

MONROE COUNTY PLAT COMMITTEE



**October 20, 2022
4:00 pm**

Hybrid Meeting

In-person

Monroe County Government Center
Planning Department
501 N. Morton Street, Suite 224
Bloomington, IN 47404

Virtual

Zoom Link: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQQiFLazRTQT09>

If calling into the Zoom meeting, dial: 312-626-6799

Meeting ID #: 823 0548 5858

Password: 278851

A G E N D A
MONROE COUNTY PLAT COMMITTEE
of the Monroe County Plan Commission

Monroe County Planning Department
HYBRID

When: October 20, 2022 at 4:00 PM

Where: 501 N Morton St, Suite 224

Or via Zoom: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQIiFLazRTQT09>

If calling into the Zoom meeting, dial: 312-626-6799.
When prompted, enter the Meeting ID #: 823 0548 5858
Password: 278851

ADMINISTRATIVE: None.

OLD BUSINESS: None.

NEW BUSINESS:

- | | | |
|---------------------|---|----------------|
| 1. SSS-22-7 | Bowman Sliding Scale Subdivision Preliminary Plat
Plat Committee Decision.
Three (3) parcels on 21.78 +/- acres in Section 15 of Richland Township at
6721 W Ratliff RD, Parcel #53-04-15-300-046.000-011.
Owner: Bowman, Michael
Zoned AG/RR. Contact: dmyers@co.monroe.in.us | PAGE 3 |
| 2. SSS-22-10 | Bell Road Sliding Scale Subdivision Preliminary Plat
Road Width Waiver Requested.
Plat Committee Recommendation.
One (1) parcel on 132 +/- acres in Section 8, Bloomington Township at
1300 W Bell RD, parcel #53-05-08-300-007.000-004.
Owner: Hamilton, Jeff & Jean.
Zoned AG/RR. Contact: dmyers@co.monroe.in.us | PAGE 17 |
| 3. SSS-22-5 | Betty Chambers Sliding Scale Subdivision Preliminary Plat
Road Width Waiver & Waiver of Final Hearing Requested.
Plat Committee Recommendation.
One (1) parcel on 11.8 +/- acres in Section 4, Bean Blossom Township at
7300 W Wampler RD, parcel #53-03-04-100-011.000-001.
Owner: Chambers, Betty.
Zoned AG/RR. Contact: drbrown@co.monroe.in.us | PAGE 34 |

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, apurdie@co.monroe.in.us, as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.
The meeting will be open to the public.



MONROE COUNTY PLAT COMMITTEE

Public Meeting

Date: October 20, 2022

CASE NUMBER	PROPOSED NAME	DETAIL
SSS-22-7	Bowman Sliding Scale Subdivision	3-Lot Sliding Scale Subdivision Preliminary Plat

The Subdivision Control Ordinance shall be interpreted, administered, and enforced in a manner that is consistent with Chapter 850-3.

RECOMMENDED MOTION	Approval with Conditions	Planner: Drew Myers
<p><i>Recommended Motion Conditions or Reasoning:</i> <u>Approve</u> based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance subject to the following condition(s):</p> <ol style="list-style-type: none"> 1. The petitioner completes the remaining comments made by Planning Staff to ensure all plat requirements are met. 2. The petitioner satisfies the request made by the Highway Department to remove the existing driveway at the manufactured home and establish access via a shared driveway through the platted 50' ingress/egress easement. 3. The petitioner submit a capacity letter for water and electrical services with respect to the proposed subdivision. 		

Waiver(s) Requested:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes:
Waiver of Final Hearing Requested:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> No <input type="checkbox"/> Yes
Plat Vacation:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Partial <input type="checkbox"/> Yes:

PETITIONER	Doug Graham, Bynum Fanyo & Associates	
OWNERS	Bowman, Michael	
ADDRESS	6721 W Ratliff Road; 53-04-15-300-046.000-011	
TOWNSHIP + SECTION	Bean Blossom; 15	
PLATS	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/> Platted:	
ACREAGE +/-	10.46	
	PETITION SITE	ADJACENT
ZONING	AG/RR	AG/RR, ER, and PUD
COMP PLAN	Rural Residential	Rural Residential, Designated Communities, or Farm and Forest
USE	Residential	Residential or Agricultural

SUMMARY

The petitioner is proposing a 3-lot Sliding Scale Subdivision from one parcel with no waiver requests. Access to all three proposed lots will be through a new shared driveway within a 50' ingress, egress & utility easement. The shared driveway permit application for the three proposed lots was submitted and was reviewed by the Highway Department. Driveway permit approval is pending the outcome of this subdivision petition. The Health Department issued a repair septic permit for proposed Lot 1 and two new septic permit applications for proposed Lot 2 and Lot 3. Each of the lots will conform to the design

standards of the AG/RR zone set forth in Chapter 804 of the Zoning Ordinance and satisfy all requirements of Chapter 862 for Sliding Scale Subdivision petitions.

DISCUSSION

Table 1 provides a summary of the lot configurations and requirements for the Bowman Sliding Scale Subdivision. The preliminary plat (Exhibit 3) provides more detail in regards to buildable area, topography, site conditions, and lot dimensions. A Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – **is required** for this subdivision as the subdivider will be developing and selling the lots created. A riparian easement, sinkhole conservancy area, and drainage easement are delineated on the preliminary plat. Sidewalks and street trees were not required for this subdivision.

A note on the plat references the pre-existing nonconforming status of the existing residential structure (manufactured home) on proposed Lot 1 with respect to its encroachment into the required 60' front yard setback and 15' side yard setback. The structure may not be enlarged or otherwise changed, unless a variance from the terms of the zoning ordinance is obtained from the Board of Zoning Appeals.

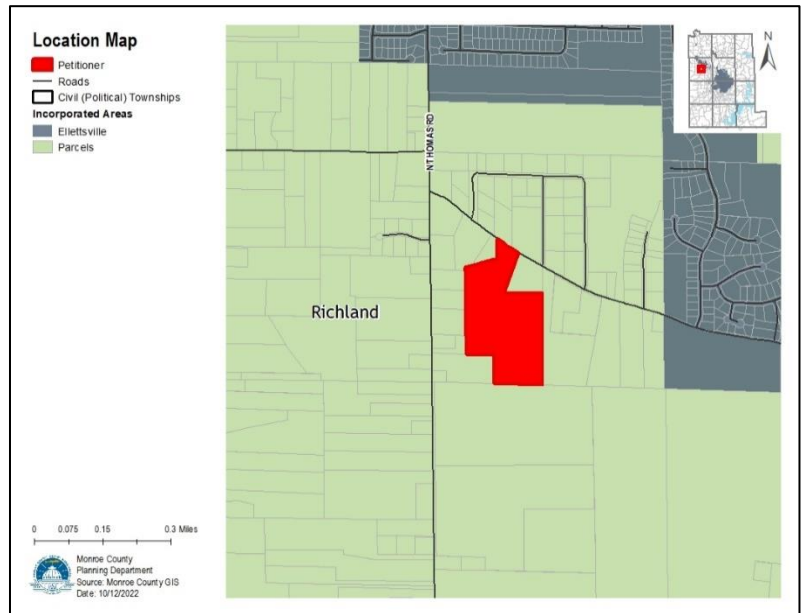


TABLE 1: Summary of Lot Configurations

	LOT 1 (Parent Parcel)	LOT 2	LOT 3
Acreage (after R/W) / Buildable Area (+/-)	19.06 / 13.60	2.51 / 1.56	2.51 / 1.35
Wastewater	Repair Septic Permit; WW-22-28	New Septic Permit; WW-22-29	New Septic Permit; WW-22-30
Utility Access / Capacity	Not submitted		
Property Access	RW-22-16 (shared driveway)	RW-22-16 (shared driveway)	RW-22-16 (shared driveway)
ROW Dedication / N Mt Tabor RD; minor collector	Yes = 25'	Yes = 25'	Yes = 25'
Environmental Conditions	Drainage easement / steep slope (>15%)	Sinkhole conservancy area / Drainage easement	Sinkhole conservancy area / Riparian easement
Existing Structure(s)	~1,050 sf SFR, ~120 sf utility shed, ~100 sf storage shed	Vacant	Vacant

HIGHWAY COMMENTS:



Ben Ayers

[Remove Comment](#) • Jul 11, 2022 at 11:37 am

Existing driveway entrance on Lot #1 will need to be removed and connected to the proposed easement.
Proposed easement will need to be located as far east as possible to meet sight distance requirements to the west.

STORMWATER COMMENTS:



Kelsey Thetonia

[Remove Comment](#) • Jul 11, 2022 at 10:44 am

Hi Doug, I uploaded a marked up version of the Bowman SSS plat. Please include 100' DEs centered on the flowlines. The lines I drew are approximate - please verify. If you'd like to suggest a different size easement let me know.

MC has a 42" pipe arch under Ratliff Rd. at this location. New private driveways are required to comply with Ch. 761-6:

- (E) Culverts for new driveways and for new private roads serving fewer than five houses shall be provided and designed so that:
- (1) flooding of existing local, collector, or arterial roads is not increased from any frequency flood,
 - (2) flooding to habitable abodes is not increased,
 - (3) the maximum off-site surcharge does not exceed one foot from any frequency flood, and
 - (4) if the surcharge in a two year or a 100 year flood is over four feet, or if the berm height is over ten feet, the berm shall be designed to the standards specified by the County Engineer.

Existing private roads or driveways that are improved or serve new uses will be considered to be new private roads, and the culverts or bridges for these roads must meet the criteria described in this Ordinance. If not covered above, the maximum amount of surcharge may be established by the Board if the crossing is likely to cause off-site damages. In order to reduce maintenance resulting from debris jams, multiple culvert structures shall be allowed only in cases in which the likelihood of debris jams is small and the use of a single culvert is not feasible.

Thanks

Kelsey

EXHIBITS - *Immediately following report*

1. County Slope Map
2. Staff Site Photos
3. Bowman Sliding Scale Subdivision Preliminary Plat (w/ and w/out elevation contours)
4. Staff Findings of Fact for Subdivision

EXHIBIT 1: County Slope Map

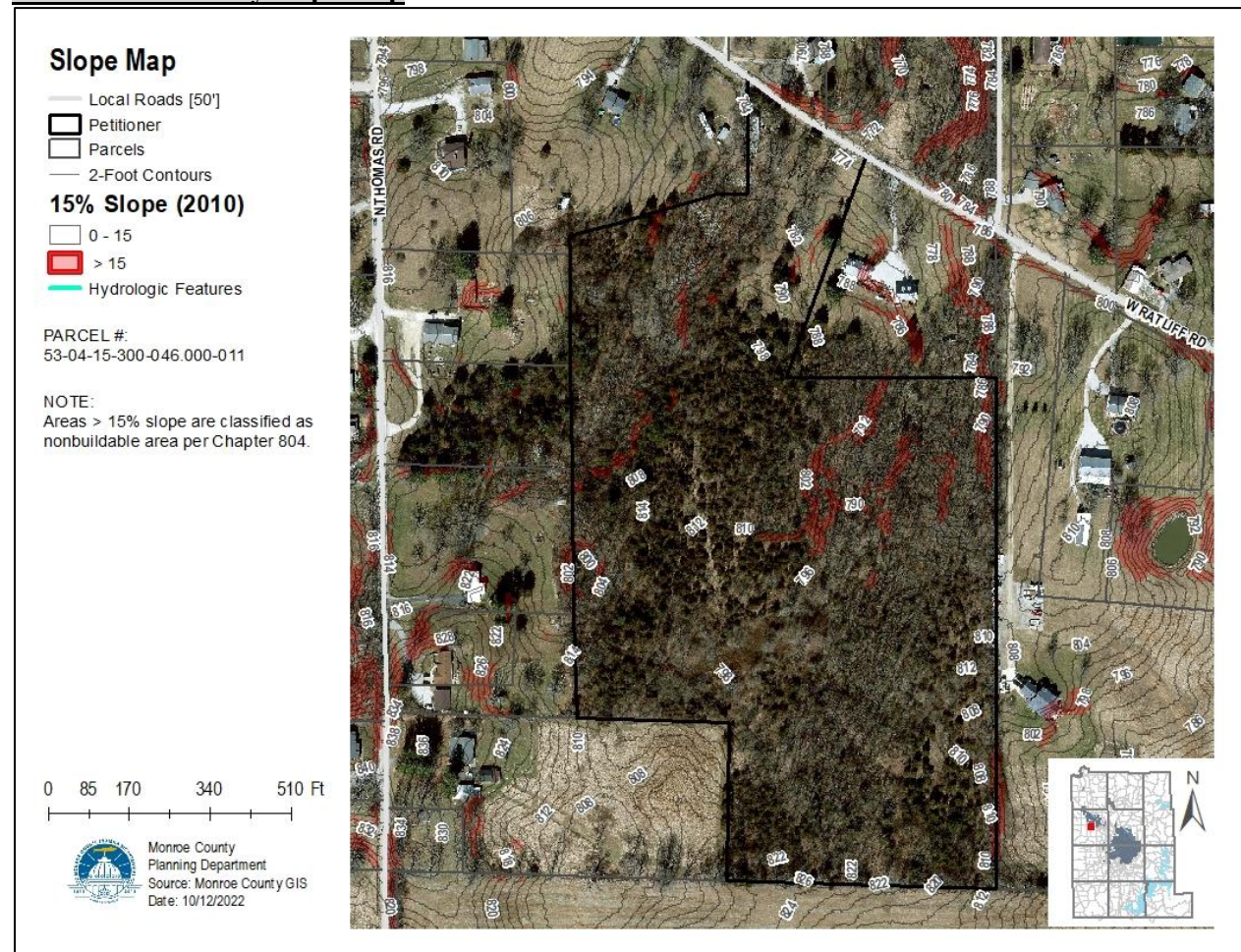


EXHIBIT 2: Staff Site Photos



Photo 1: W Ratliff Road (looking southeast)



Photo 2: W Ratliff Road (looking southwest)



Photo 3: Existing manufactured home and existing driveway cut



Photo 4: Frontage of proposed subdivision



Photo 5: Frontage of proposed subdivision



Photo 6: Portion of petition site from W Ratliff RD

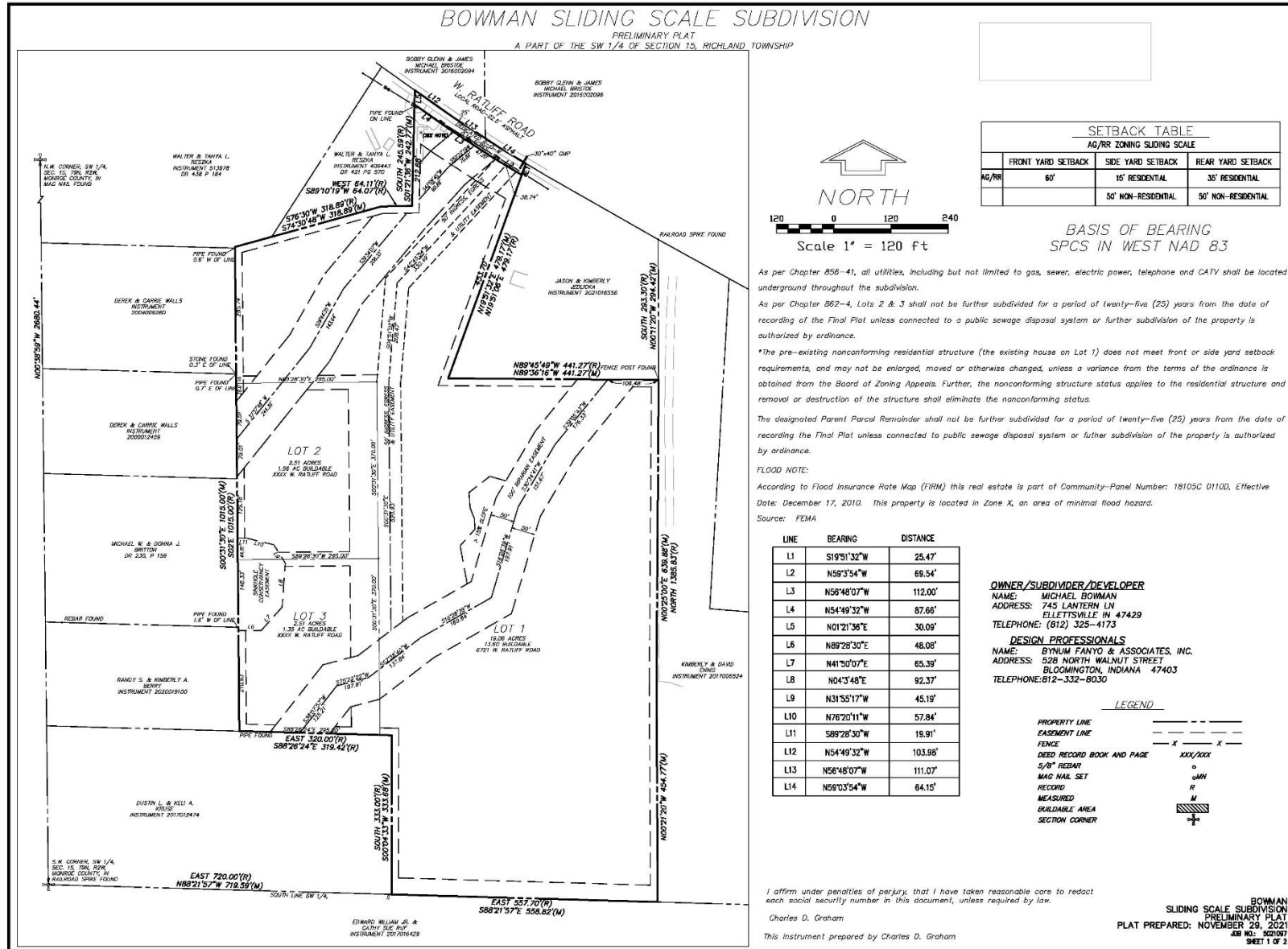


Photo 7: 50' ingress/egress easement C/L stake



Photo 8: 50' ingress/egress easement C/L take facing toward W Ratliff RD

EXHIBIT 3: Bowman Sliding Scale Subdivision Preliminary Plat



PREPARED BY BYNUM FANTO & ASSOCIATES INC. 528 N. WALNUT ST. BLOOMINGTON, IN. 47404

N.W. CORNER, SW 1/4,
SEC. 15, T9N, R2W,
MONROE COUNTY, IN
MAG NAIL FOUND

WALTER & TANYA L.
RESZKA
INSTRUMENT 513978
DR 438 P 184

BOBBY GLENN & JAMES
MICHAEL BRISTOE
INSTRUMENT 2016002094

BOBBY GLENN & JAMES
MICHAEL BRISTOE
INSTRUMENT 2016002096

W. RATLIFF ROAD
LOCAL ROAD-22.5' ASPHALT
DEDICATED 6-1-2006
30"x40" CMP

PIPE FOUND
ON LINE

WALTER & TANYA L.
RESZKA
INSTRUMENT 406443
DR 421 PG 570

WEST 64.11'(R)
S89°10'19"W 64.07'(R)
SOUTH 245.59'(R)
S01°21'36"W 242.77'(M)
212.68'

S76°30'W 318.89'(R)
S74°30'48"W 318.89'(M)

S42°08'43"W
90.86'

S02°1'00"W
70.86'

4.20' DN L2

38.74'

50' INGRESS, EGRESS
& UTILITY EASEMENT

RAILROAD SPIKE FOUND

JASON & KIMBERLY
JEDLICKA
INSTRUMENT 2021016556

SOUTH 293.30'(R)
N00°11'20"W 294.42'(M)

N89°45'49"W 441.27'(R) FENCE POST FOUND
N89°36'16"W 441.27'(M)

106.48'

S39°02'44"W
176.33'

44.41'W
17.27'

50' INGRESS, EGRESS
& UTILITY EASEMENT

S04°51'02"W
208.47'

S39°24'07"W
208.43'

S39°44'15"W
141.64'

S47°45'54"W
300.74'

253.70'

N19°51'32"E 479.17'(M)
N19°51'06"E 478.17'(R)

PIPE FOUND
0.6' W OF LINE

DEREK & CARRIE WALLS
INSTRUMENT
2004009280

STONE FOUND
0.3' E OF LINE

PIPE FOUND
0.7' E OF LINE

N89°28'30"E 295.00'

S 33°57'48" W
244.39'

79.01'

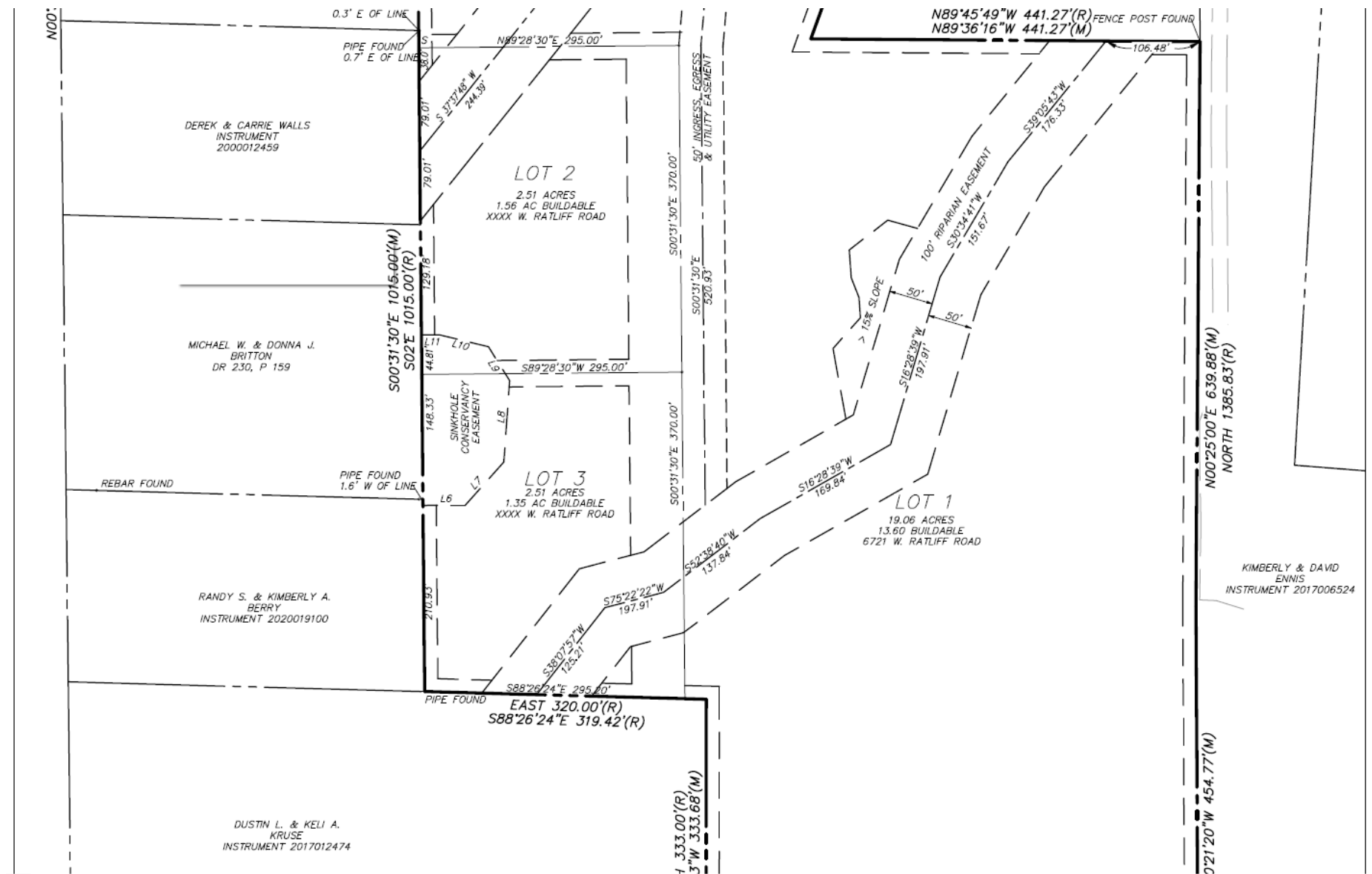
79.01'

DEREK & CARRIE WALLS
INSTRUMENT
2000012459

LOT 2
2.51 ACRES
1.56 AC BUILDABLE
XXXX W. RATLIFF ROAD

30°E 370.00'

As per Chapter
underground to
As per Chapter
recording of the
authorized by
*The pre-exist
requirements,
obtained from
removal or de.
The designated
recording the
by ordinance.
FLOOD NOTE:



BOWMAN SLIDING SCALE SUBDIVISION

PRELIMINARY PLAT
A PART OF THE SW 1/4 OF SECTION 15, RICHLAND TOWNSHIP

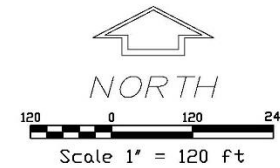
RECORDERS STAMP

SETBACK TABLE

AG/RR ZONING SLIDING SCALE

	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK
AG/RR	60'	15' RESIDENTIAL	35' RESIDENTIAL
		50' NON-RESIDENTIAL	50' NON-RESIDENTIAL

BASIS OF BEARING
SPCS IN WEST NAD 83



As per Chapter 856-41, all utilities, including but not limited to gas, sewer, electric power, telephone and CATV shall be located underground throughout the subdivision.

As per Chapter 862-4, Lots 2 & 3 shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless connected to a public sewage disposal system or further subdivision of the property is authorized by ordinance.

*The pre-existing nonconforming residential structure (the existing house on Lot 1) does not meet front or side yard setback requirements, and may not be enlarged, moved or otherwise changed, unless a variance from the terms of the ordinance is obtained from the Board of Zoning Appeals. Further, the nonconforming structure status applies to the residential structure and removal or destruction of the structure shall eliminate the nonconforming status.

The designated Parent Parcel Remainder shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless connected to public sewage disposal system or further subdivision of the property is authorized by ordinance.

FLOOD NOTE:

According to Flood Insurance Rate Map (FIRM) this real estate is part of Community-Panel Number: 18105C 0110D, Effective Date: December 17, 2010. This property is located in Zone X, an area of minimal flood hazard.

Source: FEMA

LINE	BEARING	DISTANCE
L1	S19°51'32"W	25.47'
L2	N59°3'54"W	69.54'
L3	N56°48'07"W	112.00'
L4	N54°49'32"W	87.86'
L5	N01°21'36"E	30.09'
L6	N89°28'30"E	48.08'
L7	N41°50'07"E	65.39'
L8	N04°3'48"E	92.37'
L9	N31°55'17"W	45.19'
L10	N76°20'11"W	57.84'
L11	S89°28'30"W	19.91'
L12	N54°49'32"W	103.98'
L13	N56°48'07"W	111.07'
L14	N59°03'54"W	64.15'

OWNER/SUBDIVIDER/DEVELOPER

NAME: MICHAEL BOWMAN
ADDRESS: 745 LANTERN LN
ELLETTSVILLE IN 47429
TELEPHONE: (812) 325-4173

DESIGN PROFESSIONALS

NAME: BYNUM FANYO & ASSOCIATES, INC.
ADDRESS: 528 NORTH WALNUT STREET
BLOOMINGTON, INDIANA 47403
TELEPHONE: 812-332-8030

LEGEND

PROPERTY LINE	---
EASEMENT LINE	- - -
FENCE	- x - x -
DEED RECORD BOOK AND PAGE	XXX/XXX
3/8" REBAR	o
WAD NAIL SET	o
RECORD	R
MEASURED	M
BUILDABLE AREA	▨
SECTION CORNER	+

I affirm under penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Charles D. Graham

This instrument prepared by Charles D. Graham

BOWMAN
SLIDING SCALE SUBDIVISION
PRELIMINARY PLAT
PLAT PREPARED: NOVEMBER 29, 2021
JOB NO.: 1001001
SHEET 1 OF 2

EXHIBIT 4: FINDINGS OF FACT - Subdivisions

850-3 PURPOSE OF REGULATIONS

(A) *To protect and provide for the public health, safety, and general welfare of the County.*

Findings

- The petition site consists of one parcel totaling approx. 25 +/- acres;
- The petition site is not in a platted subdivision;
- The site is zoned Agriculture/Rural Reserve (AG/RR);
- Approval of the subdivision would result in three (3) lots that exceed the minimum lot dimension requirements for the Agriculture/Rural Reserve (AG/RR) Zoning District;
- Approval of the subdivision would result in Lot 1 (parent parcel) = 19.06 acres, Lot 2 = 2.51 acres, and Lot 3 = 2.51 acres;
- The preliminary plat does not request any subdivision waivers;
- Street trees nor sidewalks are not required for this particular subdivision petition;
- All lots are to receive access via a shared driveway and 50' ingress/egress easement that accesses W Ratliff Road per the recommendations by the Highway Department;
- There will be no more than 4 lots using the same easement and therefore does not need to be brought up to county road standards;
- There is a note on the plat requiring all utilities to be underground;
- Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – is required as two new lots are being created and the subdivider will be developing and selling the lots;

(B) *To guide the future development and renewal of the County in accordance with the Comprehensive Plan and related policies, objectives and implementation programs.*

Findings

- See findings under Section (A);
- The Comprehensive Plan designates the site as “Rural Residential”;

(C) *To provide for the safety, comfort, and soundness of the built environment and related open spaces.*

Findings

- See findings under Section (A);
- The surrounding uses are primarily residential or agricultural in nature;
- The site exhibits a 100' riparian easement, a 100' drainage easement, and an approx. 0.37-acre sinkhole conservancy area;
- The MS4 Coordinator requested the drainage easement and extension of the riparian easement as depicted on the preliminary plat;

(D) *To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards.*

Findings

- See findings under Sections (A) & (C);
- The adjoining properties are zoned Agriculture/Rural Reserve (AG/RR), Estate Residential (ER), or Planned Unit Development (PUD);
- W Ratliff Road is classified as a “Local Road” per the Monroe County Thoroughfare Plan;

(E) *To guide public and private policy and action to ensure that adequate public and private facilities will be provided, in an efficient manner, in conjunction with new development, to promote an aesthetically pleasing and beneficial interrelationship between land uses, and to promote the conservation of natural resources (e.g., natural beauty, woodlands, open spaces, energy and areas*

subject to environmental constraints, both during and after development).

Findings

- See findings under Sections (A) & (C);
- There is one karst features identified on the property;
- An approx. 0.37-acres sinkhole conservancy area has been delineated on the plat which extends into both proposed Lot 2 and Lot 3;
- There is no floodplain on the property;

(F) *To provide proper land boundary records, i.e.:*

(1) to provide for the survey, documentation, and permanent monumentation of land boundaries and property;

Findings:

- The petitioner has submitted a preliminary plat drawn by a registered surveyor;

(2) to provide for the identification of property; and,

Findings:

- The petitioner submitted a survey with correct references, to township, section, and range to locate parcel. Further, the petitioner has provided staff with a copy the recorded deed of the petition site. County Surveyor has also reviewed the plat for survey accuracy;

(3) to provide public access to land boundary records.

Findings

- The land boundary records are found at the Monroe County Recorder's Office and, if approved, this petition will be recorded there as a plat. The plat must comply with Chapter 860 - Document Specifications to be recorded;



MONROE COUNTY PLAT COMMITTEE

Public Meeting

Date: October 20, 2022

CASE NUMBER	PROPOSED NAME	DETAIL
SSS-22-10	W Bell Road Sliding Scale Subdivision	2-Lot Sliding Scale Subdivision Preliminary Plat

The Subdivision Control Ordinance shall be interpreted, administered, and enforced in a manner that is consistent with Chapter 850-3.

RECOMMENDED MOTION	Positive with Conditions	Planner: Drew Myers
<p><i>Recommended Motion Conditions or Reasoning:</i> <u>Positive</u> recommendation to the Plan Commission based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance, subject to the following condition(s):</p> <ol style="list-style-type: none"> 1.) The petitioner submit a capacity letter for water and electrical services with respect to the proposed subdivision. <p><u>Positive</u> recommendation to the Plan Commission based upon findings of fact and practical difficulties.</p> <p>PLAT COMMITTEE: TBD</p>		

Waiver(s) Requested:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes:	Road Width Waiver
Waiver of Final Hearing Requested:	<input type="checkbox"/> N/A <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
Plat Vacation:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Partial <input type="checkbox"/> Yes:	

PETITIONER	Todd Borgman, Smith Design Group Inc.	
OWNERS	Hamilton, Jeff A & Jean Messenger	
ADDRESS	1300 W Bell Road; 53-05-08-300-007.000-004	
TOWNSHIP + SECTION	Bloomington; 8	
PLATS	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/> Platted:	
ACREAGE +/-	132.311	
	PETITION SITE	ADJACENT
ZONING	Agriculture/Rural Reserve (AG/RR)	AG/RR, RE1
CDO ZONE	Farm and Forest	Farm and Forest; MCUA Rural Transition
USE	Residential / Agricultural / DNR Classified Forest	Residential; Agricultural; Vacant / DNR Classified Forest

SUMMARY

The petitioner is proposing a 2-lot Sliding Scale Subdivision with one waiver request for road width. West Bell Road measures East Rust Road measures 16' +/- in width, while Chapter 862(A)(5) requires 18' in width. The proposed lots will be serviced by septic systems. A new septic permit was issued for proposed Lot 2 (WW-22-176), while a renewal septic permit was issued for proposed Lot 1 (WW-22-175).

MEETING SCHEDULE

Plat Committee – October 20, 2022

Plan Commission Admin – November 1, 2022

Plan Commission – November 15, 2022 (Preliminary Hearing – Waiver of Final Hearing Requested)

Plan Commission Admin – December 9, 2022 (If not waived)

Plan Commission – December 9, 2022 (Final Hearing – If not waived)

DISCUSSION

Table 1 provides a summary of the lot configurations and requirements for the W Bell Road Sliding Scale. The preliminary plat (Exhibit 3) provides more detail in regards to buildable area, site conditions, and lot dimensions. Sidewalks and street trees were not required for this subdivision.

A Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – is not required for this subdivision per recent updates by made by the Indiana Department of Environmental Management (IDEM) to the language on CSGP applicability. In short, if the subdivider makes no land improvements and only sells the lots, then they do not need to submit a Stormwater Pollution Prevention Plan (SWPPP) or a Notice of Intent (NOI). The individual(s) who purchases the lot(s) and build there must submit their own SWPPP and NOI, even if land disturbance is under one (1) acre. Additionally, the subdivider in this petition is only creating one (1) new vacant lot, not two (2).

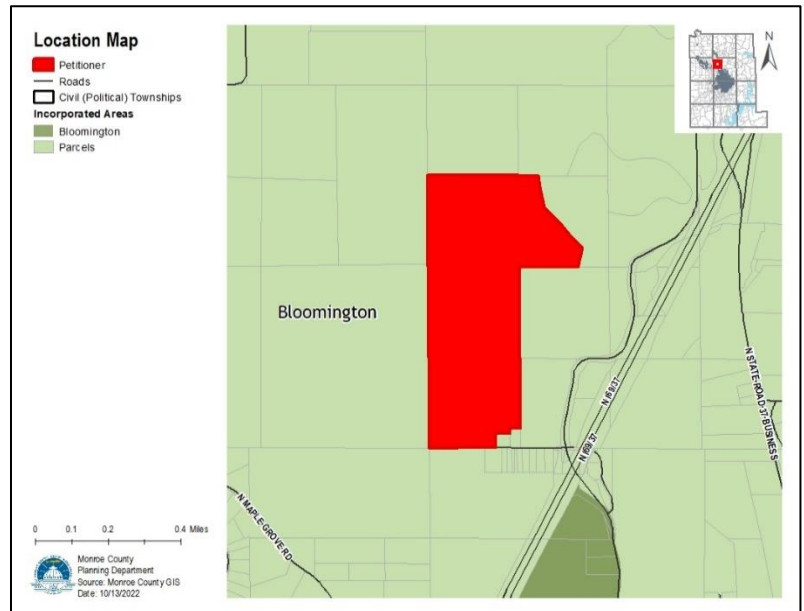



TABLE 1: Summary of Lot Configurations

	LOT 1	LOT 2 (Parent Parcel)
Acreage / Buildable Area (+/-)	2.673 / 1.52	129.638 / 43.88
Wastewater	Renewal Septic WW-22-175	New Septic WW-22-176
Utility Access / Capacity	Not submitted	
Property Access	RW-21-389	RW-21-389
ROW Dedication	N/A	N/A
Environmental Conditions	None	Steep slopes / DNR Floodplain / Drainage easements
Existing Structure(s)	1,960 sf SFR, 3,520 sf pole barn, 936 sf detached garage	Vacant


HIGHWAY COMMENTS:

**Ben Ayers**Remove Comment • Sep 14, 2022 at 10:56 am

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. Existing driveway entrance is to be shared between Lot #1 & Lot #2 and shall meet the specifications of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way within one (1) year of recording the Final Plat. See permit # RW-22-295 & RW-22-296.


The Highway Dept. determined that right-of-way dedication would not be required for this petition as the County Roadway Inventory for W Bell Road only extends 0.18 miles from point of origin at W Kinser Pike.

STORMWATER COMMENTS:

**Kelsey Thetonia**Remove Comment • Sep 22, 2022 at 2:43 pm

Hi Todd, I uploaded a marked up version of the Bell Rd Sliding Scale Subdivision. Please provide a DE for the floodplain area, and look at closed contours on the north side of the subdivision for applicability of SCAs. Thanks,

Kelsey

**TODD BORGMAN**Remove Comment • Oct 3, 2022 at 12:59 pm

Hey Kelsey,
I added the drainage easement and 1-karst easement (for now).
Todd

COMPREHENSIVE PLAN

The petition site is located within the Farm and Forest Comprehensive Plan designation, which states:

Farm and Forest

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those

portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.

In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall consider the following:

- Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.
- New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.
- Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice and for future residents seeking that lifestyle.

To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadways shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

EXHIBITS - <i>Immediately following report</i>

1. County Slope Map
2. Staff Site Photos
3. W Bell Road Sliding Scale Subdivision Preliminary Plat
4. Petitioner Findings for Waiver(s)
5. Staff Findings of Fact for Subdivision and Road Width Waiver

EXHIBIT 1: County Slope Map

Slope Map

- Minor Collector [60']
- Interstate
- Local Roads [50']
- Petitioner
- Parcels
- 10-Foot Contours

15% Slope (2010)

- 0 - 15
- > 15
- FEMA Floodplain
- Hydrologic Features

PARCEL #:
53-04-15-300-046.000-011

NOTE:
Areas > 15% slope are classified as
nonbuildable area per Chapter 804.

0 195 390 780 1,170 Ft



Monroe County
Planning Department
Source: Monroe County GIS
Date: 10/12/2022

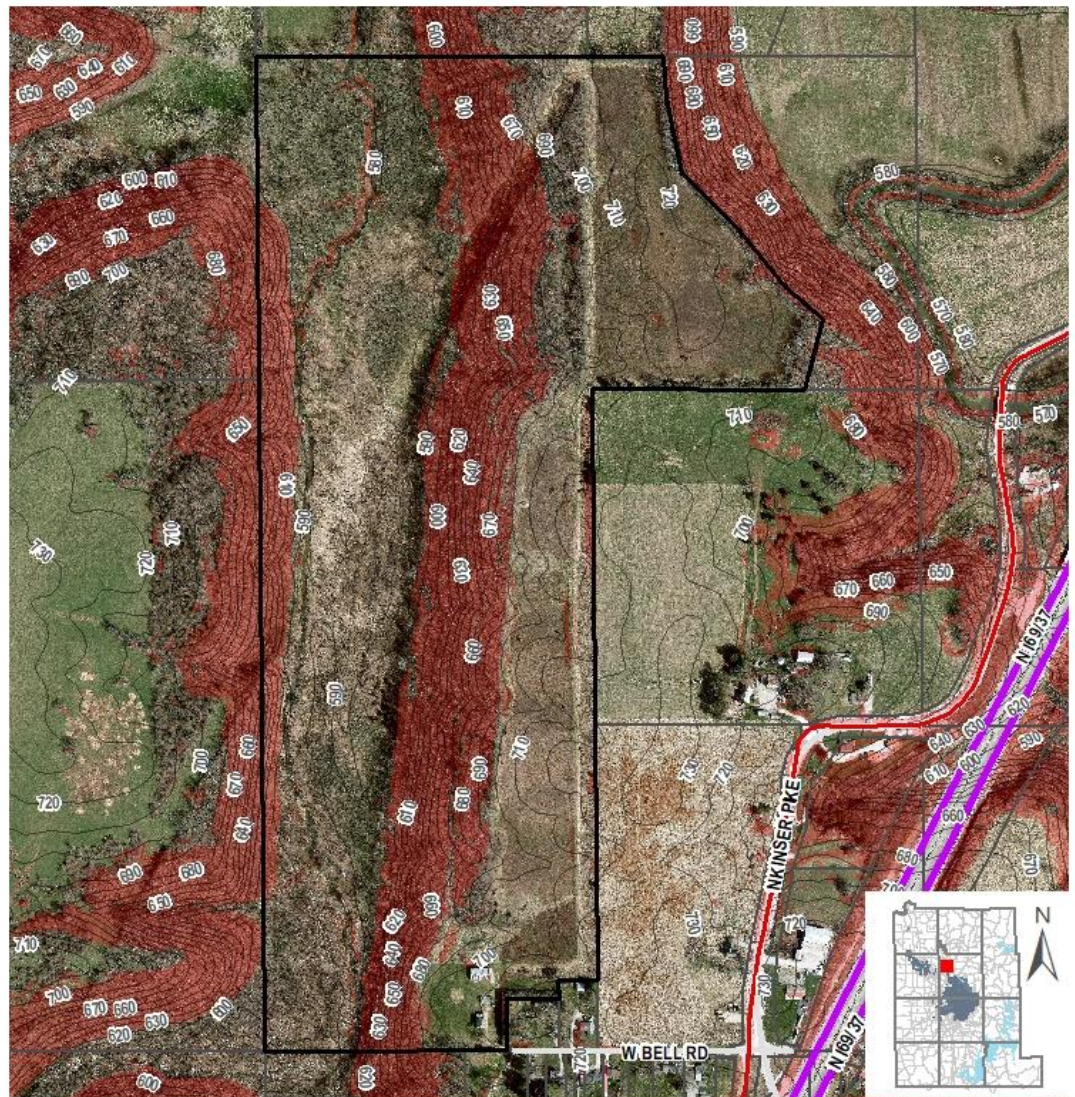


EXHIBIT 2: Site Photos



Photo 1: W Bell Road – facing west; dead-end at petition site



Photo 2: W Bell RD – facing east towards N Kinser Pike



Photo 3: Petition site – facing northwest; view of SFR



Photo 4: Petition site – facing north; view of SFR and detached garage and pole barn



Photo 5: Petition site – facing northeast



Photo 6: Petition site – facing north; tree line demarks classified forest and start of steep slopes



Photo 7: Petition site – facing northeast



Photo 8: Petition site – facing east



Photo 9: Petition site – facing north



Photo 10: Petition site – facing north

[illegible]

EXHIBIT 4: Petitioner Findings for Road Width Waiver



Todd M. Borgman, PS
Katherine E. Stein, PE
Donald J. Kocarek, LA
Stephen L. Smith, Founder

"Providing professional design and survey since 1979"

September 7, 2022

To: Members of the Monroe County Plan Commission

Re: Bell Road Sliding Scale Subdivision

Road Width Waiver

The petitioner is requesting a road width waiver. The current road width is 16 feet +/- with a required width of 18 feet.

Section 850-12 lists the findings that must be met for a modification of the subdivision requirements. The criteria and description of how this modification meets those criteria are as follows:

(1) practical difficulties have been demonstrated;

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.

(2) the requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County;

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.
- Due to Bell Road's location, length and local road classification, it is unlikely to be widened. It is also unlikely to be extended to the west with the existing creek and floodplain that would need to be navigated.

(3) granting the modifications would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g., water, sewer, fire protection, etc.);

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.
- Due to Bell Road's location, length and local road classification, it is unlikely to be widened. It is also unlikely to be extended to the west with the existing creek and floodplain that would need to be navigated.

(4) granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties;

- Granting the modification would leave the conditions as they presently exist.

(5) the conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties:

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.

1467 W Arlington Road
Bloomington, Indiana 47404
Telephone 812-336-6536
www.smithdgroup.com



Todd M. Borgman, PS
Katherine E. Stein, PE
Donald J. Kocarek, L.A.
Stephen L. Smith, Founder

"Providing professional design and survey since 1979"

(6) granting the requested modifications would not contravene the policies and purposes of these regulations;

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.
- Due to Bell Road's location, length and local road classification, it is unlikely to be widened. It is also unlikely to be extended to the west with the existing creek and floodplain that would need to be navigated.

(7) the requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done;

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.
- Due to Bell Road's location, length and local road classification, it is unlikely to be widened. It is also unlikely to be extended to the west with the existing creek and floodplain that would need to be navigated.

(8) the practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.
- Due to Bell Road's location, length and local road classification, it is unlikely to be widened. It is also unlikely to be extended to the west with the existing creek and floodplain that would need to be navigated.

(9) the practical difficulties cannot be overcome through reasonable design alternatives.

- The property lies at the "dead end" of Bell Road. Widening the road would only be a benefit to the current owner. Passing traffic would only occur entering and existing the owner's property.
- Due to Bell Road's location, length and local road classification, it is unlikely to be widened. It is also unlikely to be extended to the west with the existing creek and floodplain that would need to be navigated.

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Telephone 812-336-6536
www.smithdgc.com

EXHIBIT 5: FINDINGS OF FACT - Subdivisions

850-3 PURPOSE OF REGULATIONS

(A) *To protect and provide for the public health, safety, and general welfare of the County.*

Findings

- The petition site consists of one parcel totaling 132.311 +/- acres;
- The petition site is not in a platted subdivision;
- The site is currently zoned Agriculture/Rural Reserve (AG/RR);
- Approval of the subdivision would result in two (2) lots that exceed the minimum lot dimension requirements for the AG/RR Zoning District;
- Approval of the subdivision would result in Lot 1 = 2.673 acres and Lot 2 = 129.638 (parent parcel);
- The proposed use in the subdivision is residential;
- Each lot will be serviced by a private septic system;

(B) *To guide the future development and renewal of the County in accordance with the Comprehensive Plan and related policies, objectives and implementation programs.*

Findings

- See findings under Section (A);
- The Comprehensive Plan designates the site as Farm and Forest, which is described in this report;

(C) *To provide for the safety, comfort, and soundness of the built environment and related open spaces.*

Findings

- See findings under Section (A);
- The surrounding uses are primarily agricultural and residential in nature;
- A portion of the property is currently designated as DNR Classified Forest;
- The property maintains frontage along W Bell Road;
- W Bell Road is an asphalt roadway measuring 16' wide;
- The proposed subdivision is meeting the Monroe County Zoning Ordinance's Buildable Area requirement;

(D) *To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards.*

Findings

- See findings under Section (A) & (C);
- The adjoining properties are zoned AG/RR or Estate Residential 1 (RE1);
- W Bell Road is classified as a "Local Road" per the Monroe County Thoroughfare Plan;

(E) *To guide public and private policy and action to ensure that adequate public and private facilities will be provided, in an efficient manner, in conjunction with new development, to promote an aesthetically pleasing and beneficial interrelationship between land uses, and to promote the conservation of natural resources (e.g., natural beauty, woodlands, open spaces, energy and areas subject to environmental constraints, both during and after development).*

Findings

- See findings under Sections (A), (C), and (D);
- A Road Width Waiver has been requested with this petition;
- There is at least one (1) visible karst feature on the property;

- The DNR Best Available Floodplain Map designates a significant portion of the property as AE/Floodway;
- The area designated AE/Floodplain is also located within a platted drainage easement of variable width;
- A significant portion of the property is designated DNR Classified Forest;
- Drainage easements were requested on the plat per recommendation from the MS4 Coordinator;

(F) *To provide proper land boundary records, i.e.:*

(1) *to provide for the survey, documentation, and permanent monumentation of land boundaries and property;*

Findings:

- The petitioner has submitted a preliminary plat drawn by a registered surveyor.

(2) *to provide for the identification of property; and,*

Findings:

- The petitioner submitted a survey with correct references, to township, section, and range to locate the parcel. The petitioner has provided staff with a copy the recorded deed of the petition site;

(3) *to provide public access to land boundary records.*

Findings

- The land boundary records are found at the Monroe County Recorder's Office and, if approved, this petition will be recorded there as a plat. The plat must comply with Chapter 860 - Document Specifications to be recorded;

FINDINGS OF FACT – WAIVER OF ROAD WIDTH REQUIREMENT

The petitioner has requested a waiver from the *Improvement, Reservation and Design Standards* outlined in 862-4 (A) (General design considerations for Sliding Scale Option), which reads:

(5) Subdivisions on roads less than 18 feet in width shall be prohibited, unless waived pursuant to Chapter 850-12.

Section 850-12 of the Monroe County Subdivision Control Ordinance states: “The Commission may authorize and approve modifications from the requirements and standards of these regulations (including the waiver of standards or regulations) upon finding that:

1. Practical difficulties have been demonstrated:

Findings:

- Note Exhibit 4 for Petitioner Submitted Finding;
- The site gains access from W Bell Road, a designated Local Road;
- W Bell Road is currently an asphalt road;
- W Bell Road is measured by surveyor as 16 feet (+/-) wide;
- W Bell Road dead-ends into the petition site at 1300 W Bell Road;
- The construction of a cul-de-sac was not required for this petition per the review of the County Legal Department;
- W Bell Road serves multiple properties to the east of the petition site, as well as the proposed petition site;
- W Bell Road intersects perpendicularly with N Kinser Pike at the eastern end of W Bell Road;
- From N Kinser Pike, W Bell Road extends 0.18 miles until it dead-ends at the petition site;
- The Highway Department requests that both proposed Lot 1 and Lot 2 share a driveway entrance receiving access via W Bell Road;
- The petitioner did submit findings for the waivers (Exhibit 4);

2. The requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County;

Findings:

- See findings under Section 1;

3. Granting the modifications waiver would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g. water, sewer, fire protection, etc.):

Findings:

- See findings under Section 1;
- Result of subdivision would appear to have no substantive impact on Level of Service (LOS) for the subject road/area;
- See the findings submitted by the petitioner (Exhibit 4);

4. Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties;

Findings:

- See findings under Section 1;

- 5. The conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties;**

Findings:

- See findings under Section 1;
- All property owners on W Bell Road would face the same practical difficulty pertaining to road width in seeking to subdivide via the Sliding Scale Subdivision method;

- 6. Granting the requested modifications would not contravene the policies and purposes of these regulations;**

Findings:

- See findings under Section 1, 2, and 3;

- 7. The requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done;**

Findings:

- See findings under Section 1;

- 8. The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,**

Findings:

- See findings under Section 1;
- W Bell Road is a public road in its current condition maintained by the County;
- The road was not constructed by the petitioner or as part of a prior subdivision or development;

- 9. The practical difficulties cannot be overcome through reasonable design alternatives;**

Findings:

- See findings under Section 1;

In approving modifications, the Commission may impose such conditions as will in its judgment substantially secure the objectives of these regulations.



MONROE COUNTY PLAT COMMITTEE

Public Meeting

Date: October 20, 2022

CASE NUMBER	PROPOSED NAME	DETAIL
SSS-22-5	Betty Chambers Sliding Scale Subdivision	2-Lot Sliding Scale Subdivision Preliminary Plat

The Subdivision Control Ordinance shall be interpreted, administered and enforced in a manner that is consistent with Chapter 850-3.

RECOMMENDED MOTION	Approval	Planner: Daniel Brown
<p><i>Recommended Motion Conditions or Reasoning:</i> <u>Positive Recommendation</u> based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance.</p> <p><u>Positive Recommendation</u> for the Road Width Waiver based on the facts of finding</p>		

PLAT COMMITTEE RECOMMENDATION

Waiver(s) Requested:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes:	Road Width Waiver
Waiver of Final Hearing Requested:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> No <input type="checkbox"/> Yes	
Plat Vacation:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Partial <input type="checkbox"/> Yes:	

PETITIONER	Eric Deckard, Deckard Land Surveying	
OWNERS	Betty and Thomas Chambers	
ADDRESS	7300 W Wampler RD 53-03-04-100-011.000-001	
TOWNSHIP + SECTION	Bean Blossom; 04	
PLATS	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/> Platted:	
ACREAGE +/-	11.80	
	PETITION SITE	ADJACENT
ZONING	AG/RR	AG/RR
CDO ZONE	Farm and Forest	Farm and Forest
USE	Residential / Agriculture	Residential / Agriculture

SUMMARY

The petitioner is proposing a 2-lot Sliding Scale Subdivision with a Road Width Waiver. Septic permit applications have been submitted for proposed Lot 1 and Lot 2 (WW-22-198 and WW-22-199 respectively), and have been issued. The proposed lot will be serviced by a new septic system. Lot 2 operates with an existing septic system and received a repair septic permit. Each of the proposed lots is accessed via W Wampler Rd. Right-of-way permits are pending the outcome of this subdivision petition.

DISCUSSION

Table 1 provides a summary of the lot configurations and requirements for the Betty Chambers Sliding Scale Subdivision. The preliminary plat (Exhibit 3) provides more detail in regards to buildable area, site conditions, and lot dimensions. Sidewalks and street trees were not required for this subdivision.

A Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – is not required for this subdivision per recent updates by made by the Indiana Department of Environmental Management (IDEM) to the language on CSGP applicability. In short, if the subdivider makes no land improvements and only sells the lots, then they do not need to submit a Stormwater Pollution Prevention Plan (SWPPP) or a Notice of Intent (NOI). The individual(s) who purchases the lot(s) and build there must submit their own SWPPP and NOI, even if land disturbance is under one (1) acre.

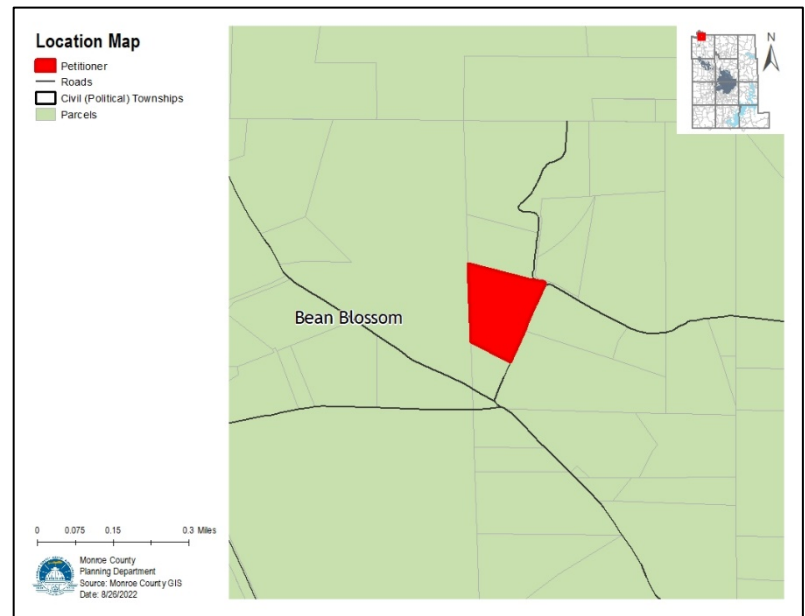


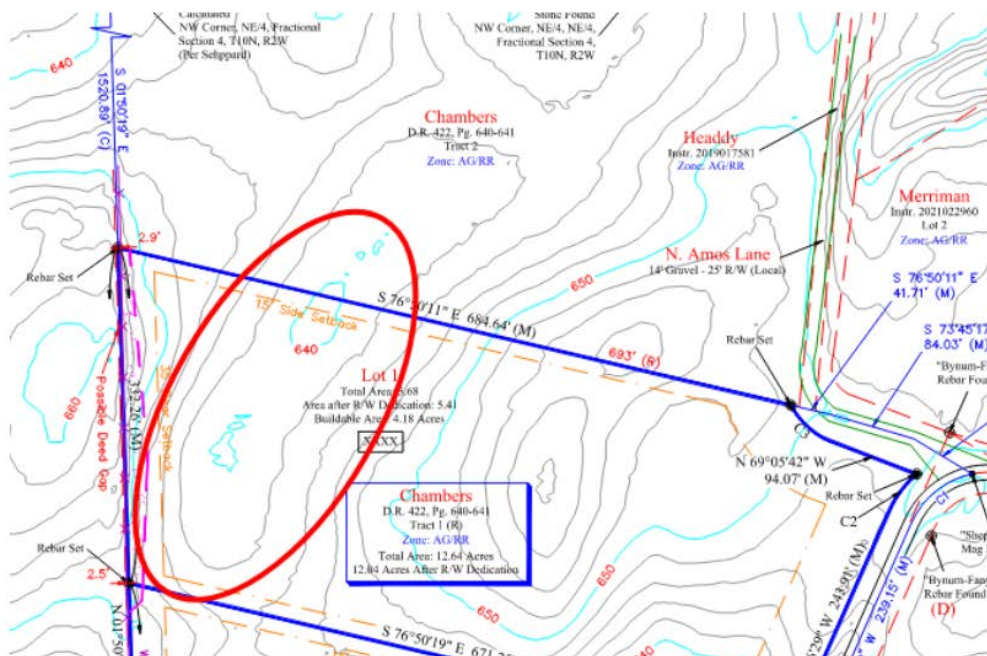
TABLE 1: Summary of Lot Configurations

	Lot 1	Lot 2 (Parent Parcel)
Acreage / Buildable Area (+/-)	5.41 / 4.18 acres	6.62 / 4.89 acres
Wastewater	WW-22-198 (new)	WW-22-199 (repairs to existing system)
Property Access	RW-22-186	RW-22-187
ROW Dedication; S Old State Road 37; Minor Collector	Yes = 25'	Yes = 25'
Environmental Conditions	Steep slopes	Steep slopes
Existing Structure(s)	None	Residence, detached pole barn, free-standing canopy

STORMWATER COMMENTS:

Chambers Sliding Scale

Hi Eric, I'm looking at the west side of Lot 1 and wondering if you and the property owner could provide some insight on the drainage here? I don't think it's a karst feature (could be wrong) but it's definitely a low spot. Thanks



This area is not a karst feature, it is just a low spot in the topography

Thanks, Eric. I have no additional comments on this.

HIGHWAY COMMENTS:



Ben Ayers

[Remove Comment](#) • Jun 30, 2022 at 7:12 am

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. See RW-22-186 & RW-22-187.

Existing driveway entrance on Lot #2 shall meet the specifications of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way within (1) year of recording the Final Plat.

Proposed driveway entrance for Lot #1 shall come off of North Amos Lane.

All driveway entrance(s), existing or proposed, shall be marked on the Final Plat.



Eric Deckard

[Remove Comment](#) • Jul 1, 2022 at 8:35 am

Edit made regarding Lot 1 drive location

COMPREHENSIVE PLAN

The petition site is located within the Farm and Forest Comprehensive Plan designation, which states:

Farm and Forest

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.

In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall consider the following:

- Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.
- New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.

- Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice and for future residents seeking that lifestyle.

To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadways shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

EXHIBITS - <i>Immediately following report</i>

1. County Slope & Site Conditions Map
2. Aerial Pictometry and Site Photos
3. Betty Chambers Sliding Scale Subdivision Preliminary Plat
4. Staff Findings of Fact for Subdivision and Buried Utility Waiver

EXHIBIT 1: County Slope Map

Site Conditions Map

- Petitioner
— 2-Foot Contours
- Percent Slopes**
- 0 - 12%
 - 13 - 15%
 - 16 - 18%
 - 19 - 21%
 - 22 - 24%
 - > 25%
 - Local Roads [50']
 - Parcels

0 45 90 180 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 8/26/2022

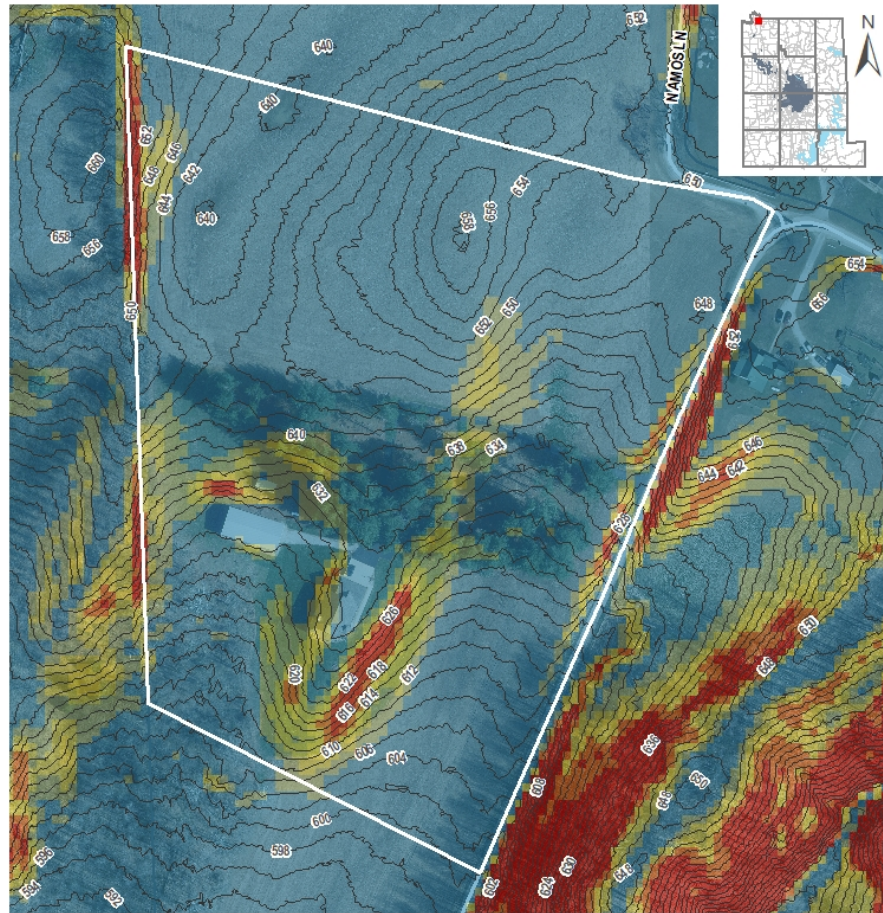


EXHIBIT 2: Aerial Pictometry and Site Photos









EXHIBIT 3: Betty Chambers Sliding Scale Subdivision Preliminary Plat

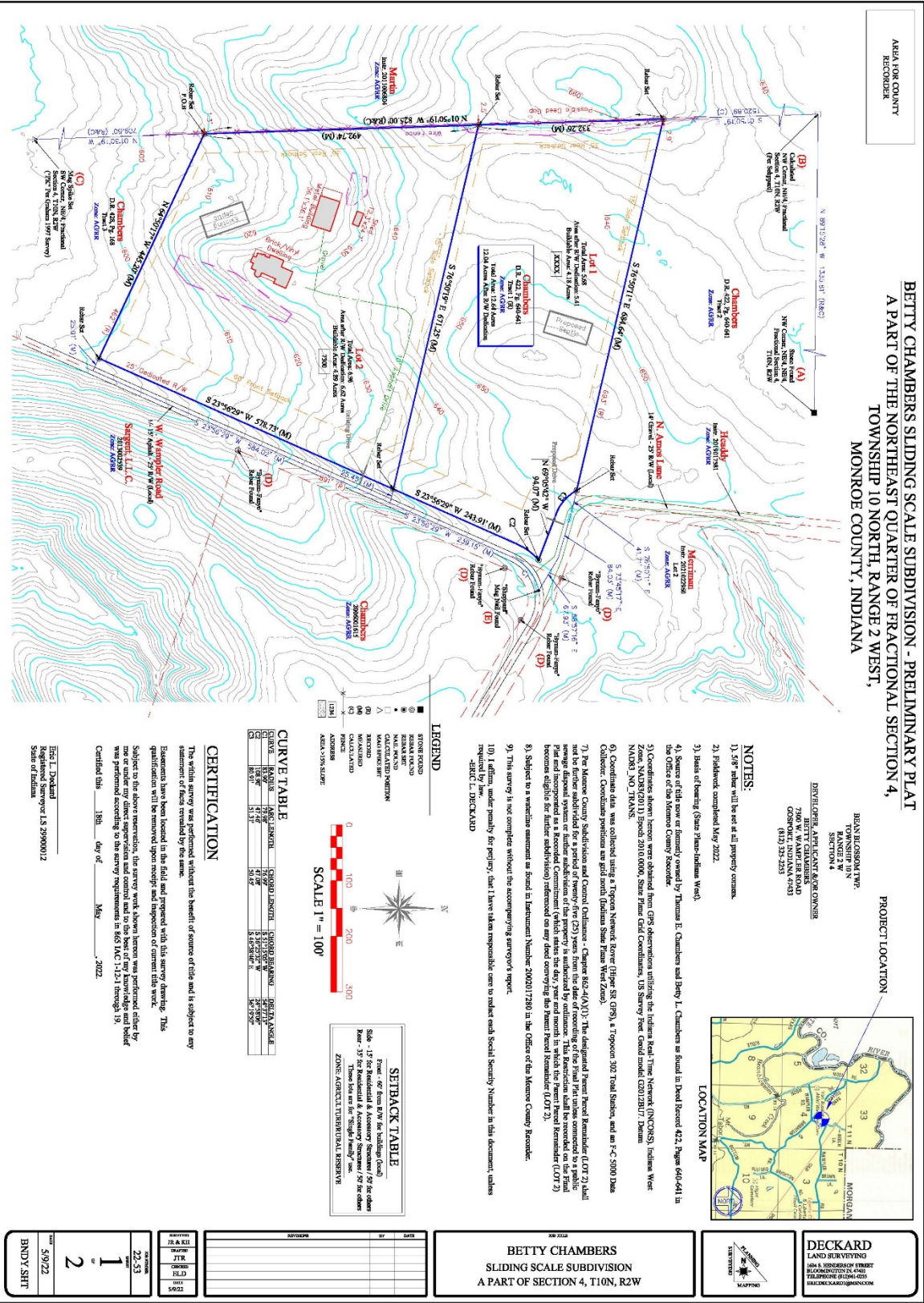


EXHIBIT 4: FINDINGS OF FACT - Subdivisions

850-3 PURPOSE OF REGULATIONS

(A) *To protect and provide for the public health, safety, and general welfare of the County.*

Findings

- The petition site consists of one parcel totaling 11.80 +/- acres;
- The petition site is not in a platted subdivision;
- The site is zoned Agriculture/Rural Reserve (AG/RR);
- Approval of the subdivision would result in two (2) lots that exceed the minimum lot dimension requirements for the Agriculture/Rural Reserve (AG/RR) Zoning District;
- Approval of the subdivision would result in Lot 1 = 5.41 acres, Lot 2 (parent parcel) = 6.62 acres
- Neither street trees nor sidewalks are required for this petition;
- Each lot will be serviced by a private septic system;
- Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – is not required as the property owner is only selling the lots;

(B) *To guide the future development and renewal of the County in accordance with the Comprehensive Plan and related policies, objectives and implementation programs.*

Findings

- See findings under Section (A);
- The Comprehensive Plan designates the property as Farm and Forest;

(C) *To provide for the safety, comfort, and soundness of the built environment and related open spaces.*

Findings

- See findings under Section (A);
- The MS4 Coordinator requested additional drainage easements that were added to the preliminary plat by the petitioner's surveyor;

(D) *To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards.*

Findings

- See findings under Sections (A) & (C);
- The adjoining properties are zoned Agriculture/Rural Reserve (AG/RR);
- The use of neighboring properties is either residential or agricultural;
- W Wampler Road is classified as a "Local" roadway per the Monroe County Thoroughfare Plan;

(E) *To guide public and private policy and action to ensure that adequate public and private facilities will be provided, in an efficient manner, in conjunction with new development, to promote an aesthetically pleasing and beneficial interrelationship between land uses, and to promote the conservation of natural resources (e.g., natural beauty, woodlands, open spaces, energy and areas subject to environmental constraints, both during and after development).*

Findings

- See findings under Sections (A) & (C);
- There are no visible karst features on the property;
- There is no floodplain on the property;

(F) *To provide proper land boundary records, i.e.:*

(1) *to provide for the survey, documentation, and permanent monumentation of land boundaries and property;*

Findings:

- The petitioner has submitted a preliminary plat drawn by a registered surveyor;

(2) *to provide for the identification of property; and,*

Findings:

- The petitioner submitted a survey with correct references, to township, section, and range to locate parcel. Further, the petitioner has provided staff with a copy the recorded deed of the petition site. County Surveyor has also reviewed the plat for survey accuracy;

(3) *to provide public access to land boundary records.*

Findings

- The land boundary records are found at the Monroe County Recorder's Office and, if approved, this petition will be recorded there as a plat. The plat must comply with Chapter 860 - Document Specifications to be recorded;

FINDINGS OF FACT – Waiver of Road Width

The petitioner has requested a waiver from the *Improvement, Reservation and Design Standards* outlined in 862-4 (A) (General design considerations for Sliding Scale Option), which reads:

(5) Subdivisions on roads less than 18 feet in width shall be prohibited, unless waived pursuant to Chapter 850-12.

Section 850-12 of the Monroe County Subdivision Control Ordinance states: "The Commission may authorize and approve modifications from the requirements and standards of these regulations (including the waiver of standards or regulations) upon finding that:

1. Practical difficulties have been demonstrated:

Findings:

- Note Exhibit 4 for Petitioner Submitted Finding;
- The site gains access from W Wampler RD, a designated Local Road;
- W Wampler RD is measured by surveyor as 15 feet wide;
- The petition site has approximately 823' of frontage along W Wampler RD;
- The existing road serves properties to the north and south of the petition site, as well as the proposed petition site;
- The existing and proposed driveway entrances to the petition site are to be coordinated with the Highway Department to meet safety standards;
- N Bowman RD connects to N Amos LN to the north and W Sand College RD to the south;
- The petitioner did submit findings for the waivers (Exhibit 4);

2. The requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County;

Findings:

- See findings under Section 1;
- Net density of 2 dwelling units per approximately 26+ acres is consistent with the Comprehensive Plan's Farm and Forest designation and the Agriculture/Rural Reserve (AG/RR) Zoning District;

3. Granting the modifications waiver would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g. water, sewer, fire protection, etc.):

Findings:

- See findings under Section 1;
- Result of subdivision would appear to have no substantive impact on Level of Service (LOS) for the subject road/area;
- The Monroe County Highway Department has provided comments for the Road Width Waiver that indicate support for the waiver request;
- See the findings submitted by the petitioner (Exhibit 2);

4. Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties;

Findings:

- See findings under Section 1;

5. The conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties;

Findings:

- See findings under Section 1;
- All property owners on W Wampler RD would face the same practical difficulty pertaining to road width in seeking to subdivide via the Sliding Scale Subdivision method;

6. Granting the requested modifications would not contravene the policies and purposes of these regulations;

Findings:

- See findings under Section 1, 2, and 3;

7. The requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done;

Findings:

- See findings under Section 1;

8. The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,

Findings:

- See findings under Section 1;
- The road was not constructed by the petitioner or as part of a prior subdivision or development;

9. The practical difficulties cannot be overcome through reasonable design alternatives;

Findings:

- See findings under Section 1;

In approving modifications, the Commission may impose such conditions as will in its judgment substantially secure the objectives of these regulations.