

The Thorntown Plan Commission met in a regular meeting on December 9, 2024, at 6:00 PM in the Town Hall.

Members in attendance were as follows:

- Don Gray, President – Citizen Member.
- Frank Clark – Town Employee.
- Erick Smith – Citizen Member.
- Nancy Durkin – Citizen Member

Others in attendance: Oksana Polhuy, Planning Administrator.

President Gray calls the meeting to order at 6:00 PM.

**OPENING CEREMONIES**

President Gray leads the Plan Commission in the Pledge of Allegiance.

**DETERMINATION OF QUORUM**

President Gray states that four members are present currently and that there is quorum.

**AGENDA CONSIDERATIONS**

None.

**PUBLIC COMMENT**

There were two questions from the public:

- 1) A question regarding adding an accessory dwelling unit to a property.
- 2) A question regarding a proposed addition that wouldn't meet a setback requirement.

Accessory dwelling unit discussion: ADUs are currently not allowed. The zoning ordinance allows several dwelling units on a lot inside of one building as long as the lot size meets the minimum square footage requirement per dwelling unit. The zoning ordinance allows only one primary structure on the lot, so all dwelling units would need to be somehow attached to each other.

A question regarding the addition that is too close to the property line: there is no variance procedure in Thorntown at the moment, and the BZA hasn't adopted the rules and procedures to function. Due to that, the addition must abide the law as is.

**NEW BUSINESS**

**Item #1. Application PLAT-01-2024 – Primary Plat for Westfall Place PUD**

Subject:	Partial Plat Vacation for Royal Crossing subdivision (lots 1-4).
Location:	200 Oak St., 201 Oak St., 202 Oak St., 203 Oak St., Thorntown, IN
Petitioner:	Arbor Homes, Inc. and Innovative Engineering & Consulting, Inc.

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Property Owner(s): Clayton Properties Group, Inc., DBA Arbor Homes

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Mrs. Polhuy goes over her staff report. She explains what partial plat vacation is and what the state statute requires of the process. She states, the proposal is to remove lots 1-4 from the Royal Crossing single-family subdivision (staff report, Exhibit 1). She states, this proposal is part of the larger project, Westfall Place single-family residential subdivision, and is needed to remove the lots out the Royal Crossing subdivision so that the resulting property may be then subdivided as part of the project in Westfall Place subdivision. She states that, Lots 5 and 6, the original covenants of Royal Crossing, and the amount of the right-of-way displayed on the Royal Crossing subdivision that currently belongs to the town along the Oak Street will remain as is. She goes over the reasoning how the plat vacation criteria are met:

- (1) *Conditions in the platted area have changed so as to defeat the original purpose of the plat.*

Staff's finding: since Royal Crossing inception in the late 1990s, the single-family lots haven't been developed in the past two decades. The current property owner would like to develop these lots as part of another subdivision and sees that the market will likely be interested in this land under another layout.

- (2) *It is in the public interest to vacate all or part of the plat.*

Staff's finding: due to the lots not being developed in the past two decades, it is in the interest of the town to permit this vacation. Also, the future project proposes to use this land as a second access to the street network and as a way to provide a park for the future residents, all being beneficial features to the future development.

- (3) *The value of that part of the land in the plat not owned by the petitioner will not be diminished by the vacation.*

Staff's finding: It is likely that the value of real estate adjacent to the lots to be vacated will not be affected in a substantially adverse manner by allowing the requested plat vacation. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this plat vacation request will not have a substantially adverse effect on the value of adjacent properties.

## **PUBLIC HEARING**

President Gray opens the public hearing.

Seeing no one having questions, President Gray closes the public hearing.

**Motion by Mr. Smith, seconded by Mrs. Durkin, to approve petition PLAT-01-2024 for partial plat vacation of lots 1, 2, 3, and 4 from Royal Crossing subdivision based on the following findings:**

- (1) Conditions in the platted area have changed so as to defeat the original purpose of the plat;*

*(2) It is in the public interest to vacate all or part of the plat; and*

*(3) The value of that part of the land in the plat not owned by the petitioner will not be diminished by the vacation.”*

**AYES:** Don Gray, Frank Clark, Erick Smith, Nancy Durkin. **NAYS:** Zero. **ABSTAIN:** Zero. Motion carries 4, 0, 0.

**OLD BUSINESS:**

**Item #2. Application FDP-01-2024 – Final Detailed Plan for Westfall Place PUD**

Subject:	Review of the Final Detailed Plan for Phase 1 of a single-family subdivision in Westfall Place PUD.
Location:	Several parcels located southwest of the intersection of SR 47 and Oak Street and some south of SR 47.
Petitioner:	Arbor Homes, Inc. and Innovative Engineering & Consulting, Inc.
Property Owner(s):	Clayton Properties Group, Inc., DBA Arbor Homes

Mrs. Polhuy re-introduces the application.

**PUBLIC HEARING**

President Gray opens the public hearing.

[Due to lack of recording there is no record of the public hearing discussion.]

President Gray asks if everyone’s questions have been answered and if there are any more comments or questions.

**Motion by Mr. Smith, seconded by Mrs. Durkin, to approve petition FDP-01-2024 as presented by staff with the following commitment:**

- **The applicant shall apply for a Detailed Development Plan amendment to provide design for the park on the east side of Westfall Place PUD and provide specific design and construction details for the improvements along the trail around the wetland area within three (3) months of recording a Secondary Plat for Phase 1 Westfall Place PUD.**

**AYES:** Don Gray, Frank Clark, Erick Smith, Nancy Durkin. **NAYS:** Zero. **ABSTAIN:** Zero. Motion carries 4, 0, 0.

**Item 3. 2025 Calendar of Meetings and Filing Deadlines**

Mrs. Polhuy presents a draft of the calendar for the next year.

**Motion by Mr. Smith, seconded by Mrs. Durkin, to approve 2025 Calendar of Meetings and Filing Deadlines as presented by staff.**

**AYES: Don Gray, Frank Clark, Erick Smith, Nancy Durkin. NAYS: Zero. ABSTAIN: Zero. Motion carries 4, 0, 0.**

**ADJOURNMENT**

President Gray makes a motion to adjourn. Meeting adjourned at 6:55 PM.

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Donald Gray                      President

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Secretary

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