

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
MARCH 2018 REGULAR MONTHLY MEETING
AGENDA**

DATE: March 1, 2018

PLACE: Commissioner's Court Room
3rd Floor, Delaware County
Building

TIME: 6:00 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Kathy Carey
Jerry Dishman
Shannon Henry

Andrew Ellis
Teresa Hensley
Jesse Landess
Michael Mueller

Rickie Sipe
Nathan Vannatter*

Advisory Members

Duke Campbell

Mark Carter

Tom Borchers

MINUTES: Consideration of the January 4, 2018 regular monthly meeting minutes.
Consideration of the February 1, 2018 regular monthly meeting minutes.

UNFINISHED BUSINESS:

**BZA 20-17
Special Use**

Jurisdiction: Board of Zoning Appeals

Being a continuation of a consideration of an appeal filed by Michael B. & Sheryl A. McKeel, 6600 West CR 850N, Gaston, Indiana, requesting a Special Use under the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 2, to allow a salvage yard operation with variances from Article XXXI, Section 4 to allow decreased distances from a roadway and surrounding residential dwellings on premises located at the 6600 West CR 850N, Washington Township, Delaware County, Indiana, as more accurately described in the application.

NEW BUSINESS:

MPC 01-18Z

Jurisdiction: City Council

Being a public hearing on the matter of an application filed by Home Health Depot Real Estate Holdings, LLC, 9245 N. Meridian Street, Suite 200, Indianapolis, Indiana, requesting a change in zone from the R-3 Residence Zone to the BV Variety Business Zone, on premises located at 2708 N. Walnut Street, Muncie, Indiana, as more accurately described in the application.

**BZA 04-18
Special Use**

Jurisdiction: Board of Zoning Appeals

Being a consideration of an appeal filed by Jack L. Welch, 8600 East Windsor Road, Selma, Indiana, requesting a Special Use under the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 2, to allow a major roadside stand with variances from Article XII, Section 2, Subsection 11, to allow the owner to use crops from offsite for wine production on premises located at the 8600 East Windsor Road, Liberty Township, Delaware County, Indiana, as more accurately described in the application.

LEGISLATIVE ACTION:

REPORT FROM DIRECTOR:

ADJOURNMENT:

**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
MARCH 2018 REGULAR MONTHLY MEETING
MINUTES**

The Delaware-Muncie Metropolitan Plan Commission held its regular monthly meeting on Thursday March 1, 2018 at 6:00 P.M., in the Commissioners' Court Room of the Delaware County Building, Muncie, Indiana. President Andrew Ellis called the meeting to order.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Ms. Moody called roll and the following members were present: Ms. Carey, Mr. Carter, Mr. Dishman, Mr. Ellis, Mr. Henry, Mr. Landess, and Ms. Sipe. Absent were: Mr. Borchers, Mr. Campbell, Ms. Hensly, Mr. Mueller, and Mr. Vannatter. Also present: Ms. Quirk, attorney for the Board.

MINUTES:

Mr. Henry made a motion to approve the January 2018 and February 2018 regular monthly meeting minutes. Ms. Sipe seconded the motion. Voting in favor: Mr. Carey, Mr. Dishman, Mr. Ellis, Mr. Henry, Mr. Landess, and Ms. Sipe. Voting against: none. Motion carried, January 2018 and February 2018 minutes approved.

UNFINISHED BUSINESS:

BZA 20-17 Jurisdiction: Board of Zoning Appeals

Special Use

Being a continuation of a consideration of an appeal filed by Michael B. & Sheryl A. McKeel, 6600 West CR 850N, Gaston, Indiana, requesting a Special Use under the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 2, to allow a salvage yard operation with variances from Article XXXI, Section 4 to allow decreased distances from a roadway and surrounding residential dwellings on premises located at the 6600 West CR 850N, Washington Township, Delaware County, Indiana, as more accurately described in the application.

Brandon Mundell, 404 S. Morrison Road, Muncie, Indiana appeared. He stated that he and Mr. McKeel had nothing new to add from the meeting last month.

Ms. Moody stated the supplement to the case analysis had 11 recommended conditions that Mr. Mundell and Mr. McKeel had worked on with the staff.

No one appeared in opposition.

Mr. Landess made a motion to approve BZA 20-17 with the recommended conditions from the case analysis supplement. Mr. Dishman seconded the motion. Voting in favor: Mr. Carey, Mr. Ellis, Mr. Henry, and Mr. Landess. Voting against: Ms. Sipe. Motion carried, a favorable

recommendation to be forwarded to the Board of Zoning appeals for their March 29, 2018 regular monthly meeting.

NEW BUSINESS:

MPC 01-18Z Jurisdiction: City Council

Being a public hearing on the matter of an application filed by Home Health Depot Real Estate Holdings, LLC, 9245 N. Meridian Street, Suite 200, Indianapolis, Indiana, requesting a change in zone from the R-3 Residence Zone to the BV Variety Business Zone, on premises located at 2708 N. Walnut Street, Muncie, Indiana, as more accurately described in the application.

Lisa Brand, 11881 North Black Cemetery Road, Albany, Indiana appeared. She stated she is the realtor representing the property owner. She stated the building was built in 1966 and had been used for commercial purposes since. She stated it had been empty for about a year, and they feel it would be appropriate to change the zoning to match the surrounding properties.

Mr. Dishman asked what type of business would be moving into the building.

Ms. Brand stated it would be some type of retail business or office space but did not know for certain.

Mr. Dishman asked if it would be a carryout store.

Ms. Brand stated no. She stated the interest they have had is for office space and a possible HVAC company.

No one appeared in opposition.

Mr. Henry made a motion to approve MPC 01-18Z, requesting a change in zone from R-3 Residence Zone to BV Variety Business Zone. Mr. Dishman seconded the motion. Voting in favor: Ms. Carey, Mr. Dishman, Mr. Ellis, Mr. Henry, Mr. Landess, and Ms. Sipe. Voting against: none. Motion carried, favorable recommendation to be forwarded to City Council for introduction at their April 2, 2018 meeting.

BZA 04-18 Jurisdiction: Board of Zoning Appeals

Special Use

Being a consideration of an appeal filed by Jack L. Welch, 8600 East Windsor Road, Selma, Indiana, requesting a Special Use under the terms of the Delaware County Comprehensive Zoning Ordinance, Article XII, Section 2, to allow a major roadside stand with variances from Article XII, Section 2, Subsection 11, to allow the owner to use crops from offsite for wine production on premises located at the 8600 East Windsor Road, Liberty Township, Delaware County, Indiana, as more accurately described in the application.

Jack Welch, 8600 East Windsor Road, Selma, Indiana, appeared. He stated they are seeking a special use to produce grapes and wine. He stated they would need to purchase juice to produce wine until their grapes mature enough and that takes 2-3 years.

Dwight Brown, 8620 East Windsor Road, Selma, Indiana appeared. He stated he and his wife live directly to the east of Mr. Welch and they have no objections to his request.

Diana Harris, 8440 East Windsor Road, Selma, Indiana appeared. She stated she is not completely against him, she just has some concerns. She stated she lives on the west side of Mr. Welch and is concerned how this could affect her property value. She also stated she does not see this as a road side stand since it will be a tall 2 story building with a deck on the upper level to allow people a view of the reservoir while they drink their wine. She also stated she had questions about the septic system size and location as well as parking. She stated the parking lot would create more water runoff onto her property and since it would be so close to her house, she was worried about her privacy. She stated she really views this as more of a liquor store than anything and hopes if this is approved that Mr. Welch will be fair about how he is doing things.

Sterl Huber Jr., 8910 E Windsor Road, Selma, Indiana, appeared. He stated he lives 2 houses east of Mr. Welch. He asked how the size of the septic system would be calculated for this project and where it would be located.

Ms. Moody stated it would need a commercial septic system and his plans would need to be approved through the state.

Mr. Welch stated he may build a fence or plant trees and shrubs to block some of the car lights.

Ms. Moody stated he will need a drainage permit from the County Engineers that includes a drainage plan because he cannot increase runoff onto neighboring properties.

Mr. Huber Jr., asked where all of the water would go.

Ms. Moody stated it cannot go to the septic system and the outlet would depend on his drainage plan. She stated it could be a detention area with an outlet or a retention for holding.

Mr. Henry made a motion to approve BZA 04-18 the appeal of Jack Welch with the understanding he will continue to work with his neighbors so everything will go smoothly. Mr. Dishman seconded the motion. Voting in favor: Ms. Carey, Mr. Dishman, Mr. Ellis, Mr Henry, Mr. Landess, and Ms. Sipe. Voting against: none. Motion carried, a favorable recommendation to be forwarded to the Board of Zoning appeals for their March 29, 2018 regular monthly meeting.

LEGISLATIVE ACTION:

Ms. Moody stated the County Commissioners had adopted the amendments to the text of the Subdivision Ordinance regarding public notice, the process for minor plats and allowing transfer of property between adjacent parcels without platting.

REPORT FROM DIRECTOR:

Ms. Moody stated the Commissioners had set a special meeting to allow the public to speak on the matter of confined feeding operations in Delaware County. She stated she will continue to work with the Commissioner's to see if any amendments should be made to the ordinance.

ADJOURNMENT:

There being no further business the meeting was adjourned.

Andrew Ellis, President

Marta Moody, Secretary