



Tecumseh Chapter of the Indiana Society of Professional Land Surveyors
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2003 OFFICERS:

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MEMORANDUM

To: Jack Rhoda, President, Area Plan Commission of Tippecanoe County
Members of the Area Plan Commission
Jim Hawley, Executive Director of Area Plan Commission

From: Members of the Government Affairs Committee of the Tecumseh Chapter of the Indiana Society of Professional Land Surveyors

Re: Follow-up of previous topics and suggested additional discussion topics for the Area Plan Commission on possible procedural improvements

Date: September 25, 2003

This memorandum is a follow-up to topics numbered 1c, 2, 3, 4, 5, and 6c in the “Summary of Efficiency Work Sessions” published by Area Plan staff dated August 20, 2003. In addition, we have several suggested topics at the end of this memorandum that we would recommend for further discussion.

As a newly appointed six-member committee representing our reactivated chapter, we have been charged with reviewing and “following-up” with the suggestions brought forth by the group of local surveyors, engineers, and developers earlier this year.

- Regarding Items 1c, 2, 3, 4, and 6c, we would like to be involved with the discussion that takes place regarding these items at the appropriate Ordinance Committee or Bylaw Committee. Please add us to your list of contacts to receive copies of agendas and minutes for said committee meetings.

The following are topics that we would suggest for discussion at future work sessions:

- Following discussion at previous work sessions, it was determined Item 5 required further explanation and/or study. This discussion will attempt to provide some further explanation. This suggestion concerned permitting a “schematic” plan for planned developments rather than preparing draft plan and preliminary plan filings before a rezone determination is made for a project. As we have discovered over the past year, much of this discussion also applies to RE (Rural Estate) Subdivisions.

With any rezone request (other than RE or PD), the only requirement for submittal (other than the required paperwork and sign postings) is to provide a legal description for the property to be rezoned and perhaps a conceptual layout of the property (for certain rezones) before the request can be heard at APC and then the appropriate jurisdiction's hearing. With both PD and RE rezone requests, an applicant is not only required to file this same work, but he must also provide a detailed draft plan and preliminary plan for PDs or a sketch plan and preliminary plat for REs. As a part of both of these RE and PD requests, a boundary survey must have been completed for the property under consideration. We would suggest that while these expenses are a necessary part of these projects, the current process requires much of that expense prior to the rezone determination (when someone finds out whether they have a project or not). In the case of RE subdivisions, as much as 75% of the surveying budget is required to be spent prior to this determination. In the case of PDs, there have been some cases in the past where APC staff has felt that they could not support a project for what sometimes appear to be insignificant reasons to our clients in the overall scope of the project. In these cases, we are suggesting that the case should be brought before the APC and appropriate jurisdiction for a rezone determination.

- We would suggest eliminating the 25-foot setback from FP-zoned areas. Prior to adoption of NUZO, no setback from an FP zone existed. The pertinent issue is that the 2-foot flood protection grade is achieved for the lowest floor of a building constructed near a regulatory stream. Requirement of a 25-foot setback just requires more unnecessary filling within a floodway fringe to achieve a desired building site.
- We would suggest adding a provision that allows a partial performance bond to be posted in order to record a final plat if some improvements have been accepted at the desired time of recording for subdivisions and planned developments. The ordinance allows an existing bond to be reduced for partial acceptance of improvements; therefore, it would seem logical to allow a "partial" performance bond for improvements that have not been accepted at the time of recording.
- We would suggest that the extension of timelines be permitted for submission of final detailed plans in PDs. At the present time, there is no provision for extension of time for PDs approvals. All subdivision approvals have some sort of provision that permits an extension of the preliminary approval for a project. No extension is permitted on PDs; therefore, if an approval expires, the process must be started over from scratch.
- We would suggest eliminating the requirement to show proposed utilities on preliminary plats and plans for subdivision and PD submittals.
- We would suggest permitting the elimination of a vertical curve at the discretion of the Highway Department (or appropriate jurisdiction) when the algebraic difference in road grades is 2% or less.
- Currently the place road cross section is not being utilized in subdivisions because it requires a narrow road with a small cul-de-sac radius. We would suggest increasing the required right-of-way, road width and other requirements (and perhaps modifying the definition) for

places so that this road type is a step-down from the local road section but is still an acceptable option for public road use in subdivisions.

We appreciate the opportunity to provide some suggestions and feel that this process has resulted in some positive discussion and recommendations to be implemented and has resulted in better communication between the local government and practitioners.

Respectfully yours,

Roger A. Fine
Chairman, Government Affairs Committee
Tecumseh Chapter of the Indiana Society of Professional Land Surveyors