

**Shelby County Plan Commission
Meeting Minutes
Tuesday
September 27, 2022**

Members Present:

Jordan Caldwell
Chris Ross
Mike McCain – Arrived after SD 22-14
Terry Smith
Scott Gabbard
Kevin Carson
Nick Hartman
Taylor Sumerford

Members Absent:

Charity Mohr

Staff Present:

Desiree Calderella – Planning Director
Jason Clark – Plan Commission Attorney

Call to Order and Roll Call:

Terry Smith called the September 27, 2022 meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

Approval of Minutes:

Kevin Carson made a motion to approve the minutes from August 23, 2022. Scott Gabbard seconded the motion. The minutes were approved 7-0.

New Business:

SD 22-14 – LONDON WOODS SIMPLE SUBDIVISION: Subdivision of 9.36-acres into three, 3.12-acre, building lots and waiver of subdivision project applicably standards. Located South of and adjoining 9296 N 675 W, Fairland, Moral Township.

Scott Sumerford represented the petitioner. He provided a summary of the petition.

Doug Dugger, the property owner, was present.

The Board opened the hearing for public comment.

Frank Puckett, who lives at 9296 N 675 W, expressed concern with the creation of multiple lots without infrastructure, drainage, removal of the woods on the property,

aesthetics of the required mound septic systems, and three entrances near a blind curve on a road with increasing traffic.

Laura Duncan, who lives at 9269 N 675 W, expressed concern with drainage, increasing traffic on CR 675 W, and creation of multiple lots without infrastructure.

The Board closed the public comment portion of the hearing.

Scott Sumerford explained that the County has designated CR 675 W as a minor arterial and that three homes would not significantly increase traffic. He indicated that Joyner Homes will design the drainage system. He indicated that the petitioner's family will occupy the homes.

Q: Kevin Carson – Have you had perk tests?

A: Scott Sumerford – He has had soil tests done on all three lots. He doesn't have a drainage outlet that we know of, but Joyner Homes is coming up with a plan to address that issue.

Doug Dugger indicated that he has discussed drainage with the adjacent farmer. He indicated that his daughter already lives in Shelby County, and that his daughter, son, and himself would occupy the homes. He indicated that he has experience installing mound systems.

Q: Nick Hartman– Have you got a recommendation from the County on the type of septic system you will have to put in?

A: Doug Dugger – Nothing has been submitted to the Health Department.

Chris Ross indicated that approval of the subdivision does not give the petitioner the green light to build, and that the development will require additional review and approvals.

Jordan Caldwell made a motion to vote on the petition with a stipulation and Chris Ross seconded that motion. **The petition was APPROVED 7-0 with a stipulation:**

- 1. Each lot shall be subject to a fifteen (15) year suspension of further subdivision.**

Old Business:

SD 22-09 – SUNDVALL SIMPLE SUBDIVISION: Subdivision of 5.004 acres into a 3.004-acre building lot and a 2-acre lot including an existing single-family residence and waiver of subdivision prerequisites. Located at 7203 N Frontage Rd, Fairland, Moral Township.

Desiree Calderella read the petition into the record and stated that Staff recommends

approval.

Jeff Powell represented the petitioner. He indicated that he had contacted the adjacent landowner to inquire about obtaining a drainage easement to the legal drain to the east, however the landowner did not agree to provide an easement. He provided a preliminary proposed site plan to the board (see case file) and explained the proposed drainage plan. He stated that the development could meet the County's requirements.

Frank Sundvall was present.

The Board opened the hearing for public comment.

Wayne Bley represented Mr. & Ms. Wood who live at 7233 N Frontage Rd. He read their statement (see case file).

Wayne Bley represented Mitch McCain who lives at 5483 W 700 N. He read their statement (see case file).

Joshua Lankford, who lives at 5448 W 700 N, stated that he had offered to purchase the property with the intent of adding it to his property for agricultural use.

Wayne Bley, who lives at 5544 W 700 N, read his statement (see case file).

The Board closed the public comment portion of the hearing.

Jeff Powell stated that he did not have a conflict of interest in representing his client. He explained that they have recorded a survey splitting the property, however that the survey does not create a buildable lot. He indicated that Mr. Bley had placed fill on his lot. He indicated that the petitioner would likely increase the size of the pond.

Frank Sundvall indicated that he planned to build a two-story farmhouse valued around \$450,00 to \$500,000. He explained that the previous property owner bailed hay on the property. He indicated that not all lots in the area exceed five acres, and that Mr. Bley had subdivided his property into two lots less than five acres.

Jeff Powell stated that the Subdivision complies with the Comprehensive Plan and zoning requirements, and that the final site plan would address drainage.

Taylor Sumerford asked about access to the Graham Ditch.

Scott Gabbard expressed concern about the distance between the septic system and the house on the proposed site plan and the depth of the pond.

Jeff Powell indicated that the petitioner would install a mound system.

