

WABASH COUNTY PLAN COMMISSION

Wabash County Court House

One West Hill Street

Wabash, IN 46992

Telephone 260-563-0661 EXT 1252, 1267

Fax 260-563-5895

plandirector@wabashcounty.IN.gov

BZA MEETING MINUTES **JUNE 25, 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, Jerry Younce, Dan Dale, Larry Thrush, Plan Director Mike Howard, Keith Shepherd.

Board Chairman, Joe Vogel called the June 25th meeting of the Wabash County Board of Zoning Appeals to order at 7:00 pm. Mr. Vogel asked if there was a motion to approve the minutes of the May 28th meeting. Jerry Younce made the motion to approve the minutes as written; this was seconded by Mark Milam. The minutes will stand approved as written.

Mr. Vogel: The first item on the agenda is Variance Application #4 from Keith Shepherd. Mr. Shepherd is requesting a variance to have a residential home site in an Industrial Zoned area located at 4145 W Old 24, Wabash.

Mr. Howard - The 9.54 acre parcel is located in Section 17, Township 27N, Range 6E, Noble Township. This is on the south side of Old 24 across the road from the State road 115 and Old24 intersection. Mr. Shepherd is request to develop this parcel as a home site. He also would like to build a pond and erect a pole building on the property along with a new residential home.

Board members reviewed the handout provided for with the application.

Mr. Howard – It is good to see the proposed plans for the entire project, however keep in mind that all required permitting for a pond, residence and pole building would still be required to be completed if this variance is approved. Tonight, you will only vote on the variance request.

All adjoining property owners have been notified and the legal add was published in the Plain Dealer for the application.

The plan commission office did receive an inquiry from the Real Alloy Office located in Beachwood, Ohio. They were provided with all the information for the proposed development, along with the application requirements and informed they could reply in letter or by person during

the meeting. No additional responses were returned. Mr. Henson from the Wabash Plant was notified that all information had been sent to the Beachwood Office and that he was welcome to attend the hearing. No one is present for the hearing.

The Plan Commission Office requested the assistance of Mr. Ron Woodward, (County Historian) to locate the McClure Cemetery which is thought to be the first cemetery of Wabash County. It was determined that the cemetery is south and west of the 9.54 acre parcel.

I have asked Keith about the old gas tanks that were buried there and he told me that the previous landowner told him that the tanks have been removed. I have checked with IDEM and no information was found regarding the previous use of the property or if there were any environmental issues resulting from the previous use of the land. I checked with the Brownfields Program and found no information for this site. I also checked to see if the county would have any liability if a variance is granted as Mr. Shepherd is digging if he would hit something that would cause environmental issues, per discussion with Mr. Downs, the county would not be liable in granting the Variance.

Mr. Howard reviewed the layout of Mr. Shepherd's plans with the Board. Mr. Howard reminded the Board that the pond will be a Special Exception that would go before the Plan Commission Board and then back to the BZA. Mr. Vogel asked if he meets the county required setbacks, Mr. Howard said that he does.

Board members discussed the proposed plans with Mr. Shepherd.
Dan Dale - what will you do if you hit bed rock when digging the pond.

Mr. Shepherd – I would just have to level the site out by filling in the pond hole and forget about having a pond. I have had the property inspected for any utilities running through it and we are aware of a gas line running along the south side of the property. I will have to move the south end of the pond north so that no part of the pond or pond structure (dam) is over the gas line.

Mr. Milam - Does the property have quite a bit of slope going south from the road back towards the railroad tracks.

Shepherd – Yes, the digging of the pond would require moving dirt from the front of the property towards the back where the dam would be.

Mr. Howard stated that Mr. Shepherd has brought in a print of the proposed house plans, the plans show a log home however the home he is wanting to build will be that floorplan only a pole barn style building.

Mr. Vogel asked if it will be a steel sided building. Mr. Shepherd stated that it would be and would have a cement floor.

Mr. Howard stated that with regard to the proposed pond, he did notify Norfolk Southern railroad, I talked with a gentleman from N/S and I did send it to their division engineer. He did ask for a copy of the information for the pond, they have no objection at this time as far as the variance application.

We did have a call from

Mr. Vogel asked Mr. Shepherd if his intent is to live on the property. Mr. Shepherd relied that that is his plan. I enjoy working with the youth of the county to help them improve their baseball skills and I want to be able to provide an opportunity for kids who don't have a good father figure or family structure. They can come here, by invitation, for recreation, (swimming, fishing, baseball), that type of thing.

Mr. Vogel – are you planning to have a baseball field on the property where teams would compete against other teams?

Mr. Shepherd – No, I would just be working with kids on improving their baseball skills. There would not be an actual ball field or teams competing against other teams.

Mr. Vogel – a baseball field would be an issue for traffic and parking, etc., that is why I asked.

Mr. Howard – When Mr. Shepherd first came in to talk about this he was thinking of a Bed & Breakfast. After we talked about it and he checked into it more he decided that was not what we wanted to do.

Mr. Shepherd, I enjoy working on old cars and racing. The pole building would be for working on cars with my friends and son and building cars for them and myself.

Mr. Vogel reiterated that the Board does not like to do spot zoning, however in this case I don't feel that would be the case. Mr. Howard reviewed the zoning maps with Board members noting that the zoning for the property would remain the same. You would simply be granting a variance to have a residence in an industrial zoned area.

Hearing no further discussion Mr. Vogel called for the vote sheets.

Mr. Thrush reported that the Variance #4 request was approved.

Mr. Howard updated the board on the following complaints. The Moser and Shelton properties have had the structures razed per the Unsafe Premise Orders. Documentation for 3 new properties have been submitted to Mr. Thrush for Unsafe Premise Orders to be issued. The Cornett property in Roann, the Fanning, Moore property in Sandy Beach, and the McCarty property in Servia.

There being no further business, Mr. Vogel asked for a motion to adjourn. Mr. Dale made the motion to adjourn; this was seconded by Mr. Milam. The meeting adjourned at 7:45 pm.

Libby Cook
Secretary, Wabash County Board of Zoning Appeals
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