

FRANKLIN COUNTY AREA PLAN COMMISSION
MEMORANDUM & MINUTES
SEPTEMBER 8, 2021 @ 7:00pm
COMMISSIONERS/COUNCIL PUBLIC MEETING ROOM 203

Those Present: Ruthie Mannix, President, via zoom; Robert Braun, Vice-President; Ed Derickson; Connie Rosenberger, via zoom; Rob Seig; Emily Ruffier, via zoom; Christine Rains, absent; Tammy Davis, Commission Attorney, Cindy C. Orschell, Executive Director; Glenn Bailey, Recording Secretary

Roll Call

Approval of Minutes from August 11, 2021. Ed Derickson had 1 typo that was corrected and made a motion to accept the approved minutes. Rob Seig 2nd AIF MC.

Public Hearings

CU-6-21-22048 for Quentin Kersey to permit federally regulated firearm sales in Section 33 of Butler Township at 16044 Cane Mill Road containing 4.10 acres, parcel # 24-08-33-400-001.003-005. The property is located in a Secondary Agriculture District. Bob Braun then asked if there was any representative for the CU? Quentin Kersey explained that the request is for private sales, there will be no signage, just one parking place, by appointment only usually Friday and Saturday sales. Bob Braun asked if Quentin would be stocking firearms for sale. Quentin said no he has his own guns in a vault, no intention on selling. Rob Seig asked about a firing range for testing. Quentin said he has a firing range he uses, but customers would not be using it. Ed Derickson asked if Quentin would be testing the guns he sells, he replied perhaps in his basement, and that he lives in a secluded area. Bob Braun then asked if all of the notifications/publications were in order. Cindy Orschell said all was in order. Bob Braun then asked if the Board was ready for a motion.

Motion: Ed Derickson made a motion to send a favorable recommendation to the BZA for Quentin Kersey. Rob Seig 2nd it. AIF MC.

CU-7-21-22057 for Shane Hammond as applicant, Martin Harmeyer as property owner, to permit federally regulated firearm sales in Section 13 of Ray Township located at 1201 Three Mile Road containing 1.95 acres, parcel # 24-12-13-100-002.000-022. The property is located in a Secondary Agriculture District. Shane Hammond explained his intent which was similar to the previous CU. Which would consist of private sales, no public sales, only by appointment, no ammunition sales- nothing for the public. Bob Braun then asked for questions. Cindy Orschell asked if Shane had the green cards from the USPS and the proof of notification. Shane did not have the green cards but had proof of notification in his car. Shane was confused about the green cards and thought he had done as expected. Tammy Davis gave an explanation of how the certified mail process is for Shane. Rob Seig asked Shane if the property was his. Shane said it is his father-in-law's property. A short discussion ensued about what to do as a result of the lack of proof etc. Bob Braun then asked for a motion from the board.

Motion- Rob Seig made a motion to grant a continuance for Shane Hammond for the October Meeting. Ed Derickson 2nd it. AIF MC.

Shanon Flannery for a Development Plan approval by the Area Plan Commission at 11846 State Road 101 on parcel # 24-10-02-400-002.004-003 located in a Planned Business District containing 15.00 acres. Shanon Flannery was present with his daughter Lindsey to explain their request. Shanon said his intention is to build 5 cabins, next to Hickory Woods Campground, for rental purposes. Each cabin will consist of 1560 square feet, 3 bedrooms/2bath a nice addition to the community. Bob Braun started off the discussion about the type of proper lighting, Rob Seig discussed potential drainage issues, and Ed Derickson about the Highway Dept. approval. Rob Seig asked if the development was a campground and

then a discussion about how to fit it into the Franklin County Citizens Zoning Code ensued. Connie Rosenberger asked about how it would advertised to potential clients. Shanon said rentals would be by a website they develop with stays mostly weekend or by the week. Discussion followed about lift stations, length and width of driveways, dumpsters, amount of grading and the potential of rule 5 permits to control runoff, and septic systems. Shanon also talked about different phases of development and whether to apply for all now or later. More discussion concerning zoning, unit development, planned business and how to describe or categorize the plan. Shanon was concerned about the amount of “red tape” that different way to proceed inferred. Another possibility that was discussed was to parcel each individual cabin separately on two acres. Tammy Davis suggested Shanon go after a Unit Development at next month’s meeting. Shanon asked for an explanation of what a Unit Development entailed. Paula Keller and Rob Seig clarified its meaning for him, that required both APC and the County Commissioners signing off on the plan, which would be a two month process. At this point Shanon said he would get with Cindy Orschell to decide where to go from here as far as a next step. Tammy Davis suggested the APC table the matter.

Motion: Rob Seig made a motion to table the matter for Shanon Flannery until the October Meeting. Ed Derickson 2nd AIF MC.

Unfinished Business- Tammy Davis offered her proposal of raising the civil zoning violation to \$500.00 with \$50.00 additions every incremental violation. Bob Braun thought that was to little to motivate people. Bob Braun suggested after 30 days an additional \$500.00 fine until the violation is corrected. Tammy Davis said for this to go into effect the APC would need to publish these changes in time for the October meeting.

Motion: Rob Seig made a motion to published the proposed changes to the violation fines so it could be acted on by the Board at the October 13,2021 meeting. Ruthie Mannix 2nd AIF MC.

Unfinished Business: It asked if there was anything on the Reid Hospital & Health Care Service LLC request. Rob Seig reported that Reid was complying with all request from the APC. Cindy Orschell said she would continue to keep the Board updated as emails come in.

New Business: Cindy Orschell said that Commissioner Wilson would like the APC to consider a revision to Section 80.05.04 Pets and Domesticated Animals and Section 80.08.02-6 Storage. On the issues of to many pets in a yard or home two people from the public wanted to speak. Tim Wildman went into some detail of the problem and the smell of so many animals confided in a small area. His wife Carey Wildman also gave many details of the problem. It was decided before any action could be taken on the matter someone would need to file a complaint with the Area Plan Office. Carey Wildman said she would come in to file the next day. Cindy Orschell asked the APC to bring any thought on “storage vehicles” to the next meeting.

Violation Report: Cregar-Rob Seig said Cummins Rd. has a 30’R/W and the Road is .7 mile long, he was not sure how that would affect the setback on Cregar. On Smith some activity has taken place. Whipple is still in jail, no action there. Tammy Davis had contact with Matthews saying it was up to the County Commissioners on clean-up. D&J has had nothing since last meeting. Tammy Davis spoke with Broering’s daughter some of it is getting cleaned up, she is hoping her brother will finish it. Tammy Davis is to send letters to Sturgell and Bowling. D&J, Tammy Davis is looking into the fencing that may be in violation of Franklin County Citizens Zoning Code. Nothing has been done with Ison waiting now for the state to come view the property. Branam and JK Development waiting on Indiana Environmental Services to investigate. Smith on Haytown Rd waiting on a survey. Peters/Godsey no real follow through. Rose property waiting on Homeland Security to visit with AP office. Merrell has had contact waiting on the state to inform. Cooper, Cindy has not been able to have contact-no working address. Schuler, Marcum and Force have been in contact with office. Jones and Riednour have had no contact.

Adjournment - Motion- Rob Seig made a motion to adjourn at 9:15pm. Ed Derickson 2nd AIF MC.