

# *WABASH COUNTY PLAN COMMISSION*

*Wabash County Court House*

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## **BZA MEETING MINUTES** **FEBRUARY 26, 2019**

**Wabash County Board of Zoning Appeals**  
**Wabash County Court House**  
**Wabash IN 46992**

BZA MEMBERS: Dan Dale, Mark Milam, David Schuler, Joe Vogel, Jerry Younce, and Attorney Larry Thrush

PRESENT: Joe Vogel, Mark Milam, Larry Thrush, Plan Director Mike Howard, Secretary Libby Cook, Mr. & Mrs. Gary Hiatt, Board Member Jerry Younce participated by phone conference

Board Chairman, Joe Vogel, called the February 26<sup>th</sup> meeting of the Wabash County Board of Zoning Appeals to order at 7:00 pm. The first item on the agenda is Special Exception #1, Gary Hiatt is requesting to construct a pond on his property located at 1863 N 750 E in Lagro Township. Mike Howard provided Board members the following information on the pond: Contractor will be Troy Eads Excavating, approximate water surface area is 1/8 acre, no variances are necessary, flowage easement will all be on the owners property, overflow size is 4" pipe, overflow goes to the property owners grass field, water shed into pond is 1 acre, and the pond will be used for geothermal feed. Board member Jerry Younce, who was participating by phone, had a question about the 4 inch overflow pipe, Mr. Howard answered the question. There being no further questions the Board proceeded to vote, Mr. Thrush tallied the votes. The request was approved.

Mr. Vogel asked if there was a motion to approve the minutes of the November 27, 2018 meeting. Mr. Younce made the motion to approve the minutes; this was seconded by Mark Milam. The minutes were approved as written. Mr. Vogel then opened the floor for nominations of officers for 2019. Mr. Younce made the motion to retain the current officers for the coming year; this was seconded by Mr. Milam, the motion carried. Officers for 2019 will be: Joe Vogel, Chairman; Mark Milam, Vice Chairman; Libby Cook, Secretary.

Mr. Howard reviewed the year end reports for 2018. There were 65 complaints in 2018, 7 of these were carry overs from 2017. Eight complaints were moved to 2019 leaving 57 complaints resolved. Five of the complaints that were moved to 2019 were for unsafe premise orders. Information was provided to the Board members covering the following data from 2018: annual

permit income, permits by permit type, 10 year overview of permits, and the unsafe premise fund. Mr. Howard then gave a review of current complaints.

Mr. Howard informed the Board that he has had an inquiry about whether it would be permitted for an individual to sell cars from the Tom Whybrew property located at 5094 W St. Rd. 16, Roann. The property is zoned general business, so this would be permissible. Board members made the following recommendations for the property owner: complete a written agreement between the deeded property owner and the proposed tenant regarding the use of the property; the BZA would recommend no more than 3 vehicles be displayed on the property at any given time; advertising (signs) would need to meet State requirements as the property is located on a state highway; depending on the volume of sales, type of vehicles being offered, (used vehicles, re-purposed vehicles, salvage vehicles, etc.) there are numerous State regulations and licensing requirements for property owners and dealers of automobiles that must be strictly adhered to and the Board will require those conditions to be followed; the Board expressed concerns regarding keeping the property free of an accumulation of miscellaneous vehicle parts and items Mr. Whybrew or the tenant may inherit through business transactions, a salvage yard will not be acceptable on the property.

There being no further business Mr. Vogel asked for a motion to adjourn. Mr. Milam made the motion to adjourn; this was seconded by Libby Cook. The meeting was adjourned at 7:50 pm.

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