

# ***WABASH COUNTY PLAN COMMISSION***

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## **BZA MEETING MINUTES** **APRIL 28, 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, and Jerry Younce

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

Mr. Milam motioned to approve the February 24, 2015 minutes as written.  
Mr. Roser second.

William Mc Kinney; S. E. #4, Placement of a mobile home in an R2 zone.  
Part of the Northern ½ of Section 10, Township 29N, Range 6E.  
Sandy Beach, Lots 158 and 159, Pleasant Township, Wabash County, IN.  
Bill and Lois Mc Kinney were present.

Pictures of the 2006 mobile home they are purchasing were presented to Board Members.

Mr. Howard stated that the mobile home will be a rental and will be placed on lots that the Mc Kinney's have purchased and cleaned up. They would like to eventually replace the mobile home with a modular. The lots are located behind the Mc Kinney's current residence.

Was there a mobile home on the lots previously that was torn down?

Mr. Mc Kinney stated that he did tear down a mobile home but it was on a different lot which is on the other side of his residence. There hasn't been a structure on these lots for approximately 20 years.

There is a couple wanting to rent the mobile home, one of them is handicap.

Mr. Howard said he has no problems with the Mc Kinney's plans, they are trying to clean up the area. The addition of any residence in Sandy Beach will benefit the new sewer system to which will help keep rates down.

The Mc Kinney's also have a lot which has a mobile home that will be razed and a newer unit placed in the future.

Mr. Vogel asked if there were any further questions or discussion.

Mr. Howard read the restrictions that will be placed on the property:

1. No unlicensed vehicles shall be parked outside.

No further discussion, proceed to vote.

Vote sheets were passed to Members.

All approved 5-0.

Special Exception #4 passed.

Harrell's Home Salvage, Steve Harrell; Variance #1, setback

3090 E 1000 S, Lafontaine, IN 46940

Part of South West  $\frac{1}{4}$  of Section 22, Township 26N, Range 7E, Liberty

Township, Wabash County, IN. 4.855 acres. Zoned agriculture.

Steve Harrell and Barry Bunnell were in attendance.

Mr. Howard told Members that Mr. Harrell would like to split his 4.855 acre lot and sell the front half to his son-in-law and he would retain the back half. The split parcels would contain almost 2 and half acres each.

A variance is required because the proposed property line runs through two buildings (dividing them separately) that are connected, which creates the setback issue.

Mr. Harrell wants to use the existing drive and establish an easement to the east side of the front parcel for access to the back parcel.

There is a well and septic on the front parcel.

Board Members questioned if there was anything in writing addressing issues such as maintenance of the buildings.

Mr. Harrell replied that the contract will state that his son-in-law will be the first one to have the chance to purchase the back lot if he decides to sell it.

Mr. Vogel stated that problems can arise with common drives, such as one might want a paved drive and other person disagrees.

Mr. Howard thought that a contract should include details on maintenance of the buildings and also use of the easement to avoid conflicts that might come up in the future if the property were to sell to someone other than family.

Barry Bunnell questioned if there was a minimum width for the easement.

Board Members stated that easements are usually 50 feet but can be subject to available area.

Mr. Harrell stated that the 40 x 40 back building will be used for storage along with a couple semi-trailers also used for storage on the back lot.

If something would happen to either of buildings that are connected, they would be considered non-conforming and therefore have to conform to current setbacks if they would be replaced.

No further discussion, proceed to vote.

Vote sheets were passed to Members.

All approved 5-0.

Variance #1 passed.

Todd Kline; Variance #2, setback

2325 E 200 S, Wabash, IN 46992

Part of the Northwest ¼ of Section 28, Township 28N, Range 7E.

Lagro Township, Wabash County, IN. 23.64 acres. Zoned agriculture.

Todd Kline was in attendance.

Mr. Howard explained that Mr. Kline would like to split 2.07 acres out of the 23.68 parcel that he owns. His son would like to purchase the parcel with the house and pond and he would like to keep the 2.07 acre parcel to build a house on in the future.

A variance is required since the proposed property line setback is closer than 100 feet from the pond.

There is no setback for a residential structure from a pond.

Mr. Milam asked where the outlet was for the pond.

It's located on the northeast corner of the pond, and goes under the drive and then to emergency outlet stated Mr. Kline.

Mr. Roser asked if there would be any way to move the property line to the west to keep it from going through the pond. There might be issues down the road with the property line running through the pond.

Mr. Kline stated that he did not want to move the line but instead would be willing to fill in the pond area over the proposed line to keep the property line out the pond. He didn't think the property line as drawn was actually through the pond but ran across the levy (edge) of pond.

Mr. Milam thought there could be liability and access issues along with possibly higher insurance costs for the 2.07 parcel owner even though there was just a small portion of the pond within the property line.

Mr. Bunnell thought that access to the pond could be addressed as a stipulation in the deed which would run with the property.

Mr. Roser questioned whether having it recorded in the deed would be enough.

Is there any way to draw the property line around the edge of the pond?

Mr. Kline stated that he would rather fill in the pond.

Board Members agreed to Mr. Kline filling in a portion of the pond enough to keep the property line out of the water body.

No further discussion, proceed to vote.

Vote sheets were passed to Members.

All approved 5-0.

Variance #2 passed.

Mr. Howard passed out a proposed permit fees schedule for the new ordinance draft. Members can review and discussion will take place in the future.

No further business, Mr. Younce motioned to adjourn.

Mr. Roser second.

Meeting adjourned.

*Joe Vogel*