted,



Marie Shepherd, Executive Director
Jennings County Area Plan Commission