

# *WABASH COUNTY PLAN COMMISSION*

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## **WABASH COUNTY PLAN COMMISSION** **BOARD MEETING MINUTES**

**February 1, 2018  
Wabash County Plan Commission Board  
Wabash County Court House  
Wabash IN 46992**

**Board Members: Curt Campbell, Randy Curless, Scott Givens, Patty Godfroy, Doug Rice, Christian Rosen, David Schuler, Cheri Slee, Joe Vogel, Attorney Larry Thrush, Plan Director Mike Howard, Secretary Libby Cook**

**Present: Curt Campbell, Randy Curless, Scott Givens, Patty Godfroy, David Schuler, Cheri Slee, Joe Vogel, Larry Thrush, Mike Howard, Libby Cook**

Scott Givens, Chairman, called the meeting to order at 7:00 pm. Mr. Givens asked for a motion to approve the minutes of the December 7, 2017 meeting. Joe Vogel made the motion to approve the minutes as written, this was seconded by David Schuler. The motion passed.

Mr. Givens: The first item on the agenda is the election of officers for the Advisory Plan Commission Board for 2018.

Joe Vogel made the motion to retain present officers. Randy Curless seconded the motion. The motion carried unanimously. Officers for 2018 will be: Chairman, Scott Givens; Vice Chairman, Doug Rice; Secretary, Libby Cook.

Plan Director, Mike Howard, gave a review of the year end reports for the Plan Commission Office. Mr. Howard covered items such as the total number of permits issued, permit income, averages for permits and fees over recent years, and an update on complaints filed, in 2017 we addressed a total of 58 complaints, 47 were new complaints, 11 were complaints carried over from 2016, we have carried over 7 complaints from 2017 into 2018, we have resolved 51 complaints for the year. .

Mr. Howard then gave updates on four unsafe premise orders in Urbana:

- Don Harney property in Urbana: Mr. Harney has been in contact with the Urbana Volunteer Fire Department regarding the possibility of the fire department using the

house and the garage for training purposes. Mr. Howard has also been in contact with the fire department, they are interested in burning the structure, they will work on getting it scheduled weather permitting. Mr. Harney has assured Mr. Howard that he will make sure the property will be cleaned up of all debris after the fire and the lot will be seeded in grass. Mr. Vogel stated that he feels that there should be stipulations put on the property once the structures are down so that we don't get into this problem again. Board members agreed to proceed with this demolition process.

- Chris Shelton property in Urbana: The Urbana Volunteer Fire Department is willing to burn this structure for training purposes. This property was condemned by the Wabash County Health Department in 2008. Nobody could live in that house until repairs were made and a complete home inspection by a licensed professional was satisfactorily completed. This, to date, has not been done. The Shelton property is in default of the mortgage, I have been in contact with the mortgage company out of Huntington to notify them of the unsafe premise order. Mr. Thrush asked if the mortgage company has foreclosed on the property? Mr. Howard has not found anything indicating foreclosure, The property is still deeded to Mr. Shelton. Mr. Givens asked if the Urbana Fire Department should post a sign on the house and garage that the structures are being destroyed? Howard stated that will be done. Board members agreed to proceed with the demolition process.
- David Moser property in Urbana: Mr. Thrush stated that in October of 1999 the Court permanently enjoined David and Mary Moser from maintaining any uncommon or unsightly accumulation of junk, clutter or other material on the real estate commonly known as 170 N. First St. On December 19, 2003 Moser's were found in contempt of court for disobeying the order, they were again found in contempt July 27, 2009, the court suspended a 60 day jail sentence. On Aug 28, 2009 the court found him in contempt again and left the 60 day sentence suspended. The Moser's are not living in the structure that we are talking about, they are purchasing another home on a contract. Mr. Howard shared pictures of property indicating that not much has been done as far as clean up or repairs. As stated during the December meeting the board needs to get a group together, include the Health Department, and go look at the property. Have we given him enough time and want to proceed with an order? There is concern that Mr. Moser has personal property on the Harney and Shelton properties. Board member, Patty Godfroy stated that she feels that as a Board, Mr. Moser should be informed that the Shelton and Harney structures are being burned and that he has until that day to remove any personal property from those structures. Mr. Howard said that as a courtesy we would send a letter to all neighbors stating that if you have anything on this property it needs to be removed prior to the date of the fire department burning. Mr. Givens asked if we can have the Sheriff Department tag any unlicensed vehicles on the properties? Mr. Howard replied that we could and should request that all the unlicensed vehicles on these properties be tagged.
- Alan Jachinski property: Mr. Howard shared pictures of the structure, there is just a small area that the new siding has not been installed yet. New steel siding, a sliding door on the side and a new front door have all been installed. The Board was pleased with the work that has been accomplished. Mr. Howard will follow up to be sure the job is completed otherwise the board may consider the matter closed.

County Surveyor, Cheri Slee, stated that the problem in this area of Urbana has been the flash floods that have happened this past year.

Mr. Howard: the next item is the Rob Kowalczuk property located at 270 Main St., Lagro. Mr. Kowalczuk came in to the office last April (2017) to apply for a building permit for a new home on this property. Mr. Kowalczuk's plan was to build the new home behind the house that is already there, then tear down the old house. The permit is good for one year and will expire April 6, 2018. Mr. Kowalczuk asked at the time he was applying for the permit if he was allowed to purchase a utility building and put it on the property to store equipment? He was told that he could do this, but he would need a permit for the utility building. The office received a call regarding a 12 x 32 utility building at the front of the lot, Mr. Kowalczuk was remodeling the building as a living space. No permit had been issued for this building. We sent a letter regarding the violations, Mr. Kowalczuk came in to the Plan Commission office to discuss the matter. He was granted use of the wooden utility building as temporary housing for 180 days during construction of the new home, April 6, 2018 is the deadline for the temporary housing to be used. Mr. Kowalczuk was told that if he intended to build the new home over the existing old house he had to have the old house down and removed. Mr. Kowalczuk said that he could have the old house down in 45 days, which would be Nov. 30. This was not done. By court order Mr. Kowalczuk was given until December 24, 2017 to have all debris from the old house removed from the property. Mr. Howard shared photos that showed clean-up is not complete as of 1/31/2018. Mr. Kowalczuk is reportedly telling neighbors that when he gets the old house cleaned up he plans to move the utility building to the foundation and live in it. This would not match anything on his permit application. The utility building does not meet the minimum square footage requirements for a residence as stated in the County Ordinance. Mr. Howard will prepare an update of information for Mr. Kowalczuk and have Mr. Thrush review it. Board members agreed to proceed with any additional filings necessary to resolve the matter.

Mr. Howard: the next item on the agenda is the Norine Ramsey property east of Lincolnville. There is a large collection of vehicles on the property. Many of the vehicles are not plated. Ms. Ramsey was sent a letter, we had no response. Board Attorney, Larry Thrush filed legal notice, Ms. Ramsey was served. February 15, 2018 is the deadline for the property to be cleaned up or Ms. Ramsey will be in default. Board members agreed to proceed with any additional filings necessary to resolve the matter.

Mr. Howard: next on the agenda is Randall Davidson and Melody Heister permit for a mobile home. Ms. Heister called to ask about a placing a mobile home on the property owned by her parents. Ms. Heister was told that there were two options, the first one she would need to apply for a Special Exception, if there was an existing mobile home on the property they could do a replacement with an updated mobile home. The original mobile home would have to be removed from the property and they would have to provide septic system approval before proceeding. Ms. Heister came to the Plan Commission Office to request a permit for the mobile home, she could not provide a permit for the septic, photos of the mobile home or a title for the unit. They have brought in a second mobile home without a permit. Attorney Thrush filed for paperwork for the violations. The Davidsons replied to the courts and Mr. Thrush with a response. We are currently waiting for a ruling from the courts.

Mr. Howard: next on the agenda is the property of Nathan Ebert in the Amboy area. Mr. Ebert was ordered to clean up his property in Miami County. Mr. Ebert started moving items from his property in Miami County to his property in Wabash County. He was given a January 11, 2018 deadline to clean up the property in Wabash County. Mr. Howard shared photos showing that as

of 1/31/2018 that no clean-up had been started. Board members agreed to proceed with any additional filings necessary to resolve the matter.

Rick Newsome property in Speicherville, has made improvements in cleaning up the property, but not satisfactorily. More junk has now been brought in. Board members agreed to proceed with any additional filings necessary to resolve the matter.



Mr. Howard presented the Board with the following updates:

- Trail Setbacks, nothing new to report. The Wabash River Trail organization has placed the bridge set over the Lagro Creek.
- Mowing liens, continue to be worked on. Clean up of trash if necessary before mowing. Stack or pile only. Not responsible for mowing service to remove.
- Parcel Review Committee, met recently and we are continuing to work out the details.
- Solar Farm Ordinance, will Wabash County permit a solar farm in an Ag1 zone or will we try to restrict them there. I have been working on a point system to determine appropriate locations. Doesn't work well for this situation.
- In the new ordinance book, in the Development and Subdivision Sections I have written that Preliminary or Secondary plans would be reviewed by the Parcel Review Committee with regard to only making sure that the acreages and lot sizes are correct, and that parcels close. This would be done in conjunction with the Plan Commission.
- Working on a complete list of all the platted areas in Wabash County, taking out Wabash City and the Town of N. Manchester jurisdictional part. Can we list the subdivisions and the platted towns and identify as such in our ordinance?

Mr. Thrush: You can define what a sub-division is for the purpose of our County Ordinance.

Mr. Howard: On Monday, February 5, 2018 I will submit a letter to the Wabash Co. Commissioners requesting that they reaffirm the appointment of David Schuler on the Plan Commission Board as well as the Board of Zoning Appeals.

The Board agreed to assist Sandy Beach Estates with their spring clean-up.

Mr. Curless informed the Board that he has been following the wind farm discussions in Cass, Fulton and Miami Counties. Mr. Curless expressed concerns about these counties filing suit for violations of their wind ordinance. Suggested looking into making the setbacks be from property lines instead of from the residence. Mr. Howard will check into the wording on the WESC Ordinance for Wabash County.

There being no further business, Mr. Givens asked if there was a motion to adjourn. Mr. Vogel made the motion to adjourn, this was seconded by Mr. Curless.

Meeting adjourned at 8:30 pm.

*Libby Cook*  
*Secretary, Wabash County Plan Commission Board*  
*mth*