

A meeting of the Jasper County Plan Commission was held Monday, July 20, 2020 at 7:00 pm via Zoom with the following members online: Kent Korniak, Vince Urbano, Bryan Overstreet, Todd Peterson, Jim Walstra, Justin Rodibaugh, Jim Martin, Dave Webb and Steve Jordan. Also present: William T. Sammons, Law Offices of William T. Sammons P.C., Mary Scheurich, Director of Planning and Development; Kelli Standish, Secretary. Absent was: None.

Meeting was called to order by Board President Kent Korniak. The first order of business was the call for approval of the May 2020 minutes.

Todd Peterson made the motion to approve the May 2020 minutes. Motion was seconded by Steve Jordan and carried unanimously.

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Subdivision

Cause#PC-9-20

Applicant: Dan Yager

Landowner: Larry Fleming

Location: Sec.21-30-6 – Barkley Twp. – 170N. & 350W. NW Corner

Use: Primary Approval for a 2-lot Sub'd.

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Public hearing held pursuant to notice published July 1, 2020 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Marlene Taden, Clerk of the Rensselaer Republican.

Dan Yager was present and stated that they rezoned the property to A2 a couple of months ago so they could subdivide the property into 2-lots. They are asking for Primary Approval for a 2-lot subdivision. He will be constructing a Post Frame Dwelling on the proposed lot 1.

Kent Korniak asked if anyone present had any opposition to the application. There were none.

Todd Peterson asked if it is a subdivision because he is not building on the entire 13 + track of land.

Dan Yager replied that Mr. Fleming did not want to sell the entire parcel but was willing to sell them enough acreage that meet the County's requirements.

Mary Scheurich replied that since the property is less than 20 acres any size split they wanted to do would create a subdivision.

Vince Urbano made the motion to grant Primary approval for the 2-lot subdivision. Motion was seconded by Dave Webb and carried unanimously.

Kent Korniak stated that the board members need to go over the Findings of

Facts in Article 9, Subdivision of Land (Primary Approval) 20.90.150 (7)(b)(i) through (iv) before a final decision can be made. He then read the factors.

(i). The subdivision of land is consistent with the Jasper county Comprehensive Plan.

(ii). The subdivision of land satisfies the development requirements of Chapter 20.60 JCC, Subdivision Types.

(iii). The subdivision of land satisfies the standards of Chapter 20.70 JCC, Design Standards.

(iv). The subdivision of land satisfies any other applicable provisions of the Unified Development Code.

(v). The subdivision of land satisfies the construction requirements of Jasper County's construction standards.

The Board members were all in favor of the Findings of Facts.

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Subdivision

Cause#PC-11-20

Applicant: Elizabeth Nuss

Landowner: Esteban Vargas

Location: Sec.18-31-5 – Walker Twp. – St.Rd. 49 & 900N. SE Corner

Use: Primary Approval for a 3-lot subdivision

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Public hearing held pursuant to notice published June 9, 2020 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Marlene Taden, Clerk of the Rensselaer Republican.

Elizabeth Nuss was present and stated that her Father owns the property and they are asking for Primary Approval for a 3-lot Subdivision. The property is vacant. All 3 lots are 3.143 acres in size. She will be constructing a home on the proposed lot 1.

Kent Korniak asked if anyone present had any opposition to the application.

Bob Shanks was present and stated that he lives at 8833N. St.Rd. 49, Wheatfield. He just wanted to make sure that it was 3 lots and wanted to know where is lot 1 located at?

Elizabeth Nuss replied that lot 1 is on the corner of St. Rd. 49 and 900N.

Dave Stalbaum was present and stated that 13356N. 400E., Wheatfield. He does not have a concern with the proposed subdivision. He then asked where lots 2 & 3 will be located at.

Mary Scheurich replied that lot 3 will be East of lot 1 along Mr. Stalbaums property on 900N. and lot 2 will be south of lot 1 along St.Rd. 49.

Jim Walstra made the motion to grant Primary approval for the 3-lot subdivision. Motion was seconded by Todd Peterson and carried unanimously.

Kent Korniak stated that the board members need to go over the Findings of Facts in Article 9, Subdivision of Land (Primary Approval) 20.90.150 (7)(b)(i) through (iv) before a final decision can be made. He then read the factors.

(i). The subdivision of land is consistent with the Jasper county Comprehensive Plan.

(ii). The subdivision of land satisfies the development requirements of Chapter 20.60 JCC, Subdivision Types.

(iii). The subdivision of land satisfies the standards of Chapter 20.70 JCC, Design Standards.

(iv). The subdivision of land satisfies any other applicable provisions of the Unified Development Code.

(v). The subdivision of land satisfies the construction requirements of Jasper County's construction standards.

The Board members were all in favor of the Findings of Facts.

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Amendment to the UDO

Cause#PC-10-20

RE: Public Hearing Notices

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Public hearing held pursuant to notice published June 9, 2020 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Marlene Taden, Clerk of the Rensselaer Republican.

Mary Scheurich stated that there is an issue with the Public Notice that need to run in the Rensselaer Republican Newspaper since they only run on Wednesday and Saturday. There is a difference in the language between our County Code and the Indiana Code as to whether or not you count the day of the meeting as the 10<sup>th</sup> day for a public notice. Since we have run into an issue when the notice has ran in the Saturday paper that makes it 10 days on the day of the meeting. The State Statute says you can't count the day of the meeting as the 10<sup>th</sup> day, it has to be 10 days prior to the meeting date. We make sure that the applicants get the notice to the newspaper in plenty of time but it seems like the newspaper has been having some issues with getting them in the newspaper on time.

Attorney Todd Sammons stated that he feels that the County Code Language and the Indiana Code Language should match each other.

Kent Korniak asked if anyone present had any opposition to the application. There was none.

Todd Peterson made the motion to recommend approval of the new language that was presented to them for the Public Notice to the Board of County Commissioners. Motion was seconded by Bryan Overstreet and carried unanimously.

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Upon motion duly made and seconded, meeting was adjourned.

A TRUE RECORD;

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Kent Korniak, President