

WABASH COUNTY PLAN COMMISSION

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BZA MEETING MINUTES **November 24, 2015**

**Wabash County Board of Zoning Appeals
Wabash County Court House
Wabash IN 46992**

BZA Board Members: Mark Milam, Don Roser, David Schuler, Joe Vogel, Jerry Younce, and Attorney Larry Thrush

Members present: Don Roser, David Schuler, Joe Vogel, Jerry Younce and Attorney Larry Thrush

Mr. Vogel opened the meeting at 7:00 p.m.

Mr. Roser motioned to approve the October 27, 2015 minutes as written.
Jerry Younce second the motion
Motion carried.

Upon discussion with the plan commission attorney and consideration of the location for this application, board chairman Joe Vogel excused himself from the board and participated as a county citizen for the public hearing of this Variance Application.

In the absence of Co-Chairman Mark Milam, Mr. Howard conducted the hearing for Variance Application #6.

Variance # 6, A Variance from property line setbacks, minimum acreage, and buffering for a CFO. Beargrass Livestock LLC and Riser Farm LLC.
Section 12, Township 29N, Range 6E, Pleasant Township, Wabash County, IN.
Addressed as 621 W 1050 N North Manchester.

Board members received copies of the mapping and location for the proposed CFO. Mr. Howard went through the documents and noted the requested setbacks for the structures. The requested setback from the west property line is 287 feet, the north property line setback is 100 feet. Creekside Farms also owns the adjoining parcel to the south making the total setback all the way to the open ditch which would be 703 feet from the south building, (141 feet to the first property line of the two Creekside parcels).

The pre-application is for two buildings, each being 500 feet long by 107 feet wide. Spacing between the buildings will be 250 feet, with all feed bins, load outs and truck traffic being between the two buildings. The plan is to use the vacated railway as the driveway into the operation.

Shane Dale explained that the operation would be a wean to finish operation with each building holding approximately 6000 head of pigs. Delivery of 1080 weanling pigs will be made every other week, and roughly 2 to 3 loads will be shipped each week to market. Feed delivery will average 1 truck load per day.

Mr. Thrush inquired about notification of service for Little Farms. They were sent a letter but we have not received the signed green copy back at this time. Mr. Howard noted there was a total of three notifications which we did not receive back in relation to notifications sent out. With the Kokomo office being closed, mail now goes from here to Indianapolis, is sorted, and then sent back for delivery. The service is terrible.

Mr. Roser asked for clarification on the exact location of the drive to the operation. The drive will be located on the vacated railroad line which $\frac{1}{2}$ of the vacated right of way is now owned by Creekside Farms.

Mr. Howard opened the floor for questions, comments from the public.

Daniel Koors expressed concerns about the volume of truck traffic that will be associated with the operation. Not only for the wear and tear of county road 1050, but for the safety of his children since the entrance will be right beside his property.

Wendy Koors has concerns for the safety of her children with the volume of truck traffic going in and out of the operation.

Mr. Dale noted that the drivers will be the same drivers all the time and they will be made aware of the situation.

Mr. Jon Hartsough, owner of Creekside Farms, noted that the concerns are genuine, but the location would be approved under the current ordinance without a hearing and this hearing is only for consideration of a reduction of property line setbacks. Jon also noted that 1050 N is constructed the same as 1100 N and the Strauss feed mill uses that road extensively and it has held up fine. Strauss has used 1050 N to ship back and forth as much as 240,000 bushel of corn per year from storage at Laketon to processing for feed and the road has held up.

Tim Baker inquired about the application process with regard to the county's pre-application process, and IDEMs role.

Mr. Howard explained the pre-application process, the reasoning for the process, and the steps which will follow.

Mr. Hartsough noted that there has been no sale of property, but IDEM requires a note of intent to sale. The sale of property is contingent on IDEM application approval and the acreage is contingent on the property line setbacks established during this meeting.

Mr. Roser inquired the reason for requesting the setback to be 100 feet from the /north. Jim Dale noted that with this proposed setback one structure will be in the wooded area which will consume the least amount of tillable ground. The goal is to take up the least amount of tillable ground possible.

Jon Fawley noted that with the proposed location of the buildings the wooded area will screen the visibility of the buildings and if you require them to be moved farther east they will become more visible to the neighborhood. The proposed placement of the buildings lends to the best screening of the site.

Mr. Koors agreed that the proposed location of the buildings maximizes the screening the best.

Mr. Roser inquired who will maintain the rail siding drive into the facilities. Jim Dale noted that the wording for the drive is still being drawn up, but Beargrass and Riser will be responsible for the drive maintenance.

Mr. Dale noted that this is not a conglomerate operation, that this will be an operation in which they are raising their own pigs. They have bought shares in the sow operation and will be getting pigs from their own herds.

Tim Baker feels that the 300 foot setback to the west should be enforced and is comfortable with the setback to the north, (which is his property line) being 100 feet. That allows for the least consumption of tillable ground, and screens the operation the best.

Mr. Howard went through the setbacks again for all to be sure they were all on the same page. To the west property line the setback would be 300 feet. To the south the property line would be 100 feet, to the east the property line would be 100 feet, and to the north the closet point of the structure (which will be the North West corner of the building would be 100 feet).

Jim Dale inquired as to what the setbacks are for other counties. Howard noted that there is such a wide range of policies between counties that you just need to consider each county's entire CFO ordinance to get a true visualization of how it is governed.

Mr. Koors inquired what the setbacks for a place of gathering would be. Howard noted that the setback for churches, and other public areas is 1320 feet, schools setback is 2640 feet.

Mr. Howard asked for any further comments or questions from the public. Hearing none board members were asked if they had any further questions. Members were ready to vote.

First members will be voting on /Variance from setbacks as follows.

West 300 feet
South 100 feet
East 100 feet
North 100 feet.

Board member completed voting ballots.

Mr. Thrush review ballots, and the variance for setbacks was approved.

Board members than reviewed screening and buffer requirements. Screening to the north is already established by the wooded area.

Jim Dale requested the area remain open as much as possible for ventilation purposes. There are no residential structures within $\frac{1}{2}$ to $\frac{3}{4}$ of a mile to the south or east of the proposed site. Mr. Vogel does not feel additional screening is necessary between his property to the west and the proposed site. Mr. Hartsough asked for the south and east to remain open so they can crop farm right up to the buildings.

Mr. Howard read the proposed screening application as follows: The west, south and east lines will not require screening, and the North line will have the current wooded area as screening.

Mr. Baker inquired what is typical for screening for the CFO Ordinance. Howard, tree growth reaching 6 to 8 feet in 3 to 5 years.

Hearing no further comments board members completed voting ballots for the variance from the screening.

Mr. Thrush review ballots, and the variance for screening was approved.

Mr. Vogel returned to chair the meeting.

Board members discussed Ordinance Draft policies relating to CFO portion and the Farm Bureau proposal. In addition it was noted that the office has received questions regarding satellite manure storage structures. IDEM has a policy for this when manure volume exceeds 1 million gallons of liquid storage or 5,000 cubic feet of dry manure storage.

Mr. Howard updated board member on possible upcoming hearings

Hearing no further business, Mr. Vogel called for a motioned to adjourn.

Don Roser motioned to adjourn.

Jerry Younce Second.

Meeting adjourned. 8:25 PM

Also present were: Dianne Wion, David Wion, Jon Fawley, Pam Fawley, Wendy Koors, Daniel Koors, Jeff Dale, Jim Dale, Shane Dale, and John Hartsough.