

# MONROE COUNTY PLAT COMMITTEE



**January 19, 2023  
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=c2lrWFp0eGFNQUtgK0NQIQIFLazRTQT09>

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:** January 19, 2023, at 4:00 PM

**Where:** 501 N Morton St, Suite 224

Or via Zoom: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQOIFLazRTQT09>

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:**

- |                     |                                                                                                                                                                                                                                                                                                                                                                                                              |                |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>1. SMN-22-9</b>  | <b>Dennis Reeves Minor Subdivision Preliminary Plat Partial Plat Vacation. Plat Committee Decision.</b><br>One (1) parcel on 48.95 +/- acres in Section 19 of Benton South Township at 5118 E Ratliff RD, Parcel # 53-06-19-200-019.000-003.<br>Owner: Reeves, Dennis<br><b>Zoned AG/RR.</b> Contact: <a href="mailto:drbrown@co.monroe.in.us">drbrown@co.monroe.in.us</a>                                   | <b>PAGE 3</b>  |
| <b>2. SMN-22-10</b> | <b>David Duncan Minor Subdivision Preliminary Plat Plat Committee Decision.</b><br>One (1) parcel on 89.7 +/- acres in Section 34 of Indian Creek Township at 6889 W Popcorn RD, Parcel #53-10-34-300-002.000-007.<br>Owner: Duncan, David and Pamela<br><b>Zoned AG/RR.</b> Contact: <a href="mailto:drbrown@co.monroe.in.us">drbrown@co.monroe.in.us</a>                                                   | <b>PAGE 15</b> |
| <b>3. SSS-22-13</b> | <b>Sites-Gaither Sliding Scale Subdivision Plat Committee Recommendation. Buried Utilities &amp; Road Width Waiver Requested.</b><br>One (1) parcel on 18.57 +/- acres in Section 13 of Bean Blossom Township at 4305 W Prather RD, parcel #53-03-13-300-002.000-0015035.<br>Owner: Sites, Jordan<br><b>Zoned AG/RR.</b> Contact: <a href="mailto:acrecelius@co.monroe.in.us">acrecelius@co.monroe.in.us</a> | <b>PAGE 29</b> |

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](mailto: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: January 19th, 2023**

CASE NUMBER	PROPOSED NAME	DETAIL
SMN-22-9	Dennis Reeves Minor Subdivision	3-Lot Minor Subdivision Preliminary Plat

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

<b>PLAT COMMITTEE</b>	<input type="checkbox"/> Recommendation	<input checked="" type="checkbox"/> Decision
<b>RECOMMENDED MOTION</b>	Approval	<b>Planner:</b> Daniel Brown
<b><i>Recommended Motion Conditions or Reasoning:</i></b> <u><b>Approval</b></u> to the subdivision based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance.		

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

<b>PETITIONER</b>	Deckard Land Surveying	
<b>OWNERS</b>	Reeves, Dennis	
<b>ADDRESS</b>	5118 E Ratliff RD; 53-06-19-200-019.000-003	
<b>TOWNSHIP + SECTION</b>	Benton South; 19	
<b>PLATS</b>	<input type="checkbox"/> Unplatted <input checked="" type="checkbox"/> Platted: Reeves Administrative Type E Subdivision, Tract 2	
<b>ACREAGE +/-</b>	48.95 +/- acres	
	<b>PETITION SITE</b>	<b>ADJACENT</b>
<b>ZONING</b>	CR, ECO3	CR, FR, ECO3
<b>COMP PLAN</b>	Farm and Forest	Farm and Forest, Managed Lands
<b>USE</b>	Residential	Residential, Other Residential Structures

## **SUMMARY**

The petitioner is proposing a 3-lot Minor Subdivision Preliminary Plat. The property is zoned Conservation Residential (CR) All proposed lots will meet the minimum requirements for subdividing land in their respective zoning districts. Septic Permits have already been applied for and approved for the 2 new lots. Right-of-Way permits have been applied for and are pending the approval of this subdivision.

Comments from Stormwater:

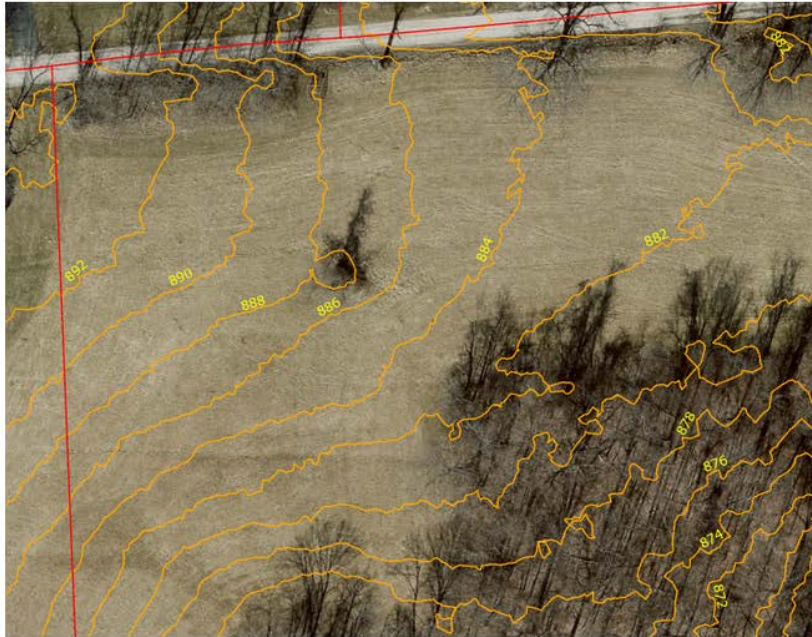


Kelsey Thetonia

[Remove Comment](#) • Dec 12, 2022 at 3:27 pm

#### Reeves Minor Subdivision

Hi Eric, I uploaded a marked up version of the plat with Drainage Easements. There is also a potential sinkhole on the north side. I put a circle on it. Please verify. Thanks,



#### Comments from Highway Department:



Ben Ayers

[Remove Comment](#) • Oct 25, 2022 at 9:18 am

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. Existing driveway entrance on Lot #2 & Lot #3 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-22-338, RW-22-339 & RW-22-340.

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

Right of Way measurements and dimensions should be added to the Final Plat for future reference.

#### DISCUSSION



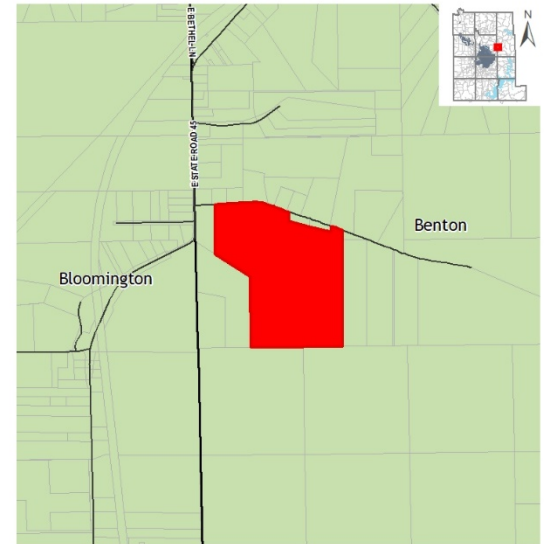
The proposed subdivision will create three lots out of 48.95 +/- acres. Below is a summary table of facts regarding the three lots.

The property being subdivided was in a previous plat, the Reeves Type E Administrative Subdivision, 1502-SAD-09. Partial Plat Vacation will apply, though it is worth noting that the owner of the property being subdivided also owns every parcel involved in the 1502-SAD-09. Per IC 36-7-3-10, owners of plats can vacate all or part of their plat without notice or a public hearing.

Below is a summary of the lot configurations and requirement. Street trees and sidewalks will not be required.

**Location Map**  
 ■ Petitioner  
 — Roads  
 □ Civil (Political) Townships  
 ■ Parcels

0 0.075 0.15 0.3 Miles  
 Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 12/2/2022



	<b>Lot 1</b>	<b>Lot 2</b>	<b>Lot 3</b>
<b>Acreage / Buildable Area (+/-)</b>	10.20 acres / 4.26 acres	27.78 acres / 13.11 acres	10.33 acres / 4.25 acres
<b>Wastewater</b>	WW-22-300 (Issued)	20739 (Already existing)	WW-22-301 (Issued)
<b>Property Access</b>	E Ratliff RD; RW-22-338	E Ratliff RD; RW-22-339	E Ratliff RD; RW-22-340
<b>R/W Dedication; E Ratliff RD</b>	25 feet previously dedicated	25 feet previously dedicated	25 feet previously dedicated
<b>Environmental Conditions</b>	Slopes > 15%; ECO3	Slopes > 15%; ECO3	Slopes > 15%; ECO3
<b>Existing Structure(s)</b>	Vacant	House, Detached Metal Building	Vacant

#### **EXHIBITS - Immediately following report**

1. County Slope Maps
2. Site Photos
3. Preliminary Plat
4. Planning Staff Findings of Fact

## EXHIBIT 1: County Slope Map

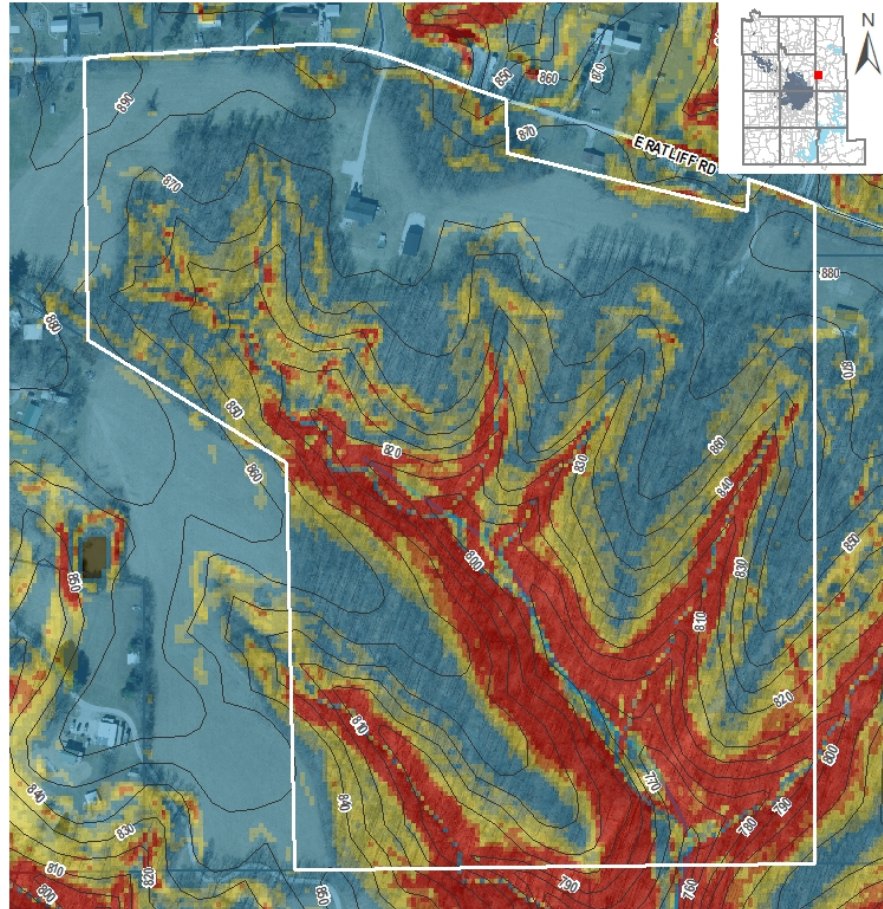
### Site Conditions Map

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

0 80 160 320 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 12/2/2022





**EXHIBIT 2: Site Photos**



**Photo 1: Aerial Elevate Photo**





**Photo 2:** View of the house and detached metal building on Lot 2





**Photo 3:** A side view of the same single-family residence.





**Photo 4:** A view of the proposed Lot 3 from proposed Lot 2





**Photo 5:** A view of proposed Lot 1 from proposed Lot 2.



### **EXHIBIT 3: Preliminary Plat**

[illegible]

**EXHIBIT 4: Findings of Fact**  
**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 is two parcels totaling 48.95 +/- acres;
- The petition site is in a platted subdivision, Tract 2 of the Reeves Administrative Type E Subdivision, 1502-SAD-09;
- The site is zoned Conversation Residential (CR) along with most of the surrounding area;
- The preliminary plat amendment request is to subdivide the property into three new lots with the following details:
  - LOT 1: 10.20 acres; LOT 2: 27.78 acres; LOT 3: 10.33 acres
- All proposed lots are accessed off of E Ratliff RD;

- (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**

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

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

**Findings**

- See findings under Section A;

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

**Findings**

- Neighboring properties are zoned CR, SR, and FR;
- The use of neighboring properties is either residential or agricultural or forest;
- See findings under Sections A & C;

- (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**

- Property is in the Environmental Constrains Overlay Area 3
- See findings under Sections A & C;

- (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, a final plat will be required to be recorded as the result of the proposed preliminary plat amendment process;



# **MONROE COUNTY PLAT COMMITTEE**

**Public Meeting**

**Date: January 19th, 2023**

<b>CASE NUMBER</b>	<b>PROPOSED NAME</b>	<b>DETAIL</b>
SMN-22-10	David Duncan Minor Subdivision	2-Lot Minor Subdivision Preliminary Plat

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

<b>PLAT COMMITTEE</b>	<input type="checkbox"/> Recommendation	<input checked="" type="checkbox"/> Decision
<b>RECOMMENDED MOTION</b>	Approval	<b>Planner:</b> Daniel Brown
<b><i>Recommended Motion Conditions or Reasoning:</i></b> <b><u>Approve with Conditions</u></b> based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance with the following condition: <ol style="list-style-type: none"> <li>1. The petitioner revise the plat in accordance with MS4 Coordinator comments prior to final plat filing.</li> <li>2. Surveyor add the following notes to the plat:             <ol style="list-style-type: none"> <li>a. The pre-existing non-conforming home on Lot 1 is located within the front setback 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.</li> <li>b. Surveyor identify the use of each structure on Lot 1, as well as the location of the existing septic system.</li> </ol> </li> </ol>		

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

<b>PETITIONER</b>	Bynum Fanyo	
<b>OWNERS</b>	Duncan, David and Pamela	
<b>ADDRESS</b>	6889 W Popcorn RD; 53-10-34-300-002.000-007	
<b>TOWNSHIP + SECTION</b>	Benton South; 34	
<b>PLATS</b>	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/> Platted:	
<b>ACREAGE +/-</b>	87.9 +/- acres	
	<b>PETITION SITE</b>	<b>ADJACENT</b>
<b>ZONING</b>	AG/RR	AG/RR
<b>COMP PLAN</b>	Farm and Forest	Farm and Forest, County Boundary
<b>USE</b>	Residential	Residential, Other Residential Structures

## **SUMMARY**

The petitioner is proposing a 2-lot Minor Subdivision Preliminary Plat with no waiver requests. The property is zoned Agricultural/Rural Reserve (AG/RR). All proposed lots will meet the minimum requirements for subdividing land in their respective zoning districts. Septic Permits have already been applied for and approved for the new lot. Right-of-Way permits have been applied for and are pending the approval of this subdivision.

Comments from Stormwater: None.

## Comments from Highway Department:



**Paul Satterly**

Remove Comment • Jan 5, 2023 at 1:48 pm

Please call out the 45 ft. dedicated right of way along Popcorn Road. Show the 45 ft. dimension from the centerline to the right of way line.

### DISCUSSION

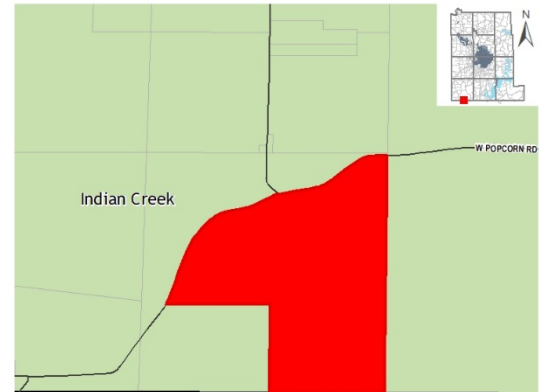
The proposed subdivision will create two lots out of 87.9 +/- acres. Below is a summary table of facts regarding the two lots.

There are no waivers with this petition. There is however floodplain on this property.

Below is a summary of the lot configurations and requirement.

#### Location Map

Petitioner  
 Roads  
 Civil (Political) Townships  
 Parcels



0 0.075 0.15 0.3 Miles  
  
 Monroe County  
 Planning Department  
 Source: Monroe County GIS  
 Date: 1/11/2023

	Lot 1	Lot 2
<b>Acreage / Buildable Area (+/-)</b>	10.10 acres / 8.41 acres	76.25 acres / 52.12 acres
<b>Wastewater</b>	20039 (existing)	WW-22-306 (Issued)
<b>Property Access</b>	W Popcorn RD; RW-22-338	W Popcorn RD; RW-22-339
<b>R/W Dedication; W Popcorn RD</b>	No	No
<b>Environmental Conditions</b>	Floodplain	Floodplain
<b>Existing Structure(s)</b>	Single-family home (derelict), single-family home, quonset	Vacant

### EXHIBITS - Immediately following report

1. County Slope Maps
2. Site Photos
3. Preliminary Plat
4. Planning Staff Findings of Fact



## EXHIBIT 1: County Slope Map

### Site Conditions Map

- Minor Collector [90']
- Minor Collector [60']
- Petitioner
- 2-Foot Contours

#### Percent Slopes

- 0 - 12%
- 13 - 15%
- 16 - 18%
- 19 - 21%
- 22 - 24%
- > 25%

- Local Roads [50']
- Hydrologic Features

### DNR Best Available Data

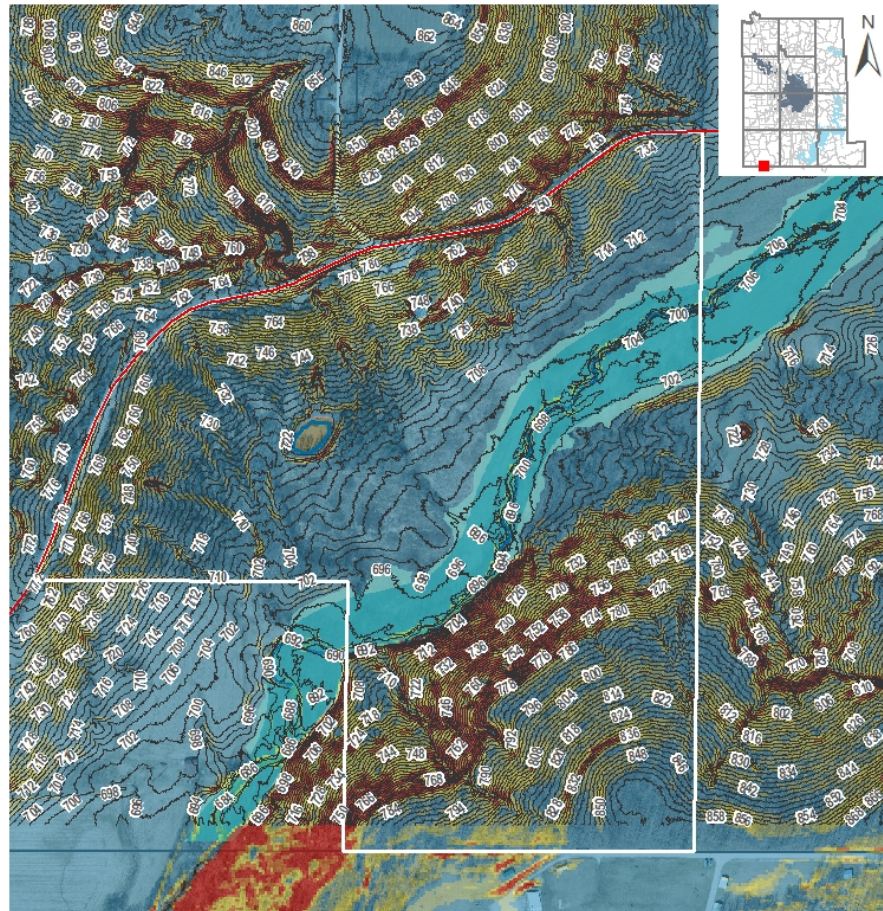
#### FLD\_ZONE, ZONE\_SUBTY

- A
- A, APPROXIMATE FLOODWAY
- Parcels

0 140 280 560 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 1/11/2023





**EXHIBIT 2: Site Photos**



**Photo 1: Aerial Elevate Photo**





**Photo 2:** View of the residence on Lot 1 with two sheds





**Photo 3:** View of the property from behind the residence





**Photo 4:** Photo of quonset and a structure of unknown use





**Photo 5:** Abandoned house no longer used as a residence on Lot 1





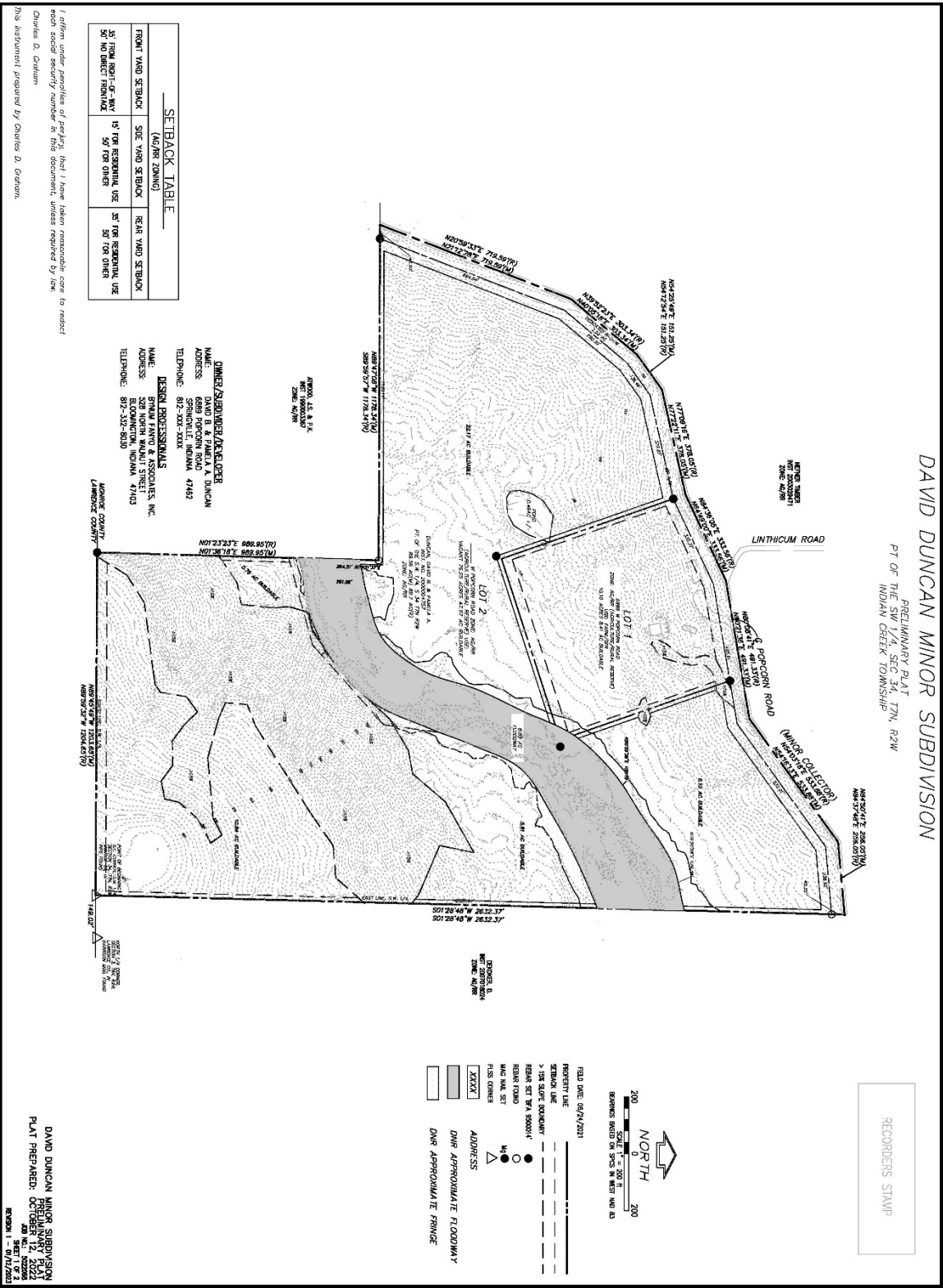
**Photo 6:** View of the proposed Lot 2





**Photo 7:** View of the proposed Lot 2

EXHIBIT 3: Preliminary Plat



WE, the undersigned, certify that we have submitted and plotted it according to the provisions of the laws of the State of Indiana.

This subdivision is called **DAVID DUNCAN MINOR SUBDIVISION**, an addition to Marion County, Indiana, and consists of 2 lots, numbered 1 through 2, inclusive. The streets and alleys shown, as far as they have not already been so dedicated, are dedicated to the public.

Front, rear and side yard setback lines are established as shown on the plot. Between corners of lots, the subject streets to existing or other structures shall be erected or maintained.

The streets of ground that are shown on the plot and marked "sewerage" are owned by the owners of the lots that they respectively affect, subject to the rights of public utility companies to lay and maintain sewers, drains, pipes, conduits, cables, and other lines and wires. Buildings or other structures shall not be erected or maintained on these streets.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

By: David B. Duncan

STATE OF INDIANA  
COUNTY OF MARION

Before me, the undersigned Notary Public, in and for the said County and State, personally appeared \_\_\_\_\_, David B. & Doreen A. Duncan, the execution of the foregoing for the purposes therein expressed, and acknowledged to me that they executed the same.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

County of Residence \_\_\_\_\_ Commission Expires \_\_\_\_\_

Notary Public Signature \_\_\_\_\_

Notary Public Printed \_\_\_\_\_

These parcels were created through the Minor Subdivision procedure and approved by the Marion County Plan Commission on \_\_\_\_\_, 2022.

Under the authority of Chapter 174, Acts of 1941, as amended by the General Assembly of the State of Indiana, I hereby certify that the foregoing is a true and correct copy of the original record of the Minor Subdivision procedure.

MARION COUNTY PLAN COMMISSION

PRESIDENT, Margaret Clemens

SECRETARY, Jacqueline Hester-Alton

## DAVID DUNCAN MINOR SUBDIVISION

PRELIMINARY PLAT  
PT. OF THE SW 1/4, SEC. 34, T7N, R2W  
INDIAN CREEK TOWNSHIP

RECORD LEGAL DESCRIPTION - SOURCE: MST# 200004757

Part of the Southwest Quarter of Section 34, Township 7 North, Range 2 West, lying in Marion County, Indiana, described as follows: Commence at the Southeast corner of said Section 34, said corner being marked by a 3/4 inch diameter pipe, thence North 89 degrees 59 minutes 32 seconds West 2207.27 feet along the South line of said Section (base of boundary) to a corner monument marking the Northwest corner of the Northeast Quarter of Section 3, Township 6 North, Range 2 West, thence continuing North 89 degrees 59 minutes 32 seconds West 1816 feet to a 1/2 inch diameter rebar at the Southwest corner of the Northeast Quarter of said Section 34, said corner being the point of beginning of the herein described parcel, thence North 89 degrees 59 minutes 32 seconds West 1004.65 feet along said South line to 1/2 inch diameter rebar marking the Southeast corner of a 31.42 acre parcel as described in Deed Record Book 371 pages 342 and 343 in the office of the Recorder of Marion County, Indiana, thence North 01 degree 23 minutes 23 seconds East 995.25 feet along the East line of said 31.42 acre parcel to a 1/2 inch diameter rebar, thence South 89 degrees 59 minutes 57 seconds West 1178.34 feet along the North line of said 31.42 acre parcel and the extension thereof to the centerline of Popcorn Road, thence along a line with angle points to the overage centerline of Popcorn Road the next Eight courses: North 20 degrees 39 minutes 33 seconds East 716.59 feet to a 5/8 inch diameter rebar, North 39 degrees 32 minutes 23 seconds East 303.34 feet to a 5/8 inch diameter rebar, North 54 degrees 12 minutes 34 seconds East 151.25 feet to a 5/8 inch diameter rebar, North 77 degrees 09 minutes 16 seconds East 378.05 feet to a 5/8 inch diameter rebar, North 64 degrees 08 minutes 41 seconds East 491.13 feet to a 5/8 inch diameter rebar, North 34 degrees 01 minutes 16 seconds East 533.68 feet to a 5/8 inch diameter rebar, North 84 degrees 37 minutes 46 seconds East 258.05 feet to the intersection of the center line of Popcorn Road and the East line of the Southwest Quarter of said Section 34, thence South 01 degree 17 minutes 12 seconds West 2832.15 feet along said East line to the point of beginning, Containing 88.7 acres, more or less.

I certify that I am a Registered Land Surveyor licensed under the laws of Indiana, that this plot accurately represents a survey made by me on \_\_\_\_\_, October 7, 2022, \_\_\_\_\_, and that the monuments shown on it exist, and that their locations, sizes, types, and materials are accurately shown.

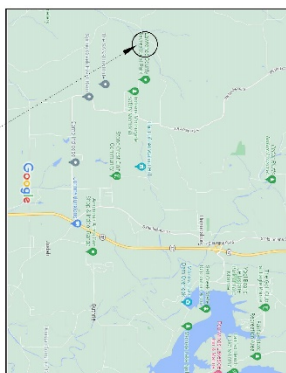
Charles D. Graham

Registration No. IN 129500014  
Surveyor's Office  
Date of Last Renewal: 5/28 N. Walnut St.  
Bloomington, IN 47404 817-432-8530



October 14, 2022  
Date of Map

January 12, 2023  
Reviewed



PROJECT  
LOCATION  
LOCATION MAP  
N.T.S.

RECORDERS STAMP

PREPARED BY BRIMW FAINTO & ASSOCIATES, INC. 328 N. WALNUT ST. BLOOMINGTON, IN. 47404

DAVID DUNCAN MINOR SUBDIVISION  
PRELIMINARY PLAT  
DATE: 10/12/2022  
BY: 0000000000  
REVISION 1 - 10/12/2022

**EXHIBIT 4: Findings of Fact**  
**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 is two parcels totaling 87.9 +/- acres;
- The petition site is not in a platted subdivision;
- The site is zoned Agricultural/Rural Reserve (AG/RR) along with most of the surrounding area;
- The preliminary plat amendment request is to subdivide the property into two new lots with the following details:
  - LOT 1: 10.10 acres; LOT 2: 76.25 acres;
- The preliminary plat does not request any waivers;
- All proposed lots are accessed off of W Popcorn RD;

- (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**

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

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

**Findings**

- See findings under Section A;

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

**Findings**

- Neighboring properties are zoned AG/RR;
- The use of neighboring properties is either residential or agricultural or forest;
- See findings under Sections A & C;

- (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;

- (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, a final plat will be required to be recorded as the result of the proposed preliminary plat amendment process;



<b>MONROE COUNTY PLAT COMMITTEE</b>		<b>January 19, 2023</b>
<b>PLANNER</b>	Anne Crecelius	
<b>CASE NUMBER</b>	SSS-22-13	
<b>PETITIONER</b>	Jordan Sites	
<b>ADDRESS</b>	4305 W Prather RD, #53-03-13-300-002.000-001	
<b>REQUEST</b>	Sites-Gaither Sliding Scale Subdivision Preliminary Plat Road Width Waiver, Buried Utilities Waiver Waiver of Final Hearing	
<b>ACRES</b>	18.57 +/- acres	
<b>ZONE</b>	AG/RR	
<b>TOWNSHIP</b>	Bean Blossom Township	
<b>SECTION</b>	13	
<b>PLATS</b>	Unplatted	
<b>COMP PLAN DESIGNATION</b>	Farm and Forest	

### **EXHIBITS**

1. Preliminary Plat
2. Petitioner Waiver Findings of Fact
3. Petitioner Letter

### **RECOMMENDATION TO THE PLAT COMMITTEE – January 19, 2023**

Staff recommends that the Plat Committee send a favorable recommendation to the Plan Commission for the Sliding Scale Subdivision Preliminary Plat, and the Road Width Waiver based on findings of fact and subject to the Monroe County Highway Department reports.

Staff will work with the petitioner's surveyor to confirm if the Buried Utilities waiver is needed.

### **Plan Commission Regular Meeting – October 18, 2022 (Preliminary Hearing)**

Waiver of Final Hearing Requested.

### **Plan Commission Regular Meeting – November 15, 2022 (Final Hearing)**

### **SUMMARY**

The petition site is one lot of record that totals 18.57 +/- acres located in Bean Blossom Township, Section 13. The site is zoned Agriculture/Rural Reserve (AG/RR). The petitioner is proposing a 2-lot Sliding Scale Subdivision with two (2) waiver requests from the Buried Utilities and Road Width requirements of Chapter 856 of the Monroe County Zoning Ordinance. The electric transformer on-site appears to service a neighboring property and the existing structure on the petition site – using Pictometry it appears the overhead line from the transformer to the structure is buried. Staff will confirm with the petitioner's surveyor if the Buried Utilities waiver is required for the subdivision. The parcel maintains frontage along N Prather RD, a local road which is currently 14' +/- in width. A Sliding Scale Subdivision under the authority of Chapter 862 requires that any sliding scale subdivision meets the following standard:

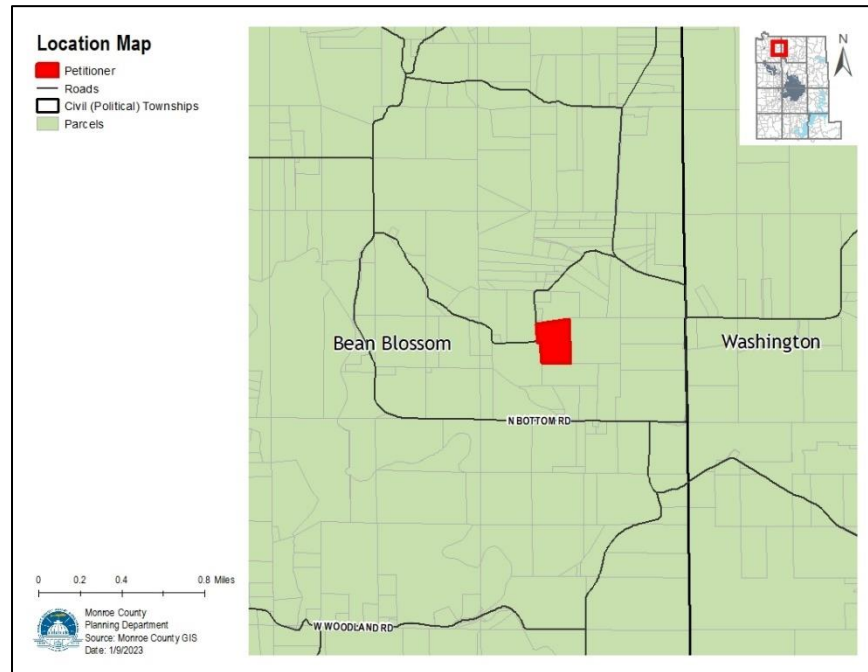
862-4 (5) Subdivisions on roads less than 18 feet in width shall be prohibited, unless waived pursuant to Chapter 850-12.

	<b>Lot 1 Parent Parcel</b>	<b>Lot 2</b>
<b>Total Acreage</b>	10.19 acres 5.27 buildable	7.9 acres 3.47 buildable
<b>Wastewater</b>	Installation permit WW-22-310	Installation permit WW-22-311
<b>Access</b>	Frontage on Prather RD Existing driveway must be relocated per RW-22-352	No direct Frontage – shared driveway with entrance that must be relocated. Easement access. RW-22-3560
<b>ROW Dedication</b>	25' R/W dedicated	25' R/W dedicated

<b>Environmental</b>	Drainage Easement required – private driveway culvert required with development.	Drainage Easement required – private driveway culvert required with development.
<b>Structures</b>	Developed with SFR, residential accessory structure, and covered bridge	Undeveloped-

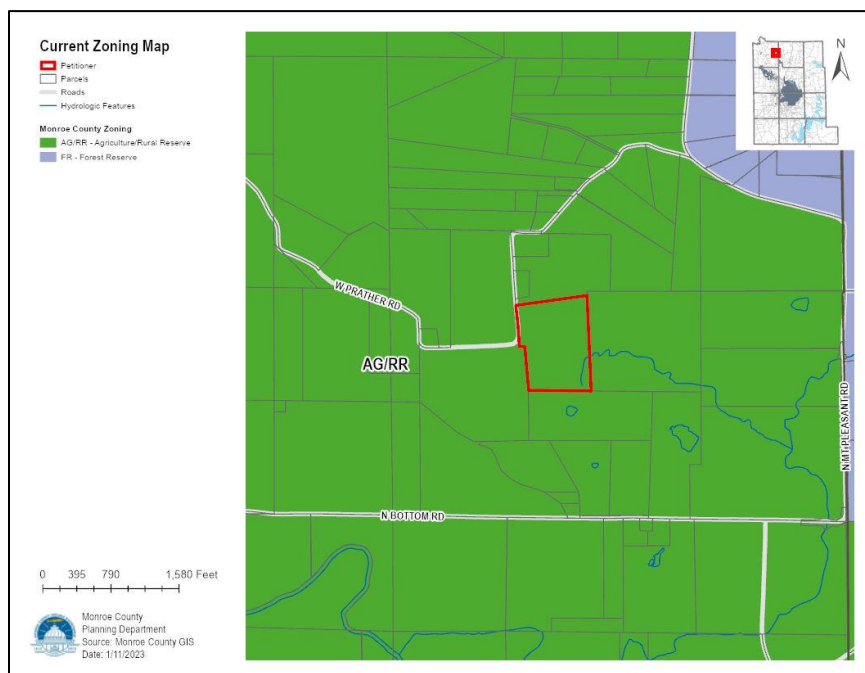
## LOCATION MAP

The petition site is one lot of record, parcel number: 53-05-13-400-020.000-004. The site is located at 4305 W Prather RD in Section 13 of Bean Blossom Township.



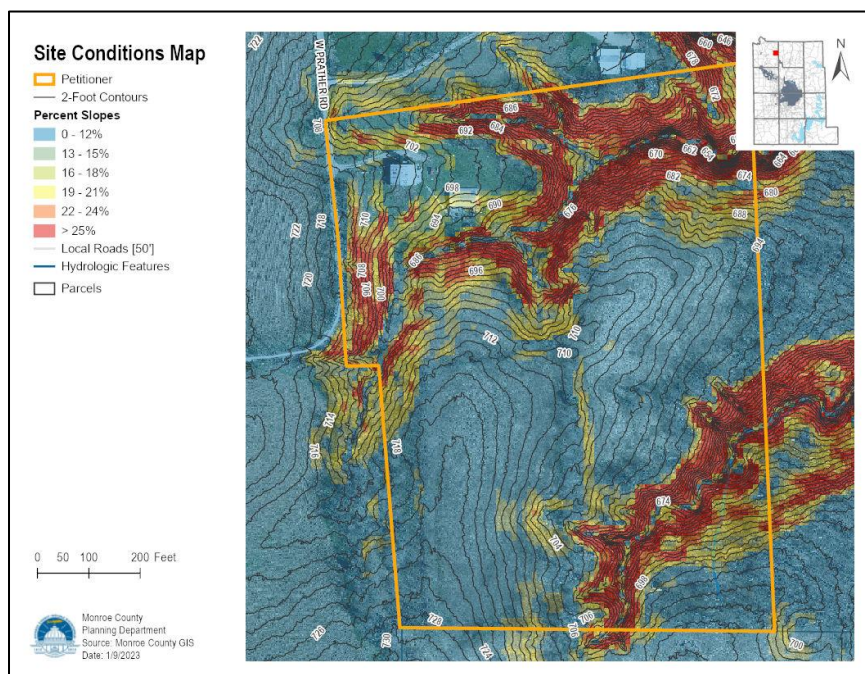
## ZONING

The zoning for the petition site and adjacent sites are zoned Agricultural Rural Reserve (AG/RR). petition site use is currently vacant and a Single Family Residential use.



### SITE CONDITIONS MAP

The petition site is two parcels totaling 18.57 +/- acres. The lot contains some steep slopes greater than 15% but has adequate Buildable Area to meet the minimum 1 acre requirement for each proposed lot. The two proposed lots would share a driveway entrance from W Prather RD.



Kelsey Thetonia, MS4 Coordinator, Comment from PRE-186

For the plat review for this subdivision. I will ask for a Drainage Easement for flowlines that cross property boundaries. A culvert will be required for the driveway crossing the Drainage Easement. In general, new private driveway culverts are required to meet the following from MCC Ch. 761:



(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 ed 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.

It will be up to the property owner to ensure compliance with other state/federal water permitting- If you have any questions about whether or not these permits are applicable. you can use the state's inquiry tool: <https://www.m.gov/waterways/>

This project will require a Stormwater Pollution Prevention Plan (SWPPP) prior to any construction or land disturbing activity.

#### **INFRASTRUCTURE AND ACCESS**

The parcel maintains frontage along W Prather RD, which is classified as a Local with 25' of right-of-way. The road is identified by the petitioner's surveyor as 14' +/- wide.

Paul Satterly, Highway Engineer, commented 01/09/2023 the following:

The Highway Department supports the road width waiver since the traffic volumes on Prather Road are low (80 vehicles per day) and the subdivision is estimated to add approximately 10 vehicles per day to the roadway.

Ben Ayers, Project Manager, has requested the following as of 12/16/2022:

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. See RW-22-352 & RW-22-356.

Existing driveway entrance does not meet the sight distance requirements of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way and is not safest location for access. The driveway entrance needs to be re-located south to the top of the hill to meet the requirements or be the safest location for access to issue a permit.

New proposed driveway entrance shall be shared between Lot #1 & Lot #2.

#### **SITE PICTURES**



Photo 1. Pictometry photo of the petition site looking NE.



Photo 2. Pictometry photo of the petition site looking NW.

## COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the **Farm and Forest** designation of the Comprehensive Plan. The Comprehensive Plan states the following for this designation:

### Farm and Forest Residential

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 roadway 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.

## **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**

- Approval of the subdivision would subdivide one lot into two (2) lots which will meet all



- design standards;
- Lot 1, 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 a public sewage disposal system or further subdivision of the property is authorized by ordinance;
- Steep slopes are present on the proposed lots but would meet the Buildable Area design standard requirements;
- Proposed lots have an approved septic permit location;
- Proposed lots 1 and 2 have received approved with conditions driveway permits off of E Bethel LN;
- The MS4 Coordinator has reviewed the application and the petitioner has added drainage easements;
- 45' of right-of-way is required to be dedicated along E Bethel LN, a Minor Collector road;

- (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**

- The Comprehensive Plan designates the site as Farm and Forest, which includes low-density single-family subdivisions;
- The site has access to utilities;
- See findings under Section A;

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

**Findings**

- See findings under (A);
- The proposed use is residential;
- Structures may not cover more than 65 percent of the lot;
- The surrounding uses are residential or agricultural;

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

**Findings**

- The property is currently zoned Agricultural Rural Reserve (AG/RR) and is a Single Family Residential use;
- Adjacent properties are zoned Agricultural Rural Reserve (AG/RR), and are used for Single Family Residential or agriculture;
- Approval of the subdivision would create two (2) lots that meet the design standards for the zoning designation AG/RR;
- See findings under Sections A & C;

- (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 & D;

(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.

- (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 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 2 for Petitioner Submitted Findings for both waivers;
- The site gains access from W Prather RD, a designated Local Road;
- W Prather RD is measured by surveyor as 14 feet wide;
- The petition site has approximately 367' of frontage along W Prather RD;
- The existing road serves properties to the north and west of the petition site, as well as the proposed petition site;
- The existing driveway entrance to the petition site is required to be relocated per the Highway Department to meet safety standards;
- The petitioner did submit findings for the waivers (Exhibit 2);
- 

**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;

- The Comprehensive Plan’s Farm and Forest designation states that “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”;

**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;
- Adjacent property owners on W Prather 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.

**FINDINGS OF FACT – Waiver of Overhead Utility Requirement**

The petitioner has requested a waiver from Chapter 856 *Sliding Scale Option Subdivision* outlined in 856-41 (Utilities). The standard states:

*All utilities, including but not limited to gas, sewer, electric power, telephone and CATV shall be located underground throughout the subdivision.*

*Existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision.*

*Existing utility lines servicing residential and residential accessory structures shall be removed and placed underground unless waived.*

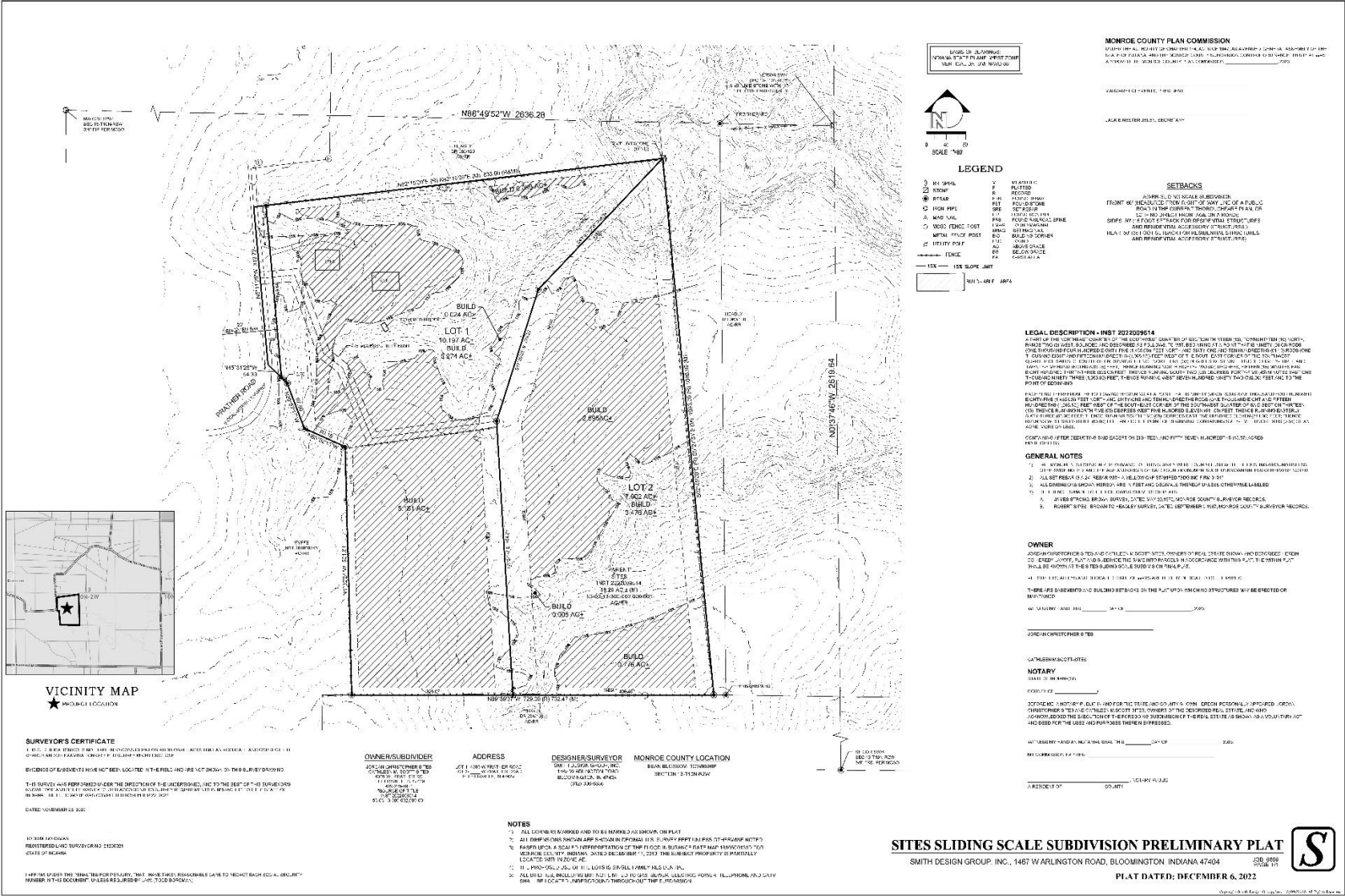
*Waivers from these provisions for existing utility lines may be granted subject to the waiver modifications in Chapter 850-12, Sections A through D, excluding sections 5, 8, and 9. Waivers may be granted via the following process:*

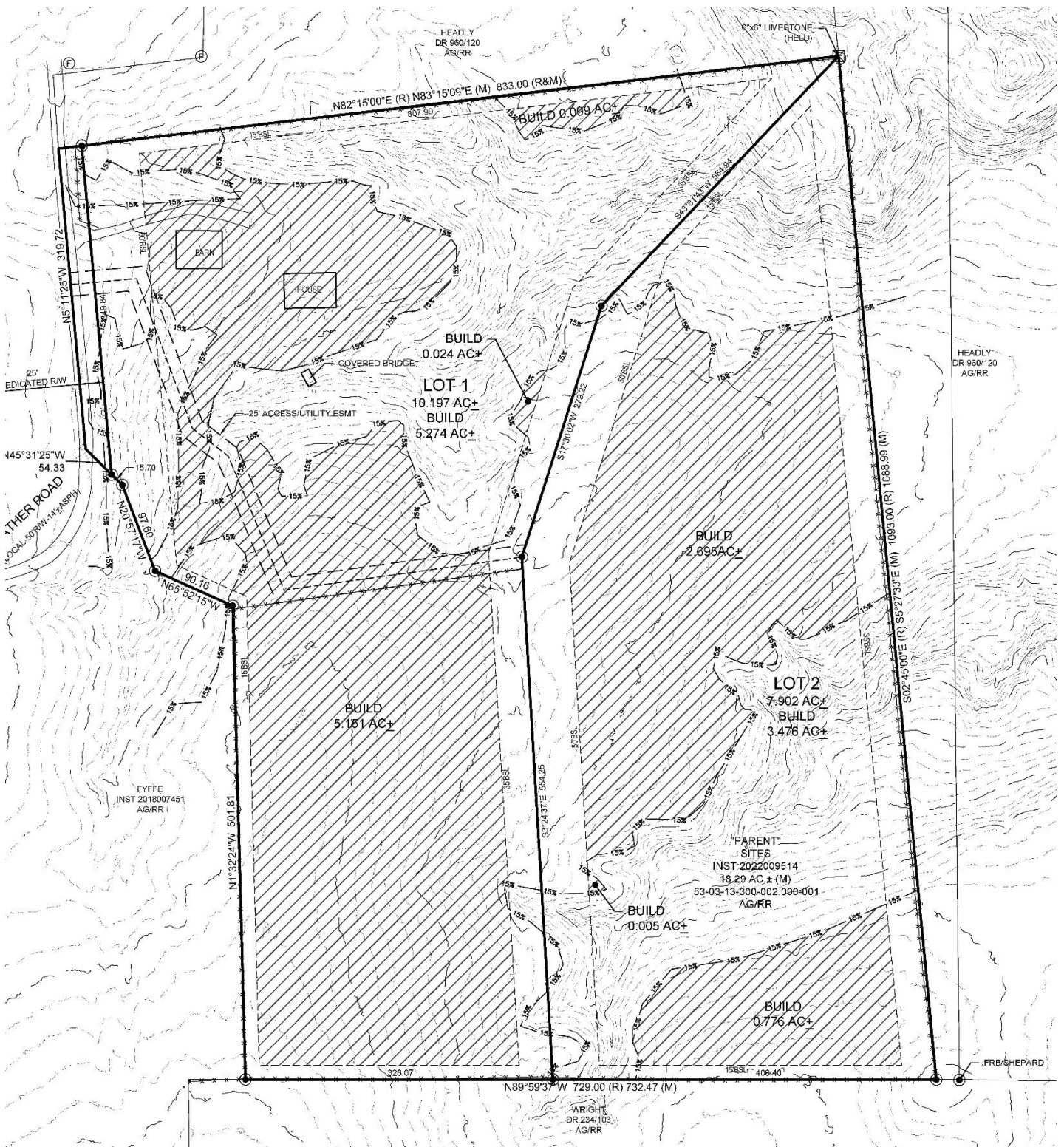
- 1. for Subdivisions of more than 4 Lots by the Plan Commission*
- 2. for Subdivisions of 4 Lots or Less by the Plat Committee*

*All utility lines and other facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the Subdivider's expense. At the discretion of the Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots that are to be retained in single ownership and that are to be developed for the same primary use.*

Planning staff will work with the petitioner's surveyor to confirm if the Buried Utilities waiver is needed.

EXHIBIT 1: Preliminary Plat







## **EXHIBIT 2: Petitioner Submitted Waiver Findings of Fact**

December 7, 2022

To: Members of the Monroe County Plan Commission

Re: Sites Sliding Scale Subdivision

### **Road Width Waiver**

The petitioner is requesting a road width waiver. The current road width is 15 feet +/- (varies) 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;
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.
- (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;
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.
- (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.);
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.
- (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:
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.
- (6) granting the requested modifications would not contravene the policies and purposes of these regulations;
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.
- (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;
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.
- (8) the practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.
- (9) the practical difficulties cannot be overcome through reasonable design alternatives.
  - Due to the road's location, length and local road classification, it is unlikely to be widened.
  - Traffic is typically moving at a slower speed in this area due to the 90-degree curve.

### EXHIBIT 3: Petitioner Letter

Jordan Sites  
3775 W Lost Mans Ln, Bloomington IN 47404  
[jordan.sites@gmail.com](mailto:jordan.sites@gmail.com)  
419-235-6921

Hello Monroe County Planning Commission,

We wanted to take a moment to help explain what it is we're hoping to do and provide a little background on how we got here.

My wife and I (below) live over on Lost Man's Lane, nearby. This is our family, Catie (my wife) is a nurse in the NICU at the hospital here in Bloomington, I am an IT Manager at the Indiana University Foundation, and our kids are Henry (5) who wants to be a farmer, Charlie (4) wants to be a 'grass mower', and Scottie (2) is TBD in her career aspirations.



*The Sites Family*

We currently live in the house (shown below) at the top of the hill on Lost Man's lane. It's a great place, but we're getting close to outgrowing it.



We really like my wife's sister and her family (see below). As a matter of fact, we like each other so much, we have long dreamed about buying about 10 acres a piece and building houses by each other and letting our kids grow up together.



*The Gaither Family!*

This is their family, Cara is a Communications Director and organizes children's programming at the YMCA, Josh is an IT Informatics Analyst at IU Health, Rosie (7) wants to be a nurse like her aunt, and Fiona (4) wants to be like her mom when she grows up.

Whew! Ok, nice to meet you all! Let me get right to the point.

We have been searching for land in Monroe County in the RBBSC district (we have family that teach there) to make our version of the 'American Dream' a reality. We've been at this for several years – making many offers and having things fall apart for one reason or another. It's been very difficult to find adjoining parcels or parcels that could work towards being split. However, we got lucky and in June my wife and I purchased 4305 W Prather Rd in Ellettsville. Since then, we've been working towards making the 'splitting' of the land a reality.

We've all fallen in love with the property, neighborhood, and are very hopeful we can make this a reality.

As you'll see from our submission, we've worked through as many of the details as possible. Here's the key items to assist you as you review:

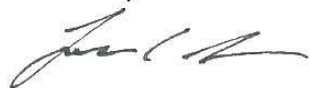
- Pre-design doc: PRE-186
- Jordan and Catie Septic Permit: WW-22-310
- Jordan and Catie Right of Way Permit: RW-22-352
- Josh and Cara Septic Permit: WW-22-311
- Josh and Cara Right of Way Permit: RW-22-356
- Capacity Report from REMC
- Capacity Report from Washington Township Water

We have been working with Todd Borgman at Smith Design Group to map out a design that achieves our high-level goals of:

1. A split of the parcels that fits the layout of the land, abiding by Monroe County regulations and ordinances.
2. A design that wouldn't hinder resale should something unexpected happen down the road and would not cause a disturbance to neighboring properties.

Ultimately our plan is to split the land, work with the building department to convert the existing, worn-down home to a storage shed, and build our houses.

Thanks for your consideration, and don't hesitate to reach out with questions.



Jordan Sites and the Gaither and Sites Families