

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION **BOARD MEETING MINUTES**

March 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, Bill & Lois McKinney, Lowell McKinney, Robert Garrett, Earl & Joan Guingrich

Chairman Scott Givens called the meeting of the Wabash Co. Plan Commission Board to order at 7:00 pm on March 1, 2018. Board members reviewed the minutes of the February 1 meeting. Mr. Givens asked if there was a motion to approve the minutes. Cheri Slee made the motion to approve the minutes, this was seconded by Curt Campbell. The minutes were approved as written.

Mr. Givens: the first item on the agenda is the Special Exception #1 request from William and Lois McKinney in Pleasant Township.

Mike Howard: The McKinney's are requesting to maintain a mobile home on the lots they are purchasing from Earl and Joan Guingrich. In 2015 the Plan Commission worked with the Guingrich's on a Special Exception for the placement of the mobile home on the property located at 9 N. Vacation Way. At this time the Guingrich's no longer have a need for the mobile home or the property. We have worked with the McKinney's on other properties at Sandy Beach and they have been good about making sure that the properties are taken care of. When this 2015 Special Exception was approved one of the conditions that the Board put on the mobile home and property was that if the property were to sell with the intent for the mobile home to remain, the new owner would have to come in and apply for a Special Exception. The McKinney's have rental properties in this area and are interested in purchasing the property and the mobile home to use as a rental.

Lowell McKinney, son of Lois and Bill McKinney, explained to the Board how their rental properties are managed and how the tenants are screened using a website called Landlord Station.com. If a tenant has 4 written complaints against them within a year we move toward eviction.

Mr. Howard: This request is for the mobile home to remain on the lot and the McKinney's to work with the Guingrich's to take ownership. Mr. Guingrich has continued to maintain the mobile home. This is a 14 x 80' mobile home with an gabled roof.

Curt Campbell: Is this area a mobile home park?

Mr. Howard: No, it is Sandy Beach located on the south side of Long Lake. There are several mobile homes in this area, so this would be acceptable.

Curt Campbell: Do you have a renter in the unit right now?

Mr. Lowell McKinney: No, no one is living there now they are still talking over the final details of the purchase. When it is rented out the rent will be paying the mortgage on it.

Mr. Guingrich addressed the Board explaining what he has done over the past 2 years to maintain the mobile home and the property.

Mr. Givens asked the Board if there were any further questions for the McKinney's or the Guingrich's. There being none he asked if there was a motion to give a favorable recommendation to the Board of Zoning Appeals. Joe Vogel made the motion to approve the request for Special Exception #1, this was seconded by Randy Curless. The Board voted unanimously to give a favorable recommendation to the Board of Zoning Appeals.

Mr. Howard informed the McKinney's that March 27th at 7:00 pm would be the next meeting of the Board of Zoning Appeals. At that time the BZA will hear the request and make a determination.

Mr. Howard: the next item on the agenda is complaint updates.

- The unsafe premise order for the Don Harney property in Urbana, the Urbana Fire Department will burn the structure as a training exercise. All utility connections have been removed from the property and it is in the works for the gas line to be retired within the next 10 days. The Chris Shelton property in Urbana is the same situation, it will be burned by the Urbana Fire Dept. also. After the Shelton house is burned and the clean-up is complete we will take that cost and attach it to the taxes as a lien going forward. Letters have been sent to neighbors stating that any items they might have on these two properties will have to be removed prior to the burning.
- The David Mosier property in Urbana, I would like to get 2 to 3 Board members, someone from the Health Department and the Sheriff's Department, we will contact Mr. Moser and go to the house and see about condemning the structure. Mr. Moser has been

saying that he is working on the house since about 1990. Ariel photos of the three Urbana properties were shared with the Board to show the locations of the structures. Mr. Howard said that he could take more photos of the property before the next Plan Commission Board meeting. Board member, Patty Godfroy suggested giving Mr. Moser one final warning. Mr. Thrush reminded the Board that Mr. Moser has previously been found in contempt of court twice regarding the issue, he was given a suspended sentence, the Plan Commission could take him back to court. Mr. Campbell asked if there could be a time set up for a group to go out to look at the property. We will take a couple members of the Board, the County Health Officer, and a deputy. Mr. Thrush stated that the County Health Department would have the right to enter the house. Mr. Howard stated that he would like to have the group visit the properties early in March, then have Mr. Moser appear at the April meeting, if nothing has been done then we would take him to court.

- The Jachinski property in Urbana is not quite finished, Mr. Howard has visited and taken pictures of the structure for the Board to view. It was determined that the property will be in compliance upon completion.
- The Rob Kowalzuk property in Lagro, he had not been doing what he was required to do. Board requested Mr. Thrush to file for failure to comply with order.
- The Ramsey property located east of Lincolnville, Mr. Ramsey came to the Plan Commission office and requested additional time due to health complications. I will create a letter giving the time frame.
- The Davidson property west of Lincolnville, mobile home placed without permit, has an April 11th court date.
- The Ebert property has a March 23 court date.
- The Newsome property, located in Speicherville, has a March 23 court date.
- We have had recent complaints regarding the Jason Peterson property on Swango Lane. Mr. Peterson has been keeping junk cars on the property. He has been sent letters that he is not approved by the county. The letter also noted that in checked with the State of Indiana they do not have him licensed as a car recycler in Wabash County. He has to have a license from the state to do recycling or salvage work like he is doing. If he doesn't take care of it the State could become involved due to the licensing.
- Wabash River Trail, nothing new to report
- Parcel Review Committee, we are continuing to work on that, we are close to having policies ready for the county attorney, Mr. Downs, to review.
- Solar Farms, I would recommend that we stay with the ordinance as it is written. Would we permit a solar farm in Ag1 or Ag2 zones? Mr. Campbell stated that he toured a farm

in Carroll County that is using solar power for their personal use. Mr. Howard stated that when he is talking solar farms he is talking about for commercial use. Mr. Campbell stated that the solar farm would be easier to clean up when it is no longer used, he then asked if there are any solar farms that the Board could visit? Mr. Howard said that there are two in Peru. Mr. Howard asked the Board members if they would allow solar farms in Ag 1 zones, Ag 2 zones or both. One goal of the County Comprehensive Plan is to preserve prime farm ground. Mr. Howard asked the Board members to be thinking about this matter.

- New Ordinance Book, the key thing on the book to look at is the Ag1 and Ag2 zoning, are we going to go with one Ag zone or are we thinking Ag 1 & Ag 2 zones? With 2 Ag zones we would be looking at each property to permit building a residence. With one Ag zone would we allow building in any ag zone? Mr. Howard then called on Board members for their input

Cheri Slee stated that she can see good and bad with both one Ag zone or Ag1 and Ag 2 zones.

Mrs. Godfroy asked what is our mission, our goal? Is our mission to preserve the prime farm ground? Then shouldn't that be our number one priority.

Mr. Howard replied the goals or mission are based off of the surveys and studies that were done for the Comprehensive Plan for the county. One of the highest things that was commented on was the preservation of ag land.

Mrs. Slee asked, why are we wanting to preserve the land, to raise crops for food? If you think of it that way and we say that you can build a 3 building hog house on it you are still consuming that cropland when you could grow food on it. That is where I have a problem with it, a building is a building when you are destroying the ground.

Mrs. Godfroy stated that she feels if our goal is to preserve the land for crop production then that is what we need to focus on. That is what our mission or goal is, that is why we are here.

Mrs. Slee: that is what I thought the whole goal was to preserve that crop ground, so then you would want the two zones.

Mr. Campbell, I think too that the farmer owns the land that is what he wants to do for his living. He will be the one who is going to preserve it. We have so many older farmers who don't have kids who are interested in farming, what are they going to do?

Mrs. Slee, I have so many calls from right now where a corner was sold off and it happened to be the lowest part of the property, you can't raise a crop on it so you sell it off to build a house on it. The house gets built on the lowest part of the ground and then they are calling that the county needs to get out there and do something about the flooding on their property.

Mr. Howard: I understand what you are saying, the thing is you are in a sense developing the poorer quality ground as far as residential. The goal, based on the Comprehensive Plan, is to preserve ag land by essentially reduce residential development in the rural area.

Mr. Curless: I look at this as it is an Ag business zone, whether you are getting a crop off of it or putting a dairy or hog farm on it, that is Ag industry. Preserve the ag zone for ag and keep housing to the Ag 2 zone area. You want ag away from residences. Let ag go ahead and have their industrial zone, and keep residences to type two ag ground.

Mr. Vogel, I agree with Randy Curless.

Mr. Campbell: it promotes our county, the tax base, added employees.

Mr. Curless: A quad hog building will fertilize 400 acres, there is a big benefit, that is 40 to 50 thousand dollars in fertilizer savings. Plus the livestock is consuming ag crops.

Mr. Howard cited article 4.7A in the New Ordinance Draft – Point Factor System. Every parcel located in an Ag 1 or Ag 2 zone selected as a potential site for residential building or non-agriculture related business structure shall be evaluated for use. We would not do anything in that zone that is not agriculture related. On the point system you would only need to achieve 26% of the possible point total to be in the zone and any potential site that comes up within 2 points of being a permitted site will be eligible to ask for a review of the score by the Board of Zoning Appeals.

Mr. Campbell, I am in favor of it.

The general consensus of the Board members present was to go with Ag1 & Ag 2 zone.

Mr. Campbell asked if there were any new home permits issued last year that would not have been permitted if the county was using the point system?

Mr. Howard told the board members that he had reviewed the new home permits issued between 2014 and 2016 and would have to look back to see what the results were. As for 2017 possibly 2 permits might have been an issue. Mr. Howard will review and give an update for permits at the next meeting.

- WECS, Randy Curless has pointed out the legal issues in Miami and Cass Co. regarding setbacks from the wind turbines and a residential structure. We will monitor the progress and see if it affects our ordinance.
- Mr. Howard then addressed article 4.18 of the new Ordinance, Agricultural Non-Conforming Use.

- Mr. Howard then asked that all Board members look through the new Ordinance Book to make sure that we all understand what the intent is and agree with what is in the book before it is published. He will provide board members with key points of the draft to review before the April meeting.

There being no further business Mr. Givens asked for a motion to adjourn. Mr. Vogel made the motion to adjourn, this was seconded by Mr. Curless. The meeting was adjourned at 8:50 pm.

Libby Cook
Secretary, Wabash County Plan Commission Board
mth