

# ***WABASH COUNTY PLAN COMMISSION***

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## **BZA MEETING MINUTES** **MAY 26, 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: Mark Milam, Don Roser, David Schuler, Joe Vogel, Jerry Younce and attorney Larry Thrush

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

Mr. Milam motioned to approve the April 28, 2015 minutes as written.  
Mr. Roser second.

Robert Newman; SE #5, pond  
1657 S 300 E, Wabash, IN  
Part of the Southwest ¼ of Section 10, Township 27N, Range 7E,  
Lagro Township, Wabash, IN. 153.61 acres

Robert and Michelle Newman were in attendance.

Mr. Howard explained the proposed pond will be north of the current drive and is located within a 25 acre area of the parcel.

Aerial maps of the property were given to Members for review.

The pond will have approximately 2.5 acres of water area. There is no floodplain or flowage easement issues for the area.

All setbacks are satisfied.

Water shed to the pond is around eighty acres. Most of the watershed is from the north and is mainly coming from his property stated Mr. Newman.

The dam will be approx. 400 feet in length, around 40 feet wide at the base and 10 feet wide across the top of it.

The overflow will consist of a 12 inch culvert pipe that will drain into a culvert pipe that runs under the drive. Mr. Milam asked if there will be a cross tile to the existing pond.

Mr. Newman responded that overflow will be directed to culvert under drive and then to existing pond which overflows into a creek.

The emergency overflow will be approximately 12 feet wide, 6 inches higher than culvert pipe and 6 inches lower than the top of the dam.

Board Members proceeded to vote.

Mr. Thrush tallied votes; 5-0, in favor.

Special Exception #5 approved.

Westchester Services; SE #6, cell tower

7811 W 1200 N, Silverlake, IN

Part of the Northwest ¼ of Section 2, Township 29N, Range 5E,

Pleasant Township, Wabash County, IN. 47.78 acres.

James Grzenia and Jack Aureima, Jr. were in attendance representing Westchester Services.

Mr. Grzenia presented site location and tower specs to Members.

They have been contracted by S & R Communications to construct the tower.

Rochester Telephone Corporation (who provides service to the area) is one of the carriers leasing the tower.

The tower will be located outside the Disko area and is one of a series of towers to be placed within the Fulton / Kosciusko / Wabash County area.

Mr. Vogel asked if the tower structure was similar to the ones approved near N. Manchester and Lafontaine.

Yes it is stated Mr. Grzenia. It will be a 300 Ft guide tower just like the others.

The tower will be 350 Ft from the road, 500 + Ft from the West property line, 350 Ft from the South property line, and approx. 1800 Ft from east line.

A copy of the lease agreement has been provided.

No further discussion, Board Members proceeded to vote.

Mr. Thrush tallied votes; 5-0, in favor.

Special Exception #6 approved.

Kenneth Miller, SE #7, mobile home re-locate

6251 S Meridian Rd, Wabash, IN

Part of the Northwest ¼ of Section 6, Township 26N, Range 7E,

Liberty Township, Wabash, IN. 3.42 acres.

Mr. Miller was in attendance.

Mr. Howard explained that Mr. Miller would like to re-locate the mobile home currently located behind his residence at 6552 S State Rd 13, Wabash to 6251 S Meridian Rd, Wabash.

The mobile home meets the requirements of the county ordinance.

Mr. Miller stated one reason for the move is because they are running out of room at the current location because of business expansion. Also conduit, wiring and misc. were stolen from the grain bins a couple years ago and having the mobile home at the proposed site would improve security.

An employee will be purchasing the mobile home. The Septic and well will be installed and the employee will pay lot rent in order for Mr. Miller to recover his expenses for the septic and well. The parcel size is 3.42 acres and has room for the mobile home without applying for any Variances from setbacks. The Septic must be approved.

You are going to charge lot rent and the employee is currently purchasing the mobile home from you asked Mr. Milam. That is correct said Mr. Miller.

Mr. Howard read stipulations that the Plan Commission Board suggested be placed on the S. E. Application.

1. No unlicensed vehicles parked outside
2. Mobile home is not to become a rental
3. If the property is sold, the mobile home must be removed before selling.
4. Mobile home must be removed from the property when use ceases.
5. If mobile home owner leaves mobile home, the unit will be removed by land owner.
6. Septic and well must be installed before mobile home is placed on the property.

Will the existing drive be utilized?

Yes said Mr. Miller.

Nancy Radabaugh was in attendance and stated that she was opposed to the mobile home. There is a home located south of her residence and west of the grain bins that was tore down and never cleaned up. She has concerns that the mobile home would also become a nuisance.

She also stated that she was in the process of selling her home and this would lessen the value of her property.

Matt Whitesell wanted to know if the mobile home would be allowed in the new county ordinances.

Mr. Howard responded that this would be considered a permanent residence and in the new ordinance and would not be allowed in an Ag 1 zone. It might be permissible in an Ag 2 zone as a temporary or accessory use. The new ordinances only allow mobile homes in Residential, Lake Residential Zones or mobile home parks.

Mr. Whitesell asked when the new ordinances will be in effect.

Mr. Howard wasn't sure of an exact date. Board Members are still reviewing. After that, a public hearing date will be set, and then it will go to the Commissioners and then incorporated towns for approval.

When was the last time a mobile home was allowed as a residence that wasn't for an elderly parent or temporary use?

We have had a few during my time here, but those were for family members or parcel owners, which is different than this request. Mr. Howard also mentioned that one thing to considered is that this mobile home is already in the county and they are not bringing a unit into the county. There were not any mobile home applications in 2014 in the county this year, but there have been a couple that were approved in the northern part of the county in the last couple years.

There are 2 S. E Applications for mobile homes on the agenda for next month.

If the employee leaves, the mobile home would be removed, correct?

Yes.

Mr. Whitesell farms the ground around the parcel and thought the stipulations were good but there is nothing to prevent trash from the mobile home ending up in the fields.

Mr. Howard thought that was a concern but was taking Mr. Miller on his word that the mobile home would be maintained and kept up. We have dealt with those issues in the past.

Could maintenance of the property be added as a condition?

Yes, you can add any condition you want to, stated Mr. Thrush.

Will this be a rental?

Yes, the rent is to recover the cost of the septic and well.

Mrs. Radabaugh asked what the year of the mobile home was.

1989 said Mr. Miller.

Mr. Howard stated that the 2012 Commissioner's Ordinance regarding trash could be added as a condition and stated it would be strictly enforced.

As far as cleaning up properties in the county, such as the one south of Ms. Radabaugh, the county is so limited on funding and what little money there is has been directed to be used for properties in the rural towns.

Mr. Milam clarified that the special exception (with restrictions) was for Mr. Miller's employee who is purchasing the mobile home but if that employee was no longer with Mr. Miller, the mobile home would be removed.

The S. E is for Mr. Miller as land owner. If employee is terminated it is between him and Mr. Miller what happens to the mobile home. If the person purchasing mobile home leaves or abandons mobile home Mr. Miller must remove mobile home from property.

Could the mobile home be upgraded?

Once it was there, yes it could be upgraded.

No further discussion, proceed to vote.

Mr. Thrush tallied votes; 3 not in favor, 2 in favor.

Special Exception #7 denied.

Mr. Miller can re-apply for the special exception after a period of one year.

Ryan Donaldson, Variance #3, CFO setbacks

7131 N State Road 15, Wabash, IN

Part of the Southwest ¼ of Section 29, Township 29N, Range 6E,

Paw Paw Township, Wabash County, IN.

Ryan Donaldson and Mike Veenhuizen (Engineer from Livestock Engineering) were in attendance.

Mr. Howard explained that Ryan Donaldson would like to construct a CFO with 2 - 121' x 285' buildings, (one now one later) on ten acres that will be split from a parcel owned by Larry Donaldson (Ryan's grandfather).

Required notifications were sent to neighboring property owners and the legal ad was published in the paper.

It meets the 1320 foot setback requirement from any residences in the area. Proposed property line setbacks are closer than 300 feet which is the reason for the Variance.

There is an old rail road bed which has been vacated to the Donaldsons that they want to utilize for the drive from State Road 15 to the buildings. All property surrounding the proposed 10 acre parcel is owned by Larry Donaldson.

There is a large wooded to the east of the building site. Trees run along the old railroad line that will provide screening to the south of the buildings. Mr. Veenhuizen proposed screening on the North side of the buildings and wants to leave the parcel open to the west for ventilation purposes. The buildings will pick up air from the west and exhaust it into the woods on the east end.

Board Members were given areal maps detailing the proposed CFO with setbacks. Members also received different plot plans with different acreages and setbacks for comparison.

Mr. Veenhuizen stated under the proposed plan of choice the buildings would be more than 1320 feet from a residence.

The access drive will be the old railroad bed and will be 50 feet wide and approx. 1000 feet long.

With the reduction of the property line setbacks, the total acreage will be 10 acres, otherwise 22 acres would be required with a 300 feet setback.

Reducing the property line setback conserves agriculture ground stated Mr. Howard.

The proposed property line setbacks will be 100 feet from the north, 100 feet and 137 feet from the east, 150 feet from the south and 170 feet and 132 feet from the west line.

There is a County ditch (John Fisher) which runs in front of the west side of the woods to the east. The buildings must be a minimum of 75 feet from the ditch.

The CFO application to IDEM is for two structures but only one will be built at this time.

Kevin Cordes said that he has known Ryan since he was young and thought he was very capable, energetic and hardworking and it would be a disservice if he wasn't allowed to go forward with this project.

Mr. Milam asked if the Surveyor's Office approved of the County ditch that close to the buildings.

Mr. Howard stated that the County requires that structures be a minimum of 75 feet from the ditch. IDEM requires 50 feet setback from a county ditch. The 75 foot setback will be used.

Mr. Veenhuizen stated that there would be a perimeter drain around the building to capture water and move it away. There will also be something in place to monitor the water levels around the building.

No further discussion, proceed to vote.

Mr. Thrush tallied votes. 5-0, in favor.

Variance #3 approved.

Mr. Howard updated Members regarding the new ordinances.

Plan Commission has been reviewing and has made some changes to the ordinances. He encouraged Members to let him know of any concerns they might have after reviewing it. Any issues would be easier to address now rather than later.

No further business, Mr. Schuler motioned to adjourn.

Mr. Younce second.

8:10 PM

*Joe Vogel*