

MINUTES
CHURUBUSCO PLAN COMMISSION
REGULAR MEETING

October 14, 2020

6:30 p.m.

Boy Scout Building

MEMBERS PRESENT

Jeremy Hart, President
Brenda Saggars, Vice Pres.
Paula Grawcock
Wayne Krider
Vivian Sade
Madalyn Sade-Bartl
Pat Stanford
Ashley Wagner

MEMBERS ABSENT

Mark Pepple

STAFF

Nathan Bilger

ATTORNEY

absent

AUDIENCE MEMBERS

Two audience members were in attendance at the meeting, but failed to sign the guest list. Both persons were the petitioner and his representative. The guest list is kept on record/attached to these minutes.

CALL TO ORDER/ROLL CALL

Mr. Hart called the meeting to order at 6:30 p.m. Mr. Bilger read the roll call with members present and absent listed above.

ELECTION OF OFFICERS FOR 2020

Being the first official meeting of the year, Mr. Hart called for nominations for officers. Mr. Stanford made a motion to re-elect the 2019 officers for 2020; Mr. Krider seconded. Motion passed 8-0.

The 2020 Churubusco Plan Commission officers are: President Jeremy Hart, Vice President Brenda Saggars, and Board of Zoning Appeals Representative Paula Grawcock.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the November, 2019 meeting were presented for consideration. Mr. Stanford made a motion to accept the minutes as presented; Ms. Saggars seconded. Motion passed 8-0.

ADMINISTRATION OF OATH

Mr. Bilger administered the oath to the two audience members.

OLD BUSINESS

Mr. Bilger stated he would provide an update on old business after the petition.

NEW BUSINESS

20-CH-SUBD-1, Primary Approval for a Replat, Oscar's Corner

Aaron McClure, requested primary approval for a replat to create a three-lot subdivision, proposed to be called Oscar's Corner, located on the southwest corner of Home Avenue and Main Street. The property was comprised of Lot 9, Ackley's Second Addition to the Town of Churubusco. Currently, three single-family dwellings occupy the property.

Mr. Bilger summarized the Staff Report. He stated that the Petitioner was splitting the current property into three new lots in order to place each of the single-family dwellings on its own lot. This would make the use of the property in conformance with the zoning code, but would need variances of lot width, area, and setbacks. Those variances would be heard at the Board of Zoning Appeals meeting to be held the next night, October 15th.

He did mention that the survey shows a minor property line issue with the adjacent property owner to the west, NIPSCO, that should not affect the plat, but it was recommended to reconcile. He concluded by stating the Staff's recommended conditions:

1. Variances of the zoning standards must be granted prior to final approval.
2. Secondary plat approval be delegated to staff.

Mr. Hart called for questions for Staff. Mr. Stanford inquired about the setbacks if the plat were approved. Mr. Bilger explained that any existing setbacks that were not changed by the plat, such as the front setbacks, would remain as legal nonconforming, and those that were created by the new lot lines would require a variance. He further explained that due to the unusual nature of the case, the Staff's recommendation to the BZA would be to condition the setback approval so that it could expire in the same fashion as other legal nonconforming standards.

Mr. Hart called for the petitioner to speak. Aaron McClure, 237 Railroad Street, Churubusco, stated that he was just adding lot lines to the property. He was unaware the property was not already divided until he tried to obtain financing, at which point the lender stated that the dwellings would need to be on individual lots.

Aaron Carl, T-E Incorporated, 8620 Bluffton Road, Fort Wayne, surveyor for the petitioner, described the western property line discrepancy. There is a 5'-8' wide area in question that would need to be reconciled. He was in contact with NIPSCO as of that morning.

Mr. Krider asked the petitioner if there were plans for any new structures. Mr. McClure confirmed that there would be no new structures.

Mr. Hart opened the public hearing. Hearing no one, he closed the public hearing and called for any additional questions. Ms. Sade asked if there would be any downsides to approving the plat. Mr. Hart stated that since nothing was changing, there would not be a negative. Mr. Bilger suggested that since this plat would require variances, the perpetuation of noncompliant lots could be a downside, but likely would not be an issue for well into the future.

Mr. Stanford asked about the current zoning, and if this would change the zoning to an R-1. Mr. Bilger explained that the zoning would remain R-2, but the property would become more conforming by placing each single-family dwelling on its own lot. As it were, the three residences on one lot might be interpreted as multi-family, which was not permissible in R-2.

Mr. Krider inquired about the “building lines” shown on the plat. Mr. Carl stated that those lines were the setback lines required by the zoning code. He noted that it did not leave much buildable area if a new structure were to be built.

Being no further discussion, Mr. Hart called for a motion. Ms. Sade-Bartl made a motion to approve 20-CH-SUBD-1, with the two conditions of the staff report. Ms. Grawcock seconded. Motion passed, 8-0.

OTHER BUSINESS

Mr. Bilger stated that the downtown zoning district that had been discussed by the Commission in 2019, and anticipated to be drafted in early 2020, had been delayed. He expected to have a draft update ready for the beginning of 2021.

The tentative 2021 meeting dates were presented for review. After a brief discussion about possible festival conflicts, the Commission had consensus that the dates were acceptable.

Mr. Bilger also distributed code updates for the members’ use and requested them to review and update their contact information.

ADJOURNMENT

Being no further business, Mr. Hart declared the meeting adjourned at 6:55 p.m.

GUEST LIST

1. Aaron McClure237 Railroad Street, Churubusco
2. Aaron Carl, T-E Incorporated8620 Bluffton Road, Fort Wayne