



STAFF REPORT

BARTHOLOMEW COUNTY PLAN COMMISSION (April 10, 2024 Meeting)

Docket No. / Project Title: BMP-2024-005 (Keeping Hill Subdivision 2nd Replat)
Staff: Andres M. Nieto
Applicant: Jan Scott Lucas
Property Size: +/- 73 Acres
Current Zoning: PUD (Planned Unit Development)
Location: 7070 South 650 West, in Ohio Township.

Request Summary:

The applicant is requesting approval of a minor subdivision consistent with Subdivision Control Ordinance Division IV. The proposed subdivision would result in one new lot, for a total of 9 lots on +/-73 acres. This request triggers Section 8-34 (c)(3)(b) of the Subdivision Control Ordinance, which requires Plan Commission consideration of drive access and potential road improvements when more than 4 total buildable lots are created from an original parcel over time.

Plan Commission Process, Options, & Preliminary Staff Recommendation:

The Bartholomew County Plan Commission has delegated the approval authority for minor subdivisions to the Plat Committee. This application is being considered by the Plan Commission because the Plat Committee found at least one aspect of the proposal to be inconsistent with the Subdivision Control Ordinance or subject to the discretion of the Plan Commission.

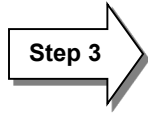
Step 1 **Modification Request(s):**
The initial step in the approval process is for the Plan Commission to determine whether or not any request(s) for modification from the design or improvement standards of the Subdivision Control Ordinance can be supported based on the decision criteria provided. Subdivision Control Ordinance Section 8-119(a) indicates that the Plan Commission may grant a modification of the standards upon the determination that each provided criterion has been met. A separate motion with specific findings is recommended for each requested modification. The Plan Commission may attach conditions to any approved modification that are related to that modification and are “necessary and proper to carry out the intent and purposes” of the Subdivision Control Ordinance (Section 8-119(c)).

No modifications are requested.

Step 2 **Required Revision(s):**
The Plan Commission should identify any needed corrections or additions to the proposed plat that are necessary to meet the requirements of the Subdivision Control Ordinance and for which modifications have not been approved. The Plan Commission should also stipulate any changes necessary for the subdivision to comply with the Commission’s determinations on those design or improvement details that are at its discretion. Any required revisions must enforce the requirements of the Subdivision Control Ordinance. Discretionary features include those specifically indicated as such by the

Subdivision Control Ordinance and those for which ensuring compliance requires the case-by-case application of the requirements by the Commission.

Preliminary Staff Recommendation: The following required revisions should be included as part of the plat approval: None.



Request Approval, Denial, or Continuance:

In reviewing a request for *minor subdivision approval* the Plan Commission may (1) approve any modifications and/or proposed discretionary features and the subdivision, (2) deny any modifications and/or proposed discretionary features and the subdivision, or (3) continue the review to the next Plan Commission meeting as provided by the Plan Commission Rules of Procedure and Subdivision Control Ordinance Section 8-113(b)(7). The Plan Commission should make, second, and vote on a motion for the approval, denial, or continuance of the request. Any motion for approval should (1) note any approved modification(s) and (2) incorporate any required revisions.

Preliminary Staff Recommendation: Approval, including the condition that all trees and debris in the right-of-way along the 650 West frontage of the new lot shall be cleared to the specifications of the Bartholomew County Highway Department.

Current Property Information (entire subdivision site):	
Land Use:	Residential, agriculture
Site Features:	Woods
Flood Hazards:	N/A
Special Circumstances: (Wellfield Protection Area, etc.)	N/A
Vehicle Access:	650 West (Local)

Surrounding Zoning and Land Use (entire subdivision site):		
	Zoning:	Land Use:
North:	AG (Agriculture: General Rural)	Single-Family Residential
South:	AG (Agriculture: General Rural) RR (Residential: Rural)	Single-Family Residential Agriculture
East:	AG (Agriculture: General Rural)	Single-Family Residential Agriculture
West:	AG (Agriculture: General Rural)	Wooded

Interdepartmental Review:	
County Highway Department:	We request that the right-of-way along the proposed "Lot 9" be cleared of all trees and debris instead of road widening.
County Health Department:	No response.
County Auditor:	No comments.
County Surveyor:	No comments.
County Fire Inspector:	No response.

History of this Location:

The relevant history of this property includes the following:

1. The Preliminary PUD Plan for Keeping Hill, or a "concept plan", was approved by the County Commissioners on July 28, 2008 (PUD-08-01). The Keeping Hill property, the 73-acre parent tract at this location, was also rezoned to PUD (Planned Unit Development) at this time.
2. In April of 2009, the Grim Agricultural Subdivision was approved and divided the 73-acre parent tract into a 53-acre Parent Tract Remainder and a new 20-acre Agricultural Tract.
3. The Final PUD Plan, where the final details of the development are laid-out, was approved in 2009 (PUD-09-01). This approval was for the purpose of developing a co-housing community of 8 residential lots/units and one common area/house (9 lots total) out of the previously mentioned 20-acre Agricultural Tract. The creation of these approved lots were completed by the Keeping Hill Minor Subdivision (MIP-09-08) approved by the Bartholomew County Plan Commission in November of 2009. As part of the Final PUD Plan approval, the Plan Commission considered access and potential road improvements and required (1) dedication of right-of-way (25 feet) on 650 West, (2) clearing of vegetation from the sight visibility triangle for the development's driveway onto 650 West.
4. In September of 2016, the Bartholomew County Plan Commission approved the first replat of the Keeping Hill Minor Subdivision (BAD-16-016) to reduce the total number of residential lots (not including the Common Area or Parent Tract Remainder) from 8 to 5. This approval included a modification request to allow an access easement to bisect one of the proposed lots (Lot 3A), which is normally prohibited by the Subdivision Control Ordinance (Section 8-60(a)(3)(i)).

History of this Application:

The relevant history of this application includes the following: The proposed minor subdivision was reviewed by the Bartholomew County Plat Committee at its March 21, 2024 meeting and forwarded to the Plan Commission.

Planning Consideration(s):

The following general site considerations, community planning concepts, and other facts should be considered in the review of this application:

1. The current, proposed replat would subdivide the 53-acre Parent Tract Remainder into a smaller, 37-acre remainder and create a new 15 acre lot (Lot 9). The proposed new lot is located on the northern end of the property and is not in the area where the Keeping Hill PUD previously established new lots.

2. Although the Bartholomew County Plan Commission has previously approved a higher number of lots as part of Keeping Hill, the number of those lots have changed over the last 10+ years. Furthermore, the newly proposed lot in this request (Lot 9) is from the Parent Tract Remainder where drive access has not yet been specifically discussed by the Plan Commission.
3. This newly proposed lot will have its own drive access point along 650 West, separate from the drives accessing the other lots in Keeping Hill and the home on the Parent Tract Remainder. The new access for the proposed Lot 9 could be as close as +/- 1,080 feet from the nearest driveway to a property in the Keeping Hill Minor Subdivision (the Parent Tract Remainder), and +/- 1,480 feet from the farthest driveway in the Keeping Hill Subdivision (the Common Area and other 5 lots).
4. The recorded Final PUD (from 2009) describes the Parent Tract Remainder to be privately owned and used according to all standards in the AG (Agriculture: General) zoning district in the Bartholomew County Zoning Ordinance. Membership in Keeping Hill (and all other requirements, covenants, restrictions, etc.) is not required and do not apply to the Parent Tract Remainder.

Applicable Subdivision Control Ordinance Requirement(s):

The following provisions of the Subdivision Control Ordinance apply to the consideration of this application: Section 8-34 (c)(3)(b): Any subdivision that involves the cumulative creation of more than 4 new buildable lots, excluding any that are permitted through an administrative subdivision process, shall not be approved by the Plat Committee but shall instead be forwarded to the Plan Commission. The Plan Commission shall consider the Thoroughfare Plan and the specifications of this Ordinance for new roads in determining adequate ingress and egress, any needed road improvements, and whether or not better access can be provided through the construction of a new street. If the Plan Commission determines that a new street is required and/or that road improvements are required and they are substantial, the application shall be considered a Major Subdivision and shall be refiled as such.

City of Columbus - Bartholomew County Planning Department

Subdivision Application

Submit applications and materials by e-mail to planning@columbus.in.gov. If questions, please call: 812.376.2550.
Submittal instructions available at <https://www.columbus.in.gov/planning/applications-forms/>.

To be Completed by the Planning Department

Major Subdivision Pre-submittal Meeting on (date): _____ by (initials): _____

Application Received on (date): 3/5/24 by (initials): JAM

Jurisdiction: Columbus Bartholomew County Joint District

Docket No.: BMP-2024-005

Property Owner Name (from GIS): Lucas Jan Scott

To be Completed by the Applicants

STOP! All Major Subdivision applicants must complete a pre-submittal meeting with a Planning Department staff member before completing this application. Please contact the Department at 812.376.2550 when the major subdivision primary plat drawings are approximately 75% complete and at least 2 weeks prior to the applicable Plan Commission application deadline to schedule the meeting. The Department cannot guarantee a timely meeting if contacted less than 2 weeks prior to the deadline and is not responsible for any missed deadline that may result.

All Minor Subdivision applications must include the required existing features information and septic site verifications. Applications lacking this information on the application deadline will be considered incomplete and will not be docketed for Plat Committee consideration.

Subdivision Type: Major (Primary Approval) Minor Agriculture Administrative

Proposed Subdivision Name: Keeping Hill Minor Subdivision, 2nd Replat

Representative / Notification Information:

The contractor, surveyor, attorney, or other person authorized to act on behalf of the project owner (or the project owner if no other representative will be used) and to whom all correspondence regarding this application should be directed.

Representative Person's Name: Ted Darnall

Representative's Company Name: Milestone Design Group

Mailing Address: 1428 Lafayette Ave. Columbus IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 812-372-7398 E-mail Address: tdarnall@milestonedesign.org

All correspondence will be by e-mail unless another method has been agreed upon by the Planning Department.

Professional Land Surveyor Information:

The professional land surveyor primarily responsible for the subdivision design and drawings. If the land surveyor is also the representative listed above, please indicate "same as above" in the "Name" line below.

Surveyor's Name: Same as above

Company Name: _____

Mailing Address: _____
(number) (street) (city) (state) (zip)

Phone No.: _____ E-mail Address: _____

Project Information:

The property owner, land developer, business, institution, etc. that is proposing the subdivision – NOT the contractor, surveyor, or other representative (see above).

Property Owner, Land Developer, Etc. Name: Jan Scott Lucas

Property Owner, Land Developer, Etc. Contact Person Name: Jan Scott Lucas

Mailing Address: 7070 S 650 W Columbus IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 812-341-7178 E-mail Address: janscottlucas@gmail.com

Total Number of Parcels: Existing: 1 Proposed: 2 **Total Land Area:** 53.4 Acres

Please include all lots, tracts, blocks, etc. in both the total number of parcels and total land area above.

Are any modifications from the Subdivision Control Ordinance proposed? Yes No

If "Yes", a completed worksheet for each requested modification must also be provided.

Property / Location Information:

Property Address: 7070 S 650 W Columbus
(number) (street) (city)

or Other Description (if no address is assigned, provide the parcel number(s), distance from the nearest street/road intersection, etc.):

Representative's Signature / Acknowledgement:


The info  with this application is completely true and correct to the best of my knowledge and belief.

Ted Darnall 6-19-2023
(Representative) (Printed Name) (Date)

Property Owner Signature:

The owner DOES NOT include a tenant or contract buyer. Applications submitted without the property owner signature(s) will not be processed. If those signing as property owner below are not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. where "Title" is requested below.

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. I understand that a public notice sign may be placed and remain on the property until the processing of the request is complete.

 Jan Scott Lucas 2/6/2024
(Property Owner #1 Signature) (Printed Name) (Title, if Needed) (Date)

(Property Owner #2 Signature) (Printed Name) (Title, if Needed) (Date)

(Property Owner #3 Signature) (Printed Name) (Title, if Needed) (Date)

(Property Owner #4 Signature) (Printed Name) (Title, if Needed) (Date)

KEEPING HILL MINOR SUBDIVISION 2ND REPLAT

SURVEYOR'S REPORT

THE PURPOSE OF THIS SURVEY IS TO RETRACE THE BOUNDARIES OF THE PARENT TRACT REMAINDER IN KEEPING HILL MINOR SUBDIVISION (P.B. R, PG. 223B) IN ORDER TO SUBDIVIDE A LOT FROM IT. IN ACCORDANCE WITH THE INDIANA SURVEY STANDARDS AS DEFINED IN TITLE 865, ARTICLE 1, RULE 12 OF THE INDIANA ADMINISTRATIVE CODE. THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED WITH REFERENCE TO THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY. IT IS MY OPINION THAT UNCERTAINTIES IN THE LINES AND CORNERS OF THIS SURVEY MAY EXIST AS A RESULT OF THE FOLLOWING.

REFERENCE SURVEYS & DATA:

- 1) BEARINGS FOR THE SUBJECT SURVEY WERE OBTAINED BY RTK GPS OBSERVATIONS USING THE INDIANA CONTINUOUSLY OPERATING REFERENCE STATION (INCORS) NETWORK, BASED ON THE INDIANA GEOSPATIAL COORDINATE SYSTEM (INGCS) BARTHOLOMEW COUNTY ZONE. SAID ZONE IS A LOW DISTORTION PROJECTION DEFINED BY A SPECIFIC COMBINED SCALE FACTOR AND FALSE NORTHING AND EASTING VALUES. THE COORDINATE VALUES CREATED IN SAID ZONE REQUIRE NO ADJUSTMENT TO OBTAIN GROUND SURFACE DATA.
- 2) KEEPING HILL MINOR SUBDIVISION, RECORDED IN PLAT BOOK R, PAGE 223B.
- 3) SMITH - 650 W ADMINISTRATIVE SUBDIVISION, RECORDED IN PLAT BOOK S, PAGE 112C.
- 4) THE BARTHOLOMEW COUNTY SURVEYORS SECTION CORNER TIE CARDS AND COORDINATE DATA SHEET FOR SECTION 13-8-4.
- 5) HARMONY MEADOW, RECORDED IN PLAT BOOK Q, PAGE 193D.
- 6) DORTHA STARNES MINOR SUBDIVISION, RECORDED IN PLAT BOOK P, PAGE 210B

REFERENCE MONUMENTS:

- 1) POINTS "A" "B" AND "C" ARE SECTION CORNERS AS SHOWN HEREON. THEY WERE FOUND IN GOOD CONDITION IN ACCORDANCE WITH SAID REFERENCES 2, 3 AND 4.
- 2) POINTS "D" "E" "F" "G" AND "I" ARE 5/8 INCH REBAR WITH CAPS STAMPED "C&D S0500" FOUND IN GOOD CONDITION IN ACCORDANCE WITH REFERENCE PLATS 2 AND 5.
- 3) POINT "H" IS A 5/8 INCH REBAR. THE TOP WAS SLIGHTLY BENT, BUT OTHERWISE IN GOOD CONDITION. ITS MEASURED POSITION IS WITHIN 0.29 FEET OF THE POSITION FROM REFERENCE PLATS 2 AND 6.
- 4) POINTS "J" "K" "L" AND "M" WERE PREVIOUSLY MARKED BY SAID REFERENCE SURVEYS AND ARE INCLUDED IN THE SUBJECT SURVEY BY COORDINATE POSITIONS.

THEORY OF LOCATION:

- 1) THE OUTSIDE BOUNDARIES OF THE SUBDIVISION WERE BASED ON THE FOUND MONUMENTS FROM SAID PREVIOUS SURVEYS.
- 2) THE SOUTH LINE OF LOT 9 IS ESTABLISHED BY THE SUBJECT SURVEY ALONG AN EXISTING FIELD / WOODS LINE DIVISION, MAKING THIS AN ORIGINAL LINE TO THIS SURVEY.

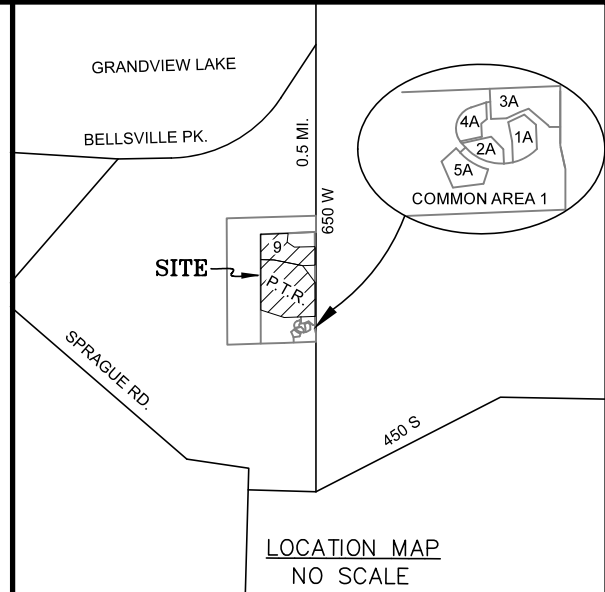
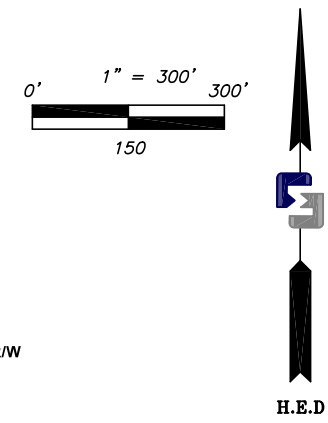
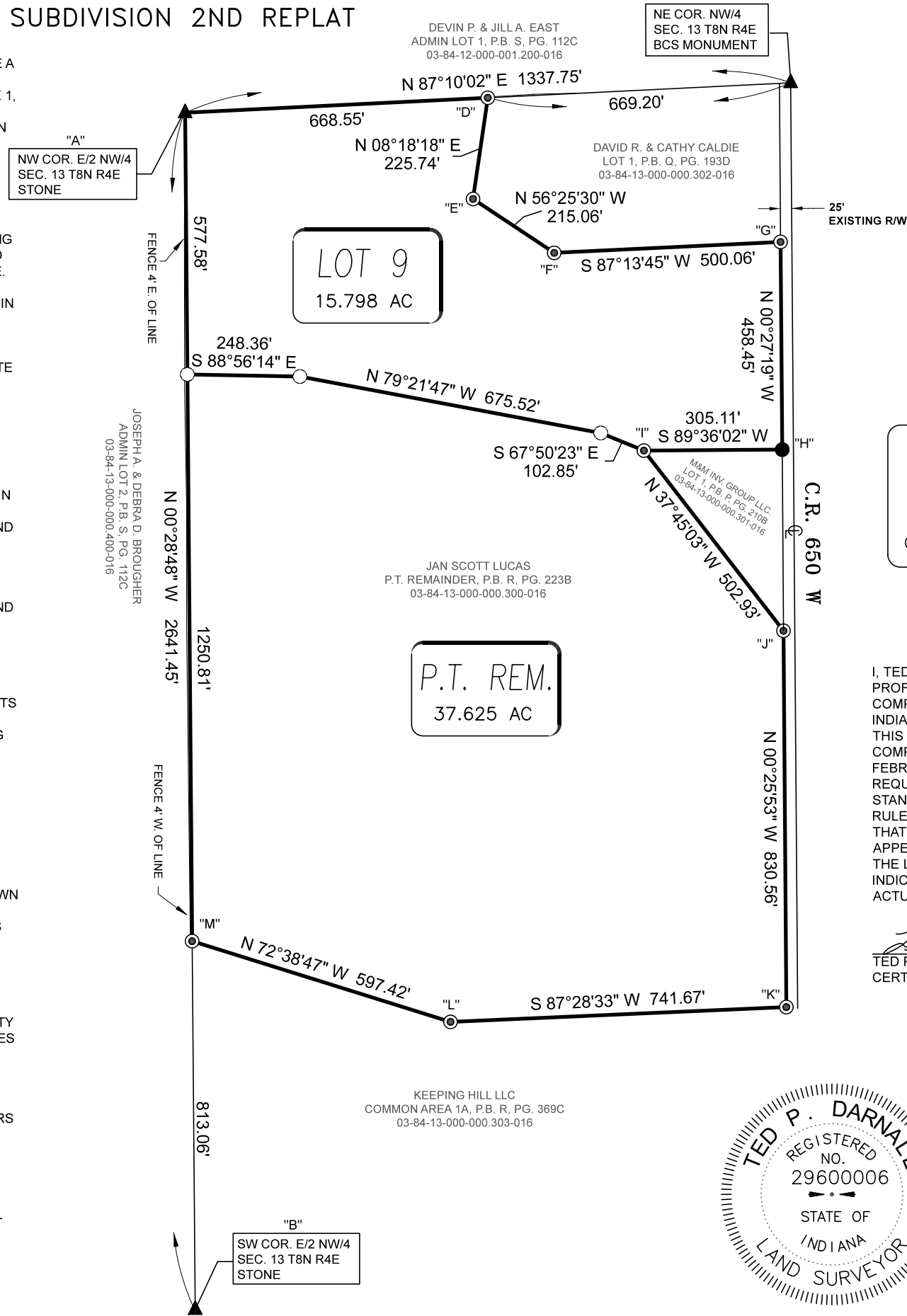
SUMMARY:

BASED ON THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY ARE AS FOLLOWS:

- 1) DUE TO VARIANCES IN REFERENCE MONUMENTS: 0.3 FEET.
- 2) DUE TO DISCREPANCIES IN RECORD PLATS AND DEEDS: NONE OBSERVED.
- 3) DUE TO INCONSISTENCIES IN THE LINES OF OCCUPATION: FENCES WERE FOUND AS SHOWN HEREON.
- 4) THE RELATIVE POSITIONAL ACCURACY DUE TO MEASUREMENTS FOR THIS SURVEY FALLS WITHIN THE STANDARDS FOR A RURAL SURVEY (0.26 FEET).

NOTES:

- 1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ANY TITLE WORK. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY OR OTHER ENCUMBRANCES OF RECORD.
- 2) THERE MAY BE UNWRITTEN RIGHTS ASSOCIATED WITH SOME OF THE ABOVE DISCUSSED UNCERTAINTIES, ESPECIALLY THOSE RELATED TO FENCES OR OTHER FORMS OF OCCUPATION. PRIOR TO REMOVING OR ALTERING ANY IMPROVEMENTS RELATIVE TO OCCUPATION, FURTHER INVESTIGATION AND DISCUSSION WITH NEIGHBORING LAND OWNERS IS REQUIRED. IT MAY BE NECESSARY TO CONSULT WITH AN ATTORNEY TO FURTHER UNDERSTAND ANY POSSIBLE UNWRITTEN RIGHTS.
- 3) THERE MAY BE DIFFERENCES BETWEEN PLAT DIMENSIONS AND MEASURED DIMENSIONS ALONG SOME OF THE BOUNDARY LINES SHOWN HEREON. THERE MAY BE SURVEY MONUMENTS FOUND NEAR, BUT NOT NECESSARILY AT THE BOUNDARY CORNERS. AT CORNERS WHERE THESE DIFFERENCES ARE LESS THAN THE STATED RELATIVE POSITIONAL ACCURACY, AND LESS THAN THE UNCERTAINTY FOR REFERENCE MONUMENTS, THE DIFFERENCE IS INSIGNIFICANT AND IF SHOWN HEREON IS SHOWN ONLY FOR THE PURPOSE OF MATHEMATICAL CLOSURE. OTHERWISE DIFFERENCES THAT ARE GREATER THAN THE RELATIVE POSITIONAL ACCURACY, AND OR, THE STATED UNCERTAINTY IN REFERENCE MONUMENTS, ARE SHOWN AND DISCUSSED HEREON.
- 4) NOT ALL OF THE IMPROVEMENTS (ABOVE OR BELOW GROUND) WERE LOCATED BY THIS SURVEY.



ACREAGE TABLE	
LOT 9:	15.798 AC
P.T. REM.:	37.625 AC
TOTAL:	53.423 AC

OWNER:
JAN SCOTT LUCAS
INST. 2022-9847
P.T. REM (P.B. R, PG. 223B)

PARCEL#
03-84-13-000-000.300-016

PROPERTY DESCRIPTION

PARENT TRACT REMAINDER IN KEEPING HILL MINOR SUBDIVISION, RECORDED IN PLAT BOOK R, PAGE 223B IN THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA

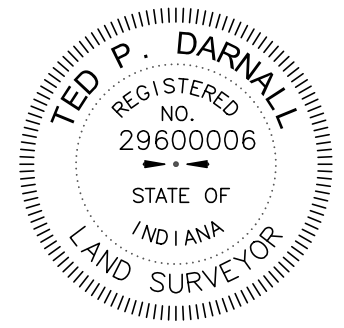
SURVEYOR'S CERTIFICATE

I, TED P. DARNALL, HEREBY, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT TO THE BEST OF MY KNOWLEDGE, THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME, OR UNDER MY SUPERVISION, ON FEBRUARY 1, 2023 IN ACCORDANCE WITH THE REQUIREMENTS OF THE INDIANA SURVEY STANDARDS AS DEFINED IN TITLE 865, ARTICLE 1, RULE 12 OF THE INDIANA ADMINISTRATIVE CODE; THAT ANY CHANGES FROM THE DESCRIPTION APPEARING ON THE LAST RECORD TRANSFER OF THE LAND CONTAINED IN THE FINAL PLAT ARE SO INDICATED; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR WILL BE INSTALLED.

Ted P. Darnall
TED P. DARNALL PS #29600006
CERTIFICATION DATE: 02-01-2024

BASIS OF BEARINGS WAS OBTAINED BY RTK GPS OBSERVATIONS USING THE INDIANA CONTINUOUSLY OPERATING REFERENCE STATION (INCORS) NETWORK, BASED ON THE INDIANA GEOSPATIAL COORDINATE SYSTEM (INGCS) BARTHOLOMEW COUNTY ZONE.

- LEGEND**
- ▲ = SECTION CORNER AS LABELED
 - = 5/8"X30" REBAR W/CAP STAMPED MDG FIRM #0136 SET
 - = 5/8" REBAR FOUND
 - ⊙ = 5/8" REBAR W/CAP
 - [100.00] = RECORD
 - 100.00 = MEASURED
 - BCS = BARTHOLOMEW CO SURVEYOR
 - "A" = SEE SURVEYOR'S REPORT



REV.NO.	DATE	DESCRIPTION	BY:
1	3/28/24	MISC EDITS PER REVIEW	HED

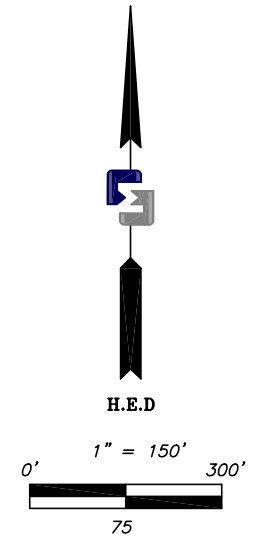
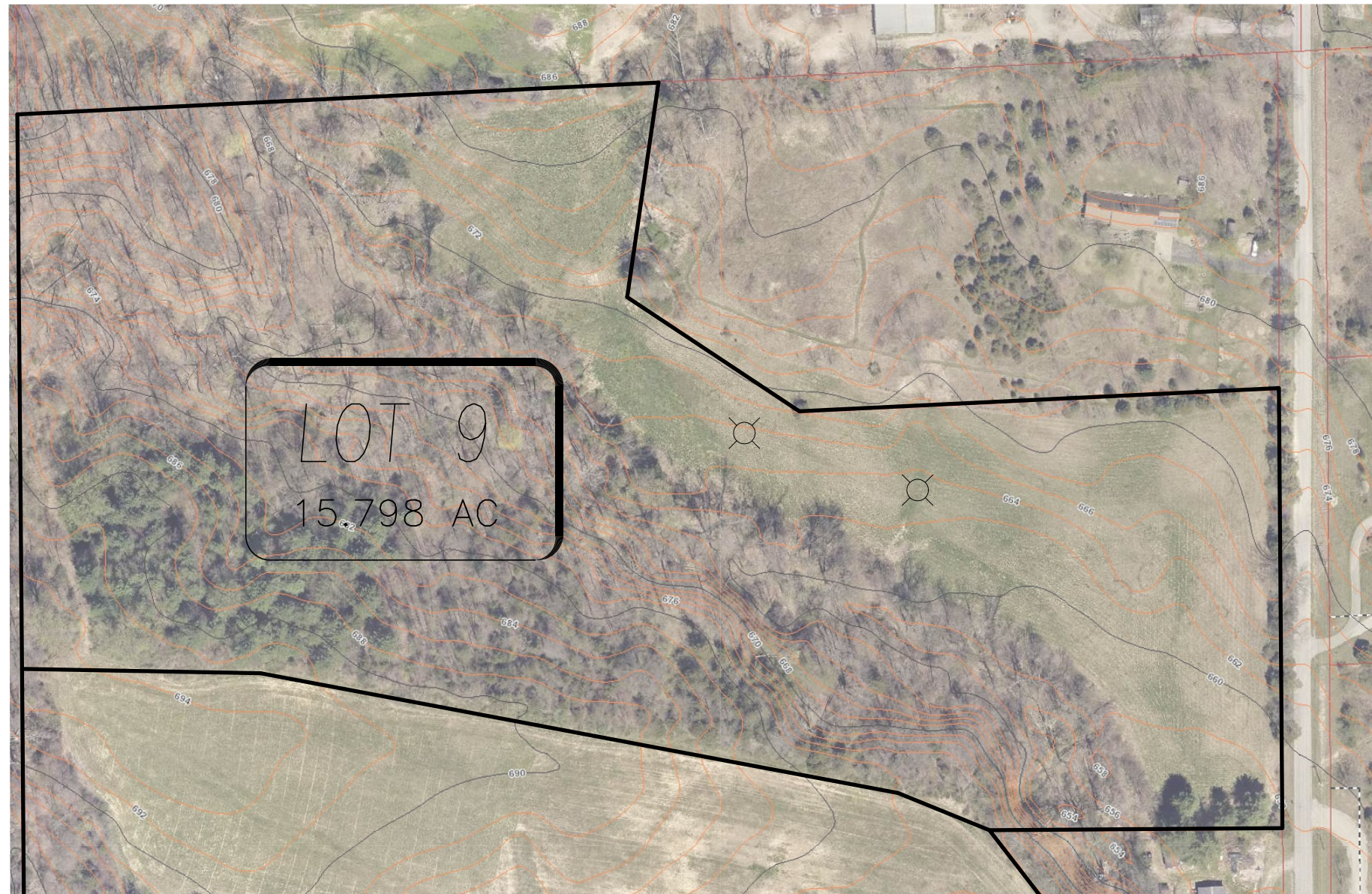
Milestone design group

1428 Lafayette Avenue, Columbus, IN 47201
812.372.7398 www.milestonedesign.org

**KEEPING HILL MINOR SUBDIVISION 2ND REPLAT
E/2 NW/4 SEC. 13 T8N R4E BARTHOLOMEW CO. IN**

JOB NO: 23550 SHEET: 1 OF 2 DATE: 02-01-2024
FILE NAME: E:\PROJECTS\23000\23550\23550SUB.DWG

KEEPING HILL MINOR
SUBDIVISION 2ND REPLAT
EXISTING FEATURES



LEGEND

- ⊗ = SOIL BORING
(LOCATION PER HEALTH DEPT.
PRELIM. CERTIFICATES)

REV.NO.	DATE	DESCRIPTION	BY:
1	3/28/24	MISC EDITS PER REVIEW	HED



1428 Lafayette Avenue, Columbus, IN 47201
812.372.7398 www.milestonedesign.org

**KEEPING HILL MINOR SUBDIVISION 2ND REPLAT
EXISTING FEATURES**

JOB NO: 23550	SHEET: 1 OF 1	DATE: 02-01-2024
FILE NAME: E:\PROJECTS\23000\23550\23550SUB.DWG		