

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION **BOARD MEETING MINUTES**

May 4, 2017

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

Present: Curt Campbell, Randy Curless, Patty Godfroy, Doug Rice, Christian Rosen, David Schuler, Cheri Slee, Joe Vogel, Attorney Larry Thrush, Sharon Newhouse, Chris Newhouse, Scott Harris, Barrie Bunnell, Rick Fisher, Mark Guenin, Natalie Unger, Sean Unger, Sam Unger, Deanna Unger, Mike Wendt, Donna Wendt, Mike Howard Plan Director, and Libby Cook Secretary

Vice Chairman, Doug Rice, called the meeting to order at 7:00 pm. Mr. Rice asked for a motion to approve the minutes of the April 6th meeting. Joe Vogel made the motion to approve the minutes this was seconded by Christian Rosen. The minutes were approved as written.

Mike Howard, the first item on the agenda is Special Exception #4, Sharon Newhouse is requesting to place a mobile home on her property located in an Ag zone for her son. The septic system has been inspected and approved. Ms. Newhouse is also requesting a Variance from the road setback due to the location of the septic system and the well

Curt Campbell, will this be a temporary placement of the mobile home?

Ms. Newhouse, it is permanent.

Curt Campbell, in our past practice has permanent placement of a mobile home been acceptable?

Mike Howard, this case is a little bit different, we usually permit a mobile home for 2 - 3 years where the landowner would intend to build a permanent structure. The property and mobile home are deeded/titled to Sharon Newhouse. The one thing I

would recommend that we do is to put certain conditions on the Special Exception, such as: No unlicensed vehicles parked outside the home, the mobile home is not to become a rental unit, if the property is sold the Special Exception does not transfer to the new owner, the mobile home will have to be removed before selling. The Special Exception is only for the owner, it does not go with the land but with the ownership, or the new owner would have to come back before the Board for a new Special Exception request .

Mr. Rice, do we have a motion on this Special Exception request?

Mr. Howard, one other condition is that the mobile home is to be removed when the need no longer exists.

Joe Vogel made the motion to give a favorable recommendation to the Board of Zoning Appeals. The motion was seconded by Christian Rosen.

Curt Campbell, we have never done this in this way, the mobile home was a temporary thing until a new structure was built.

Mike Howard, that is what we have been working toward, however there is nothing in our ordinance stating that it has to be that way. It has been a few years since we have had a S. E. request for a mobile home with no intent to build, but we have had them and approved them.

Mike Howard, I will add to the conditions that when the property would transfer from Sharon Newhouse to her son Chris that the mobile home would have to be removed. Ms. Newhouse will need to appear before the Board of Zoning Appeals on Tuesday, May 23 at 7:00 pm. for final approval.

A roll call vote was taken and the motion passed

Mike Howard, next on the agenda is discussion by representatives of Legacy Ridge Subdivision and Unger Mountain regarding the split of a parcel within the subdivision.

Mr. Mark Guenin, representing Unger Mountain, stated that my daughter Emily Guenin-Hodson and Mr. Fisher have met and have come up with some positive and constructive ideas that have led to a basic framework. Attorney, Doug Lehman will be filing the paperwork for the Unger's. Mr. & Mrs. Brad Farlow are in agreement with the applications that we will be filing. We are working with Attorney, Mr. Rick Fisher on how best to settle this. We are working with Mr. Fisher to take care of the concerns of the neighbors.

Mr. Rick Fisher informed the Board that at this time they are discussing re-platting the subdivision to change it from 3 parcels to 4. The Farlow's have deeded off 1.55 acres of their parcel down over the hill to the Ungers. We are talking about re-platting to make

that parcel lot 4 of the Legacy Ridge of the subdivision. The covenants for Lot 4 would contain some restrictions that would apply only to lot 4. The Unger's understand that they will need to apply for Variances covering such items as height limitations, setback, parking, screenings, noise, lights, hours of operation, etc. One proposal is to plant some trees going up the hill.

Mr. Guenin, Emily Guenin-Hodson and Mr. Lehman are working on this and will get back with me then we will go forward. We will work quickly due to the investment that the Unger's have made into the facility and it is a seasonal operation.

Mr. Howard addressed those concerned, regarding fencing. Unger Mountain, (a 50' tall climbing wall) would be considered a Commercial Recreational Enterprise (a fee charged for using the facility). By the Wabash County Ordinance the area to be used for the business would need to be fenced as specified in the ordinance.

Mr. Guenin stated that this is a tower built on a triangular base that is 50' tall, fencing would not be necessary.

Sean Unger gave an explanation of the climbing wall. By insurance standards ten feet of the wall has to be inaccessible when not in operation. Our contractor went eleven feet with removable hand holds.

Mr. Fisher asked about the purpose of the fencing.

Mr. Howard, I am not saying that it has to be fenced, but the Wabash County Ordinance states that a business of this type is required to have fencing. It would require a Variance not to be fenced.

Joe Vogel stated that the fencing would serve as a barrier for the surrounding property owners.

Mr. Guenin stated that the business will be open by appointment only, the way it is naturally located people should not be able to wonder around. They will have to have so many employees and only a certain amount of people can be there at a time, that is why it will be by appointment only.

Joe Vogel asked will it be open on weekends, and evenings? What about lighting?

Mr. Guenin, they don't want to do anything after dark.

Mr. Fisher, we have been discussing things such as lights, noise, hours, seasonal operations, cooking of food. Think about 3 of the 5 senses, smell, sight, and sound.

Sean Unger stated that there is a drainage ditch for Legacy Ridge that would act as a natural barrier, there will be a security light on the building not on the tower.

Mr. Howard asked if there were any further questions.

Sam Unger asked about paving of the parking lot.

Mr. Howard, I just included all of the information contained in the Ordinance regarding this type of business. If it would develop into a lot of traffic there would be the dust factor for the surrounding properties. I think that would be something that the Board might require.

Sam Unger, I just don't want more runoff from a paved lot onto my fields.

Mr. Howard, we will look forward to hearing from all parties with a final presentation for the board to consider.

Mr. Howard, the next item on the agenda is the Wabash River Trail (WRT). No one was present to speak on the proposed trail plan. Mr. Howard informed the Board that the State permit for the Boat Ramp located in Lagro was received from the state. The permit was held for the 18 day waiting period to see if an appeal was filed at the end of that time I contacted Laura Kannapel at the state level and was told that there was nothing filed at that time and it would be okay to issue our County permit. The stop work order on the boat ramp was rescinded on April 21. An appeal has been filed. The Plan Commission office received a notice of an Appeals Hearing on Thursday, June 1st in Columbia City. There will also be a Public Hearing regarding the WRT bridge over Lagro Creek on Wednesday, May 17, 2017 at the Wabash Middle School auditorium. The Wabash River Trail group will have an informational Community Meeting on Monday, May 8th at 6:00 to discuss plans and concerns for the Wabash to Lagro and Town of Lagro portions of the proposed trail.

Doug Rice, do they just not want the trail? People are concerned about the WRT using Imminent Domain to acquire the property.

Mr. Howard, the RDA has stipulated that the Wabash River Trail organization cannot use Imminent Domain to acquire property.

Mr. Howard, next on the agenda are updates on the following concerns:

- Shirley Marshall property in Lagro, Ms. Marshall has been contacted by the Circuit Court of Wabash County regarding the demolition of the unsafe premise deeded in her name.
- Joseph Bradley property in Laketon, the property deed has been transferred to Cindy Hall, one of the co-owners of Manchester Inc. and work on removal of the structure has begun.

- Kris Marshall property in Servia, a summons will be served to Ms. Marshall at the address of her daughter and son-in-law where she is staying.
- David Francis property in Servia, Mr. Francis has until mid May to have the building secured and mow/clean up the outside property.
- New Ordinance Book, reviewed the proposed point system for residential building in Ag zoned areas. Due to some recent conversations, I have added two new sections under Industrial, these are brewery and winery.

Joe Vogel, I think we are near completion with the new Ordinance Book.

Mr. Howard, agreed with Mr. Vogel, then asked Mr. Thrush when the Incorporated Towns of LaFonatine, Lagro and Roann would have to review the ordinance and give their approval.

Mr. Thrush, I think those corporate town representatives as well as the Wabash County Commissioners would have to give their approval.

Mr. Howard, we will also update the orthos in the Ordinance to the 2016 orthos. We will post on the website for public review, put a Public Notice ad in the newspapers and notify adjoining counties prior to the public hearing for final approval.

- Filling the vacancy on the Board of Zoning Appeals, the ballots have been gone over and we will be contacting those people listed on the ballot to see if they are interested in serving on the Board.

There being no further business, Mr. Rice asked for a motion to adjourn. Curt Campbell made the motion to adjourn, this was seconded by David Schuler.

The meeting was adjourned at 8:00 pm.

Libby Cook
Secretary, Wabash Co. Plan Commission