

WABASH COUNTY PLAN COMMISSION

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Wabash County Board of Zoning Appeals

Wabash County Court House

Wabash IN 46992

BZA MEETING MINUTES

APRIL 26, 2022

BZA MEMBERS: Dan Dale, Patty Godfroy, Mark Milam, Joe Vogel, Jerry Younce, and Attorney Larry Thrush

PRESENT: Mark Milam, Dan Dale, Joe Vogel, Jerry Younce, Mike Howard, Larry Thrush, Libby Cook, Tony Janeway, Bruce Shaw, Chas Pinkerton, Cheryl Shenefield, Matt Ridenour, Don Bittner, Victor Treska, William Meyer

The Wabash County Board of Zoning Appeals met on Tuesday, April 26, 2022. Board Chairman, Joe Vogel called the meeting to order at 7:00 pm. Mr. Vogel asked if there were any additions or corrections to the minutes of the March 22nd meeting, there being none he asked for a motion to approve the minutes as written. Motion to approve by Mr. Milam, second by Mr. Dale, motion carried.

Mr. Vogel: The first item on the agenda is Variance #1, Matthew Ridenour. Mr. Howard told the Board that Mr. Ridenour is seeking a variance from the sub-division ordinance to make more than one sale/split of less than twenty acres within a five year period. Mr. Ridenour owns two parcels in Noble Township, one is 34.59 acres and one is 10 acres. The 10 acre parcel has a house on it, he would like to split it and keep the house on a 4 acre parcel, he would like to combine the remaining 6 acres with 13 acres from the 34.59 acre parcel to create a 19 acre parcel. The remaining acreage from the parcel would be split to create two parcels, one being 12 acres and one at 9 acres. Board members reviewed the aerial photos of the property and discussed road access to each one. Mr. Ridenour stated that his intention is to list each parcel as a building site and that he has no intention of mobile homes being placed on the properties. Board members discussed conditions that could be placed on the parcels, the conditions are as follows:

On the 9 acre , 12 acre, and 19 acre parcels:

- Minimum of 1400 square feet of above ground living space.
- Must have 4/12 roof pitch or greater.
- No unlicensed vehicles parked outside.
- Right to farm paragraph.

On the 4 acre parcel:

- No further splits of the property.
- Maximum of one – single family dwelling.

- Minimum of 1400 square feet above ground living space.
- Must have 4/12 roof pitch or greater.
- No unlicensed vehicles parked outside.
- Right to farm paragraph.

Mr. Vogel asked the Board and audience if there any questions or comments, there being none the Board proceeded to vote. Mr. Thrush tallied the votes; the request was approved with the conditions as listed above.

Mr. Vogel: next on the agenda is SE #2, Donald Bittner for construction of a pond in Lagro Twp. Mr. Howard stated that the Board heard the request at the March 22nd meeting, at that time some neighbors had voiced some concerns about drainage issues, the request was continued to allow the contractor, Victor Treska to look into the concerns. Mr. Treska has discussed how tile concerns would be taken care of with the property owner to the NE of the pond location. Mr. Treska asked Ms. Shenefield if she would be okay with mounds placed around the pond area, she said that she would be. Mrs. Shenefield asked if the pond could be more than 80 feet from the property line, Mr. Bittner and Mr. Treska agreed to move the pond over to meet the required 100 feet from a property line (to the water surface line). Mr. Vogel asked Ms. Shenefield if she was okay with the plans, she replied “so far”. Mr. Howard told the Board that we will be doing away with the variance request as the pond will meet the required setbacks from the property line. The request did receive a favorable recommendation from the Drainage Board on February 7, 2022. Mr. Vogel asked if there were any further questions or comments, there being none the Board voted on the SE request. Mr. Thrush tallied the votes; the request was approved.

Mr. Vogel: next on the agenda is SE # 4, William Meyer, for construction of a pond in Liberty Twp. Mr. Howard gave the Board members the following information: Mr. Meyer lives at 1299 E 900 S, Lafontaine; Treska Bros. will be the contractor; no variances required; no floodplain or flowage easement involved; .5 acre water surface area; dam length 110 ft., base width 60 ft., top width 20 ft.; over flow size, 1 – 6” outlet; outlet drain 6” connected to existing 10” running to drain; approximate pond depth 16 ft.; emergency over flow into natural waterway in yard; water shed into pond approximately 9 acres; no geothermal feed; distance to nearest certified/non-certified drain is Arthur Kester drain approx.. 1900 ft. south west. The request did receive a favorable recommendation from the Drainage Board on April 4, 2022. Board members discussed the over flow and drains. Mr. Vogel asked for any questions or comments, there were none. The Board proceeded to vote, Mr. Thrush tallied the votes, the request was approved.

Mr. Vogel: next on the agenda is SE #5, Brent McKillip for construction of a pond in Lagro Twp. Mr. Howard gave the Board members the following information: Mr. McKillip resides at 3325 E. Baumbauer Rd., Lagro, he will be doing the construction with the assistance of Troy and Scott Eads; seeking a variance to be 35 ft. from the east property line; no flood plain or flowage easement involved; .3 acres water surface area; dam will be approximately 150 ft, base width 50 ft., top width 12 ft.; over flow size is one 8” outlet pipe; outlet drain information, 6” tile approximately 430 feet west of dam; maximum pond depth will be approximately 20 feet; emergency overflow, yes to the south side of pond to natural flow; water shed into pond approximately 4 acres; no geothermal feed; distance to nearest certified/non-certified drain is 400 ft. west to an unknown water outlet. Board members reviewed the aerial photos and information on the pond. The request did receive a favorable recommendation from the Drainage Board on April 4, 2022. Mr. Vogel asked for any questions or comments, there were none. The Board proceeded to vote on SE #5, Mr. Thrush tallied the votes, the request was approved.

Mr. Vogel: next on the agenda is SE #6, Kraig Musselman for storage unit facility in Paw Paw Twp. Mr. Howard gave the Board the following information: Mr. Musselman resides at 7530 W St. Rd. 16, Roann: the storage unit facility would be located to the east of his residence on a 57.9 acre parcel he owns; the total area would cover approximately 230 ft x 500 ft and would be located at the back (north) of the property; would start with 1 building, with the possibility of adding 3 more; the units would be 150 ft x 30 ft, 30 individual units per building; a survey of the property was completed by John Stephens Surveying which shows where a wastewater easement goes through for the town of Roann. Mr. Bruce Shaw from the town of Roann said that he would agree that is the location of the easement and the storage units wouldn't be a problem with the easement, there is concern about a 2" plastic line that would run through the area of the storage units, Mr. Shaw said he hopes to relocate that line noting that he does have to have approval from the Roann Town Board. Mr. Musselman stated that the buildings won't be on top of water or sewage lines, there is an established driveway into the field and he will continue that drive to access the units; there will be power for outside lighting and an office area but not to each individual unit. Mr. Shaw asked if there are 4 buildings, where will the runoff water go? Mr. Musselman said that the ground is sand over gravel and he is not planning on paving the area around the buildings. Mr. Vogel asked if there were any questions or concerns, there being none the Board proceeded to vote. Mr. Thrush tallied the votes; the request was approved and would cover the project up to 4 buildings. Mr. Howard told Mr. Musselman that the Plan Commission office can issue a building permit once he receives the State Design Release permit.

Mr. Howard gave the following updates:

- Gave BZA members a copy of the amended Wabash County Solar Ordinance, this has been approved by the Plan Commission Board and the Wabash County Commissioners.
- Continuing to work with Mr. Downs on the County Ordinance draft.
- Board members were given a copy of the draft of Imagine One 85. Representatives from the Community Foundation and Grow Wabash County attended the April 14th meeting of the PCB to apologize for any misunderstanding regarding the plan to become a Comprehensive Plan for the entire county and all incorporated towns, replacing any existing Comprehensive Plans that are already in place in the county and towns. Board members were encouraged to review the Imagine One 85 draft and to be in touch with Mr. Howard prior to the May 5th PCB meeting with any concerns or questions they may have. Members of the Community Foundation and Grow Wabash County will be present at the May 5th PCB meeting to discuss the plan and any concerns that are brought to light.
- Complaints: Matthew Miller at Sandy Beach, clean-up of property; 2 properties in Servia have been razed and cleaned up by Eads Bulldozing.
- Mr. Milam has agreed and been approved by the PCB to complete the term of Susi Stephan on the Plan Commission Board.

There being no further business Mr. Vogel asked for a motion to adjourn. Mr. Younce made the motion to adjourn, seconded by Mr. Dale. The meeting adjourned at 8:20 pm.

Libby Cook
Secretary, Wabash Co. Board of Zoning Appeals
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