

ORDINANCE 2022-011

Rezone 18997 20A Road from Suburban Residential District (S-1) to Planned Unit Development (PUD)

WHEREAS, the Culver Plan Commission, after legal notice and public hearing thereon, has favorably recommended to the Culver Town Council, by a vote of seven (7) ayes to zero (0) nays (2 members were absent from the meeting), the application of James Easterday, on behalf of the landowner, Sage Road II LLC, as certified by the Culver Plan Commission Secretary, Don Fox dated December 1, 2022, a copy of which is attached hereto and made a part hereof as Exhibit "A", to rezone to Planned Unit Development (PUD) from the current zoning of Suburban Residential District (S-1) in accordance with said application the following parcel:

Parcel Number: 502133000008000013

Legal description: Beginning at the Southwest corner of the Northwest Quarter of Section 33, Township 32 North, Range 1 East, Union Township, Marshall County, Indiana, marked with a capped 5/8 inch reinforcing rod; thence North 01degree21'12" West, along the West line of said Northwest quarter, a distance of 1329.12 feet to a capped 1/2 inch reinforcing rod marking the Northwest corner of the South Half of said Northwest Quarter; thence North 90degree00'00" East (record bearing and the basis for bearings), along the North line of the South Half of said Northwest Quarter, a distance of 1750.71 feet to a capped 5/8 inch reinforcing rod; thence South 01degree22'22" East, along the West line a distance of 1326.87 feet to a capped 5/8 inch reinforcing rod being on the South line of said Northwest Quarter; thence South 89degree55'34" West, along said South line, 1751.11 feet to the point of beginning.

Its common address is 18997 20A Road, Culver, Indiana, and;

WHEREAS, the Culver Town Council having received and reviewed said recommendation and noting that the application was consistent with the requirements of the zoning ordinance and respected the rights of property owners in the neighborhood, hereby adopts the favorable recommendation of the Culver Plan Commission to amend the zoning map and to have the use and development of the site governed by the Planned Unit Development (PUD) primary plan and secondary plan, and;

WHEREAS, the PUD application and preliminary and secondary plan were considered pursuant to the Culver Zoning Ordinances and is in conformance with the Culver Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Culver, Indiana as follows:

Section 1. The Culver Plan Commission's proposal regarding the PUD for the subject property located at 18997 20A Road, Culver, Indiana, including the preliminary plan and secondary plan and the attached documents to said preliminary plan is now approved. In general terms, the development requirements set forth in those documents shall apply to the PUD.

Section 2. Pursuant to Indiana Code and the Culver Zoning Ordinance Article V, Planned Unit Development, Section 040, Procedure for approval of Planned Unit Development, the zoning map for the Town of Culver shall be amended to reflect that the property at issue identified in the preliminary plan shall be now designated as a PUD zoning district, a copy of the now adopted

amendment to the zoning map shall be incorporated by reference into the zoning ordinance for the Town of Culver and shall be printed and a copy of thereof shall be located in the office of the Town of Culver Clerk/Treasurer.

PASSED AND ADOPTED by the Town Council of the Town of Culver, Indiana, on the 13th day of December, 2022.

By Bill Githens
Bill Githens, President

By Bill Hamm
Bill Hamm

By Sally Ricciardi
Sally Ricciardi, Vice-President

By Wm.C. Cleavenger
William Cleavenger

By Rich West
Rich West

ATTEST:

Karen Heim
Karen Heim, Clerk-Treasurer

December 1, 2022

Memorandum for the Members of the Culver Town Council

From the Culver Plan Commission

Subject: Recommendation to re-zone a 53 Acre Parcel owned by Sage Road II LLC from S-1 to Planned Unit Development (PUD)

At the November 15 meeting of the Culver Plan Commission meeting, the Commission held a public hearing to for presentations from Mr. James Easterday, attorney for Sage Road II LLC and Mr. Rob Sears, architect for Sage Road II LLC about a proposed family residential project and rezoning of the subject parcel from S-1 to PUD.

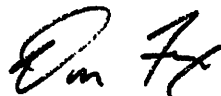
Mr. Easterday explained that the development of the 53 acre parcel would include multiple structures – a barn, a “clubhouse,” a fieldhouse. Mr. Rob Sears, architect for the LLC, then presented a more detailed explanation of the project along with a site plan and elevation drawings for the three proposed structures. Mr. Sears elaborated that the barn would store boats, cars, tractors. The clubhouse would be dining and living facilities and is essentially a larger single family residence, and the fieldhouse would be a gym, locker rooms, and a pool. Each of the three main structures would be approximately 10,000 square feet. 83% of the acreage in the parcel would be green space.

Commission members had a number of questions some of which concerned setbacks and septic. The site plan provides for generous setbacks, and Mr. Sears noted that none of the planned structures would be visible from public roads. Each of the structures will be serviced by separate septic systems.

Attorney Daniel Sherman, appearing on behalf of several unnamed Culver residents asked if the compound would be used by other than family members. Mr. Easterday responded that development of the parcel would be for the exclusive use of the family that controls Sage Road II LLC along with children and grandchildren. No commercial or public use is planned.

In response to questions from a member of the public about whether the proposed development of the parcel would be consistent with the current Culver Comprehensive Plan, Mr. Easterday said that pages 43, 51, and 52 of the current plan, which refer to second homes, recreation space, and preserving natural environmental features support the planned use of the property. Mr. Easterday stressed that the family was very sensitive to the environmental issues.

The Commission was satisfied with the responses to the questions from the Commission and the public and that the planned use was consistent with the current Comprehensive Plan. The Commission adopted a motion by a vote of 7-0-0 to recommend the Town Council approve the rezoning of the parcel from S-1 to PUD.



Secretary, Culver Plan Commission