

PLYMOUTH PLAN COMMISSION

July 5, 2022

The Plymouth Plan Commission met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana on July 5, 2022, at 7:00 p.m.

Commission President Doug Feece called the meeting to order for Commissioners Alex Eads, Mark Gidley, Beth Pinkerton, Linda Secor, Bill Walters, and Fred Webster answering roll call whom were physically present. Commissioners Randy Longanecker, Angela Rupchock-Schafer, and John Yadon were absent. City Attorney Surrisi, Building Commissioner Hammonds and Plan Consultant Booker were also present. The public was able to see and hear the meeting through Microsoft Teams.

Commissioners Gidley and Webster moved and seconded to approve the minutes of last regular meeting of June 7, 2022 with the correction of the wording to state "if the applicant feels the findings of fact were erroneous." The motion carried.

The following legal notice was advertised in the Pilot Newspaper on June 23, 2022:

NOTICE OF PUBLIC HEARING

The Plan Commission of the City of Plymouth, Indiana will hold a hearing on July 5, 2022 at 7:00 p.m. in the Council Chambers of the City Building,

116 Legals

124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:

PC-2022-10: City of Plymouth, 124 Michigan St., Plymouth, IN 46563: An Amendment to Article 6, Section 200, E. (2) Signs are permitted in C-1, C-2, C-3, I, BP, and PUD Districts plus any grandfathered institutional or commercial uses in a R-3 District with a permit subject to the following regulations and other applicable standards in this Chapter: and Article 6, Section 200, 2. (b) (ii) Number of

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signs, ii. Multi-tenant buildings may provide a tenant directory for as one (1), of the two (2) signs permitted. This is subject to the requirements within the zoning district.

PC 2022-11: Mike and Judy Delp, 1707 S. Michigan St., Plymouth, IN 46563: A re-plat of the Rock Subdivision, parcels 50-32-94-302-137.001-019 and 50-32-94-302-137.002-019, located at 1707 and 1769 Michigan Street, Plymouth, IN 46563, zoned R-2 Suburban Residential District.

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PC 2022-12: Mary Muffrey, Eric F. Muffrey, Lynne M. Dubbeld, Erin A. Muffrey, and Kathryn Muffrey, 106 S. Third St., Plymouth, IN 46563: A re-plat of Roses Addition to the City of Plymouth on parcels 50-32-05-401-864.000-019, 50-32-05-401-867.000-019, and 50-32-05-869.000-019, 106 S Third Street, Plymouth, IN 46563, zoned R-3, Traditional Residential District.

Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary.

If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.

Kyle Williams, Recording Secretary, Plan Commission, June 23, 2022

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PC 2022-10: City of Plymouth, 124 N Michigan ST, Plymouth, IN 46563: An Amendment to Article 6, Section 200, E. (2) Signs are permitted in C-1, C-2, C-3, I, BP, and PUD Districts plus any grandfathered institutional or commercial uses in a R-3 District with a permit subject to the following regulations and other applicable standards in this Chapter: and Article 6, Section 200, 2. (b) (ii) Number of signs, ii. Multi-tenant buildings may provide a tenant directory as one (1), of the two (2) signs permitted. This is subject to the requirements within the zoning district.

Plan Consultant Booker states that this case has already been tabled once. He explains that the reason the first part of this case was suggested is that the BZA has accepted all electronic sign cases, except with one minor exception that was not a monument sign but instead it was a sign inside a building. He explains that all who have come before the Board reside in a residential district and they have all been permitted without much reservation. He states that now would be the best time to see if there are any changes that would need to be added. He explains that if these were to both pass that there would need to be a public hearing and they would go to the city council.

Building Commissioner Hammonds asks if this would also cover the schools.

Booker responds by stating that they are considered institutional so they will be.

Commissioner Feece asks Hammonds if he agrees with this proposal.

Hammonds agrees.

Commissioner Walters states that he sees no problems with these changes.

Booker explains that for the second part of this case regarding the multi-tenant buildings that this was suggested by the Building Commissioner. He explains that there are a couple plazas that have more than four businesses with more than two signs out on the plaza signs. He explains that there are five to six in some cases. He explains that will still have to fit the size of the zoning ordinance so if they wanted to make a 100 x 200 billboard that they would still have to go to the BZA.

Commissioner Walters and Webster moved and seconded to open the public hearing. The motion carried.

There were no comments from the public at this time.

Commissioner Webster and Walters moved and seconded to close the public hearing. The motion carried.

Booker explains that they would need to offer any suggestions or clarifications as they will be making a recommendation to the city council. He adds that they still could change it.

Commissioners Pinkerton and Gidley moved and seconded to approve PC 2022-10 as presented. The motion passed by roll call vote.

Yes: Eads, Webster, Feece, Walters, Pinkerton, Gidley, Secor

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No: None

Absent: Rupchock-Schafer, Longanecker, Yadon

City Attorney Surrisi explains that this will be brought before the city council at their second meeting of the month which will be on July 25, 2022.

PC 2022-11: Mike and Judy Delp, 1707 S. Michigan St., Plymouth, IN 46563: A re-plat of the Rock Subdivision, parcels 50-32-94-302-137.001-019 and 50-32-94-302-137.002-019, located at 1707 and 1769 Michigan Street, Plymouth, IN 46563, zoned R-2 Suburban Residential District.

Plan Consultant Booker reviewed the findings of fact and presented his report. He states that the intent is to give 0.77 acres plus a 50-foot easement along the north that will provide access to the home and the farm the family owns to the north. He explains that this is a father and son deal and that they share this lot currently and that the reason for the request is that the father is selling his home.



Michael Delp (1707 S. Michigan St., Plymouth, IN 46563):

Delp states that the Rock Subdivision was originally set up when his son built his house there about 20 years ago. He explains that they divided two more lots in there so they would have a lot for each child if they wanted to build. He adds that isn't going to happen and since his wife Judy and himself are selling the home that they wanted to give part of that acreage to their son so he had a little buffer between him and the house that they are selling.

Gidley wished to state that Mr. and Mrs. Delp are his brother and sister-in-law. He asks if any of the 50 feet to the north will fall over into the driveway that currently goes to his house. Gidley clarifies that the driveway that will be going to his son will be separate from the driveway that goes to his current home.

Delp responds by stating that they are separate and that at the front they are wide enough and that there is enough asphalt there that it covers both accesses. He explains that drive would be the only place that

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there would be any commonality. He states that there is a distinct pin in between the two drives that separates the drives. He goes into more detail that there is enough asphalt apron out there to access both drives.

Commissioners Pinkerton and Webster moved and seconded to open the public hearing. The motion carried.

Albert Houchin (214 Cedar Court, Plymouth, IN 46563)

He states that he is neighbors with Delp. He asks if it is determined to replat this, that the person who buys the property, if they can come back to the Plan Commission and reverse the decision and build a house there.

Booker asks for clarification that he said reversed.

Houchin agrees.

Surrisi explains that they would have to own both the parcels and then they could if one person were to purchase both there would be a possibility.

Booker states that there is already a house at each one so they would have to create a new parcel in order to build a third house.

Gidley asks how big the parcel would have to be.

Booker responds by stating that it would have to be an acre.

Delp states that they would not have access out then.

Feece states then the answer is that it can't be reversed unless they bought both parcels together and possibly, they could squeeze another house in there. He adds that would be the only way but he does not think that anybody is going to do that.

Houchin states that then the issue would be how to get back to that property.

Booker states that it wouldn't be impossible but it would be a lot to get it done.

Commissioners Webster and Walters moved and seconded to close the public hearing. The motion carried.

Commissioners Webster and Walters moved and seconded to approve PC 2022-11 as presented. The motion passed by roll call vote.

Yes: Eads, Webster, Feece, Walters, Pinkerton, Gidley, Secor

No: None

Absent: Rupchock-Schafer, Longanecker, Yadon

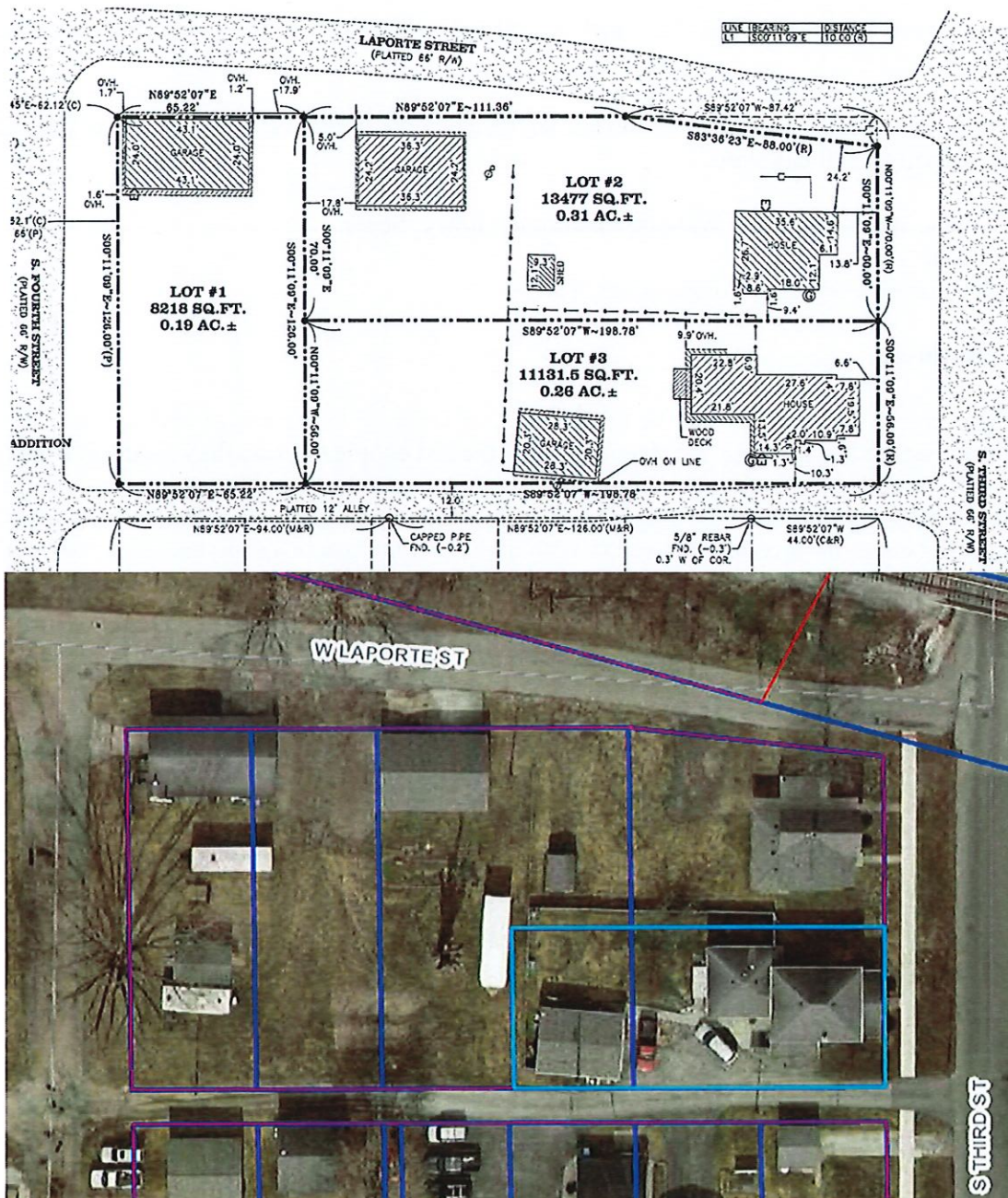
PC 2022-12: Mary Muffley, Eric F. Muffley, Lynne M. Dumbled, Erin A. Muffley, and Kathryn

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Muffley, 106 S. Third St., Plymouth, IN 46563: A re-plat of Roses Addition to the City of Plymouth on parcels 50-32-05-401-864.000-019, 50-32-05-401-867.000-019, and 50-32-05-869.000-019, 106 S. Third Street, Plymouth, IN 46563, zoned R-3, Traditional Residential District.

Plan Consultant Booker reviewed the findings of fact and presented his report. He explains that they are taking five lots and creating three. He states that Lot #1 to the west that contains an existing garage. Lot #2 will contain a house on the east side, an accessory building which is a garage, and a small shed. Lot #3 will contain another home and a garage. He restates that they are taking this area and turning it into three distinct lots. He adds that none of these structures meet setbacks now and this change is not going to change that.



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Feece asks if all of the lots will be properly sized.

Booker responds by stating that they are and that the minimum lot size is 6,000 square feet. He adds that the lots that are there presently were not 6,000 square feet.

Commissioners Webster and Pinkerton moved and seconded to open the public hearing. The motion carried.

There were no comments from the public at this time.

Commissioners Webster and Walters moved and seconded to close the public hearing. The motion carried.

Commissioners Gidley and Walters moved and seconded to approve PC 2022-12 as presented. The motion carried by roll call vote.

Yes: Eads, Webster, Feece, Walters, Pinkerton, Gidley, Secor

No: None

Absent: Rupchock-Schafer, Longanecker, Yadon

Other Business:

Commissioner Webster states that he has brought an issue up to the mayor and a couple other board members after the last meeting. He states that over the last couple of years they have had trouble getting a quorum. He adds that the Board of Zoning Appeals has also had trouble getting a quorum. He states that he does not care for the reasoning why they do not get a quorum. He addresses that his concern is when people come in to conduct business with attorneys, architects, or anyone else from out of town that if they do not have a quorum that it makes the city look bad.

He states that he is also the Liaison for the County for the second time and they do not seem to have problems with people showing up for their board meetings. He states that occasionally there is one that won't be there but that will be about it. He explains that the County gives their board a stipend.

Booker states that it is \$50/ year.

Webster states that it is going to be going up to \$75/ year here soon with the new budget. He states that his proposal is that maybe it is about time they start doing something like that for the Plan Commission and the Board of Zoning Appeals for the city. He states that he is not worried about the Park Board or the Airport Board as that is their business to take care of. He states that they need people there. He asks if the rest of the board is okay with that recommendation.

Booker states that they get paid in July and then at the end of the year.

Webster states that he does not know exactly how it works but what he does know is that they do not have a problem with people not showing up. He states that he has talked to the Mayor and the Clerk-Treasurer as well as this is getting close to the budgeting process. He states that he is not looking for something in 2022 but it can start 2023.

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Walters states that he is in a unique situation as he is a member of the Board of Public Works and Safety and not a City Council member. He states that he is the only member of the Board of Public Works and Safety who is not City Council member. He explains that city councilmen get a salary and since he does not, they created a separate ordinance to pay him per meeting that he attends. He states that it started out as \$35 and he believes that he got a couple dollars raise this year.

Webster asks if he gets paid if he does not show up.

Walters responds by stating that he gets paid for the meeting only if he is there.

Webster states that's what he would propose.

Booker explains that there are some on the Marshall County Plan Commission who do not get paid. He states that Bob Yoder does not get paid.

Webster states that he is forced to sit on there because of his position as Board Secretary.

Webster states that this is something that he believes needs to be looked at. He explains that last meeting they had to get one of their Board Members on the phone and she was not very thrilled about that.

Surrisi states that he is unaware if the mayor had followed up with him after their meeting but he had reached out to the rest of the mayors to see what kind of practice they have. He states that it seemed to be all over the board with about 40-50% of the communities had certain boards that did have some type of pay. He explains that the level of pay was different given what board you were on.

Webster states that he hopes that would be a big enough incentive to get people to show up.

Booker states that as for the Marshall County Plan Commission, they have to travel a lot further of a distance as they come from all over the county.

Webster states that they have people who are coming in right after work and it was kicked around over 20 years ago when it was a volunteer board but it is a never-ending board and that is the issue.

Surrisi states that this board seems to have a heavy workload compared to other boards.

Webster states that if they are doing their due diligence that they are going out and looking at these cases beforehand. He explains that this is what he wished to bring up tonight and hopes that the mayor and the administration pursue this.

Pinkerton asks what the process is to do that. She asks if they have to submit something.

Surrisi responds by stating that he does not think that it is necessary but it wouldn't hurt to send a recommendation to the council but he thinks that the mayor has heard Webster and he can report back to him about what was discussed tonight. He restates what Webster said about being in the middle of budget discussion as well.

Webster states that if they are going to do something that now is the time to do it.

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Gidley states that he does not think it should be \$50 as they all live in town aside from Feece and himself. He believes that they need to also consider that there are a couple people on the Plan Commission who don't show up. He states that there ought to be a set number of meetings attended. He explains that if you miss so many meetings that you should be asked if you want to stay on or do you need to get replaced. He states that they are not doing them any favors and if they do not really want to come then say so. He believes that there needs to be something said to the couple who don't come. He clarifies that maybe they do have very legitimate reasons but they should be asked whether they want to stay or not.

Walters agrees.

Surrisi believes that is the type of thing where the Plan Commission can pass their own rules and procedures.

Booker states that he might have to look it up but he believes there were some rules and procedures written up a few years ago.

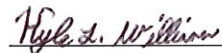
Surrisi adds that they can amend those to put something like that in.

Gidley asks Booker if he can look those up.

Booker responds by stating that he will try to bring that up at the next meeting.

Gidley states that if there are rules that they should start enforcing them.

With there being no other business to come before the Commission, Commissioners Webster and Pinkerton moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 7:36 p.m.



Kyle Williams, Recording Secretary