

## ***WABASH COUNTY PLAN COMMISSION***

*Wabash County Court House*

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## **BZA MEETING MINUTES**

### **JULY 23, 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, Libby Cook, Gary Herring, Vicki Herring, Dave Snavely, Dyan Snavely, Anthony Heagy, Barb Lochner

The July 23<sup>rd</sup> meeting of the Wabash County Board of Zoning Appeals was called to order by Board chairman, Joe Vogel at 7:00 pm. Mr. Vogel asked if there was a motion to approve the minutes of the June meeting. Mark Milam made the motion to approve the minutes as written; this was seconded by Dan Dale, the motion carried.

Mr. Vogel: The first item on the agenda is Special Exception #4, David Snavely. Plan director, Mike Howard gave a brief overview of what Mr. Snavely would like to do. David went before the Plan Commission Board and received a favorable recommendation to the Board of Zoning Appeals. Mr. Snavely would like to operate a firearms repair, cleaning, accessory sales business, and offer a coating service for guns and miscellaneous items from his property located at 7880 W 200 S in Noble Township. Mr. Snavely went on to explain that in order to operate this type of business he has to obtain a Federal Firearm License and in order to receive the license he has to have approval of the Board of Zoning Appeals to operate this type of business in an Ag zoned area. Mr. Snavely explained the coating process, stating that the coating material used is not hazardous, it can be disposed of like paint or other household chemicals, noise associated with the business would just be an air compressor to operate the sand blaster and coating sprayer. Mr. Snavely stated that the licensing would permit him to do some retail, he cannot buy firearms, coat them and then sell them. He can however sell a gun to a customer, then they can have the coating process done. sell targets, ammunition, any accessory and he would probably get into that market some. The primary focus of the business will be the ceramic coating of firearms and other metal items. He plans to offer firearm accessories for sale, and be a shipping point for persons who have ordered firearms; he will not have an inventory of firearms for sale. Mr.

Snavely can do the necessary background checks and all the necessary paperwork just as if he were a storefront business to sell the weapon for the firearms he receives in for individuals. Mr. Snavely brought up a concern that was mentioned during the Plan Commission Board meeting regarding the drop off of packages and how they could be made secure, he has looked into this and found that he can have a locked box outside for deliveries; he will need to get with the carriers to set up the use of this. Mr. Vogel thanked him for checking into this. Mr. Dale asked if there will be a lot of traffic with the business, Mr. Snavely stated that the hours of business will be 10:00 – 2:00 weekdays, he doesn't foresee a great deal of traffic. Mr. Milam asked if he will be doing test firing inside or outside. Mr. Snavely replied, outdoors, we have 26 acres, I have a small recreational range. In his opinion if he does maintenance on a firearm he would not turn it back over to the owner without first test firing it. Mr. Howard stated that at the Plan Commission Board meeting it was stated that we don't have an objection to that but we don't want a shooting range where people go out and do target practice or site their guns. Mr. Vogel asked if there were any questions from the Board or the audience. Mr. Howard reminded Mr. Snavely that the Plan Commission Board would like for him to notify the local police and fire departments as to what is being kept in the building, and an alarm system on the building, which Mr. Snavely stated that he already has an alarm system. Mr. Vogel called for a vote on the request, SE #4 passed.

Mr. Vogel: the next item on the agenda is Variance #5, Anthony Heagy requesting to build an accessory structure before the primary structure in an R2 zone in Pleasant Township. Mr. Howard stated that the location of the proposed site is 10552 N Ogden Rd, N. Manchester, Pleasant Twp., 1.81 acre parcel. County Ordinance requires the residence be built before an accessory structure in an R2 zone. The Heagy's are wanting to live in the pole building until they can build their home. Mr. Heagy stated that the pole building will be 36 x 48 and will be approximately 335 feet off the road in the southwest of the parcel. He also informed the Board that once his home is built the apartment will be removed from the pole building. Mr. Howard stated that he would prefer this type of structure over a mobile home or camper while the new home is being built. Mr. Vogel called for a vote; Mr. Thrush tallied the votes, Variance #5 passed. Mr. Heagy was reminded that he would need to get a building permit for the pole building.

Mr. Vogel: the next item on the agenda is Variance #6, Gary Herring. Mr. Howard informed the Board that Mr. Herring resides at 115 Ashland Ave., Russell Cook Addition in Lafontaine Corp. He is seeking a variance from the property line setbacks for an accessory structure in an R3 zone in Liberty Township, Lafontaine Corp. Mr. Herring stated that he has approximately 16 feet from the south side of his garage to the property line. He is looking at a lofted shed that would be 12 feet wide; the area where he would like to place the building is already graveled. Mr. Herring stated that he is looking into putting guttering on the building to drain the runoff into the gravel at the front of the building. A letter was shared with Board members from the neighbors of Mr. Herring stating that they had no objection to a setback variance. Mr. Vogel asked approximately how far off of the property line the building would be, Mr. Herring answered about 3 feet. Mr. Vogel asked if that would be enough room for him to mow around the building, Mr. Herring answered that it would be. Mr. Milam asked if the building will have footer, Mr. Herring replied that it does not; it sits on 6 x 6 beam runners. Mr. Vogel asked if the building has to be anchored down; Mr. Herring stated that the weight of the metal structure was

enough to hold it. Mr. Howard informed Mr. Herring that in the Russell Cook addition of Lafontaine you have covenants; it is not the policy of the Plan Commission Board or the Board of Zoning Appeals to enforce the covenants. If this Board passes this at 3 feet from the property line and you get some feedback regarding the covenants you would have to deal with those on your own. Mr. Herring said that he understood. There being no further comments Mr. Vogel called for a vote, Mr. Thrush tallied the votes, and Variance #6 was approved. Mr. Herring was reminded that he would need to get a building permit for the structure.

Mr. Howard gave the Board a review of the following complaints:

- The Moser and Shelton properties in Urbana, the structures are removed, the contractor has been paid.
- Ian Stone house in Lafontaine, the house is gone.
- Cleaver property at the intersection of 400 N and 200 W, Indiana Landmarks is working with Mrs. Cleaver and an interested party to purchase the property.
- Stout property in Lafontaine, the fire investigation is completed, the insurance company has paid off the mortgage, I have not been able to get in touch with Mrs. Stout
- 3 other unsafe premise orders are being issued: Dustin Cornett in the town of Roann, Fanning/Moore at Sandy Beach Estates Pleasant Twp., and Mc Carty property in Servia,
- NORAG (Speicherville Elevator) to be notified in the near future.
- Attorney Larry Thrush has received notice of an extension granted on the Barbara Nelson property at Lagro. Ms. Nelson has contacted the office stating that she has a potential buyer; she will need to notify the buyer of the order to have the mobile home removed.
- Jason Peterson, sent letter informing him that he could not have the semi-trailer on his property advertising his business. Mr. Peterson called to let us know that he is having shoulder surgery and can't do anything with it for 6 – 8 weeks. Told he can appear before the PC Board during the 8/1/19 meeting to state his case.

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. Younce. The meeting adjourned at 7:45 pm.

*Libby Cook  
Secretary, Wabash County Plan Commission  
mth*