

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION **BOARD MEETING MINUTES**

September 1, 2016

**Wabash County Plan Commission Board
Wabash County Court House
Wabash IN 46992**

PC Board Members: Curtis Campbell, Randy Curless, Scott Givens, Doug Rice, David Schuler, Cheri Slee, Joe Vogel, Attorney Larry Thrush

Members present:, Curt Campbell, Randy Curless, Scott Givens, David Schuler, Cheri Slee, Joe Vogel and Attorney Larry Thrush.

Mr. Givens opened the Meeting at 7:00 p.m.

Cheri Slee motioned to approve the July 7th, 2016 meeting minutes.

Joe Vogel second

Motion passed.

Scott Givens presented Special Exception #3, Steven Kinsey requesting a permit for a private recreational development (gunsmith/repair shop/retail gun shop) in a residential zone located at 1153 N 300 E, Lagro. 13.327 acres

Mike Howard: Basically he wants to put in a type of a gunsmith/repair shop and also sell some guns. The small building has been razed and a portion of the 40' x 56' pole building would be his area for work. This would be the same application process as completed for Paul Pattee's gunsmith/repair shop. This will also require licensing by the state of IN, the licensing would be approved after approval by the Wabash Co. Plan Commission for him to go ahead and proceed.

Mr. Kinsey explained what it is that you are wanting to do.

Mr. Kinsey: I was originally planning to do more of the gunsmith side of it but after state and federal fees I will need to get into the retail side of it to help offset the some of that cost to get going. Originally there was another gun place here in Wabash that we were going to start building guns, I was going to basically be doing the experimental stuff at my place. If I have the FFL, I will be able to transfer that on paperwork it won't be nearly as big of a hassle if I don't have it.

Joe Vogel: Have you been in business for yourself before?

Mr. Kinsey: No I have never owned my own business for myself, but I have fixed for family and friends, they have said that I need to be in business for myself.

Curt Campbell: this is very similar to what we did for Mr. Pattee?

Mike Howard: Yeah, one difference between the two is this business is all open to the back and has 13 + acres. The only difference between this and Mr. Pattee's is that Mr. Pattee's is zoned agricultural and this is zoned residential. That is the biggest difference between the two.

Curt Campbell: are you going to put a shooting range in or anything like that?

Mr. Kinsey: I kind of got one already there. On the side of that barn I have actually got a dirt hill for pistol already, I have basically put up two sliders. I will have to gate off or whatever, so I can just even in winter time be in shooting. I was planning on getting back into long distance again.

Curt Campbell: and the neighbors would have to approve too, right?

Mike Howard: right, this is a preliminary hearing for a favorable recommendation that has to go to the Board of Zoning Appeals. I have a couple of questions I would ask. Are you planning on doing advertising at the location?

Mr. Kinsey: If I did anything I might put XRoom Precision on the mailbox. I'm not going to put a big sign or nothing like that, I wasn't thinking anything like that.

Mike Howard: As far as this being listed as a private recreational development, this is the way we did Pattee's, the parking area, should be a minimum 25 feet from any residential use and that would be neighboring property, and that shouldn't be an issue.

A couple of other things that go along with this is the requirements of the ordinance, screening 8 feet high and 3 feet wide within 5 years so I would say that down here to the south, the north side of Custer's and around the corner you would have to screen with some type of tree or something that within 5 years would be 8 feet tall.

Mr. Kinsey: 8 feet tall? He already has a privacy fence there.

Mike Howard: This is strictly by the ordinance, the only way around it would be to ask for a variance.

Also, a maximum of One driveway entrance to that property, or to that facility not multiple driveways. The ordinance requires 1 parking space for every 2 customers, plus employee

On Mr. Pattee's some conditions that we put in are:

No public shooting range permitted on the property, the gunsmith is the only person permitted to shoot, test fire or site guns.

Local fire department must have documentation of materials and material locations within the facility, on record in case there is a fire.

Alarm system required for security.

All windows and doors must be barred, when doors closed would have to be barred.

Shooting area must be landscaped to provide protection from any ricochet or anything like that.

Hours of business and hours permitted for test firing, I think on Pattee's we gave him 8:00 - 5:00 for test firing. Nothing outside of those hours if you want anything different for business hours it would be discussed during the BZA meeting.

Mr. Kinsey: so does that mean that I couldn't have friends and family like I do now or not?

Mike Howard: This is the way we did Pattee's and you can discuss with the board what they will permit and they will allow.

Curt Campbell: it would be a difference between someone, a customer coming in and wanting to test fire compared to family and friends just recreational, are we, I mean my neighbor does all the time.

Joe Vogel: This would be an R1 Zone that was an Ag Zone.

Curt Campbell: So it is a Residential 1 area, so that is different from an Ag Zoned area. So you are close to Lagro,

Mr. Kinsey: It is down the hill.

Curt Campbell: So it is still part of the town?

Mr. Kinsey: It is up Cement Ave. I don't know if you know where the Rice's are, on the right side of me. Bever's (Custer's) are on the south side of me. Case's bought the 3 acres.

Curt Campbell: Why is this zoned residential, it is a ways out.

Mike Howard: Been that way since the county zoning was set up for that area at Lagro.

Curt Campbell: So taking off from Lagro between old 24 and new 24.

Scott Givens: What is the normal permit on residential on shooting, I know he says he has been shooting with family and friends forever I am not saying that is wrong, but is it permitted in residential zoned areas?

Mike Howard: There is nothing in our ordinance regarding shooting in residential areas.

Scott Givens: Nothing in our ordinance?

Curt Campbell: So we don't have anything written in our new ordinance. There is not going to be any more shooting now than there would have been before?

Mr. Kinsey: It is getting ready to increase anyway because I am done with my pole barn pretty much. Personally it is going to go up for me anyway.

Curt, Right, but before you built the pole building you were there shooting anyway.

Mr. Kinsey: Pretty much when I moved in. There are quite a few people who shoot around here because on the weekends you can hear it all weekend long.

Scott Givens: Have you already notified your neighbors of your intentions?

Mr. Kinsey: Yeah, pretty much all of them except the Deeters. I don't think I have ever really talked to them.

Joe Vogel: With conditions ready by Mr. Howard included, I would give a favorable recommendation to move it on to the Board of Zoning Appeals
If you get a bunch of people who don't want shooting on Sunday afternoon you might have to conform a little bit you know what I mean.

Mr. Kinsey: Yeah, but pretty much all of them shoot.

Mr. Kinsey: Case's came and asked me "you don't mind if I shoot a bunch do you?" and I was like nope.

Curt Campbell: But he would not be able to set up a firing range.

Mr. Kinsey: I've got my own personal 100 yard sites for test / load development that is basically for personal use , not for the gunsmiths side of it.

You are not going to have 10 people out there shooting?

Mike Howard: The person siting the guns is the only person who will be test shooting.

Mr. Kinsey: I am concerned about if I am shooting with my kids and stuff like that I want to make sure that is ok

Mike Howard: I don't have a problem with that, I just don't want to get a call that there are 40 people out there having shooting contest, or that just anyone is testing guns.

Mr. Kinsey: That is too many anyway.

Mike: So is that motion a go?

Vogel, Yes

Cheri Slee, The Plan Commission put those rules on Pattee, are we or are we not going to go with these same rules?

Mike Howard : Yes

Joe Vogel: I would stick with these.

Mr. Kinsey: So that wall, I will talk to Custer and see what he thinks. Is that like a state thing?

Mike Howard: That is in our County Ordinance. I will add your request for a variance for the buffering to the application before it goes to the BZA.

Curt Campbell: The buffering is that just for the sound?

Mike Howard: I would think for the traffic flow.

Curt Campbell: Maybe the trees would buffer the sound so the neighbors wouldn't hear it as much.

Mike Howard: He is in a pretty wooded area anyway.

Curt Campbell: You are shooting to the east?

Mr. Kinsey: Yes, basically shooting into a ravine.

Motion for favorable recommendation to the BZA from Joe Vogel

Motion seconded by Randy Curless

Scott Givens conducted the vote, the motion carried 6-0.

Mike Howard: Mr. Kinsey informed to be at the BZA meeting on Tuesday, Sept. 27, 7:00 pm.

Special Exception #4, Dennis Vigar for a pond at 4373 N 100 E Urbana, Lagro Twp.
Mr. Howard noted that Mr. Vigar had dug a hole for dirt for his pole building and decided to make a small pond. The water surface area is probably 30' x 30' max. There are no county drains in the area and pond exceeds all required setbacks.

Curt Campbell: moved for a favorable recommendation to the BZA.

Joe Vogel : Seconded the motion

Scott Givens: conducted the vote, Motion passed 6-0.

Mike Howard: informed Mr. Vigar to be at the BZA meeting on Tuesday, Sept. 27, 7:00 pm.

Update on current event:

Ron Dyson property, repairs to house completed, needs to be mowed.

Der Pool Unsafe Premise Order, house has been razed by Troy Eads Excavating.

Max Roberts, Unsafe Premise Order, house razed, Town of Lagro approved.

William Steiner , unsafe premise, daughter Shannon Arnett said the family will take care of securing the property.

Kathleen Covington, unsafe premise, structure razed, paid by property owner.

Der Pool LLC, 240 Adams St., Roann, listed intax sale, Mike asked Larry Thrush if the lien is included in the tax sale, will check into this matter.

Wind Ordinance: amendments to the current Ordinance, will review and vote on in October.

West Plains Mining: Plans have changed for their rail siding request, planning to stay to the south and east of Old 24 Property they are planning to use would be in the floodway and floodplain area. Will need state approval for floodway use.

Mike Howard introduced Patty Godfroy, Liberty Twp. Trustee as the potential Trustee Representative to the board.

Need to find a representative to replace Lowell Rosen.

Dave Schuler: suggested contacting one of Lowell Rosen's sons. Mike H. will take care of this.

Mike Howard updated the Ordinance Draft on the County website.

Discussed Permit Fee Structure and Ag Zoning.

Joe Vogel: Motioned to adjourn the meeting

Dave Schuler: Seconded the motion

Meeting adjourned. 8:20 pm

Libby Cook
Secretary, Wabash Co. Plan Commission