

AREA PLAN COMMISSION MEETING
MINUTES APRIL 10th, 2019
6:00 P.M.

President Marvin Rees called the meeting to order at 6:00 P.M.

ROLL CALL: Present were Bruce Levi, Ralph Adams, Tom Monka, Phil Shanahan, Mary Richardson, Ben Wicker and President, Marvin Rees. Also present was Attorney, Geoff Wesling, Director and Secretary, Gregg Duke an Assistant Linda Ashwill. Jeff Slaton and Kelly Land were not in attendance.

APPROVAL OF MINUTES for the March 12th, 2019 meeting. It was brought up that Mary Richardson was not listed as in attendance at this meeting. Linda will add her name as in attendance. Seeing no other questions, Ben made the motion for approval. Seconded by Ralph. All in favor. Motion carried.

NEW BUSINESS:

1. APC-2019-5 Elmer & Ida Knepp are seeking Secondary Plat approval for a three lot subdivision at 9308 S Prill Road in Orange Township. The Knepp's received primary plat approval to create a three lot subdivision on March 3th, contingent upon receiving variances for lot size, lot frontage, and front yard setback from the BZA. On April 9th these variances were allowed. Marvin asked if there were any questions from the Board and Audience. None. Ralph made the motion to approve this secondary plat approval. Seconded by Phil. All in favor. Motion carried.

2. APC-2019-7 Russell Angle Farms, and agent Larry Angle are requesting a subdivision located at 4790 East State Road 244 Richland Township. This original parcel contains eighty-one (81) acres. The proposed subdivision would be 2.121 acres. The land is being subdivided to allow separation of the dwelling from the farm ground. This subdivision does not meet Development Standards for Minimum Lot size, Yard housing setbacks and location of Private water wells. Planning staff recommends primary plat approval contingent upon variances from the BZA Board. After discussion about the well location and possible chemical run off. Which the well is to be actually at least fifty foot from the farm operation per Jeff Powell, surveyor. Marvin asked if there were any further questions from the Board & audience. None. Motion was made by Ben and seconded by Tom to approve this subdivision contingent upon approval of the variances by the BZA Board. All in favor. Motion carried.

3. APC 2019-10 Ryman Farms and agent David Sweet are requesting a subdivision located at 6163 East 1100 North in Washington Township. The original parcel of land is eighty acres. The proposed subdivision from the original parcel would be five acres. The land is being subdivided to allow Ryman Farms to separate dwelling and farm ground. The proposed subdivision does not meet development standards for the A-3, Regulated Livestock District Zoning. Minimum lot size is forty acres. Also this subdivision does not meet minimum front yard setback of one hundred feet. The front yard housing setback is twenty-five feet. Planning staff recommends primary plat approval contingent upon the variances being requested and received by the BZA Board. Ralph asked if the setback for the well was at least fifty foot from property line. It is. Marvin asked for further questions from the Board and

Audience. None. Bruce made the motion to allow this subdivision contingent upon the variances being issued by The BZA. Seconded by Ralph. All in favor. Motion carried.

4. APC-2019-11 Alexander & Kyla Shaver are requesting a Property Rezone at 4361 and 4375 East US 52 New Salem. The Shaver's are requesting to change the zoning classification of these two parcels from Mobile Home (MH) to Residential (R[®]). These parcels were originally platted as lot 3, 4, and 5 in the John H. Morris addition of New Salem. Lot # 3 is split zoned as Residential (R and A-3, regulated livestock. Planning staff recommends rezoning these two parcels to Residential. The Board was to vote for a Favorable, Non-favorable or no recommendation to go to the Commissioners. Ben made the motion for a Favorable Recommendation for this rezone to Residential. Seconded by Phil. All in favor. Motion carried

5. APC-2019-12 The Executive Director of the Area Planning Office is requesting a Property Rezone at 916 East US 52. Gregg gave the Findings of Fact as this parcel is currently not zoned. It appears this parcel and two other properties in close proximity were at one time zoned agriculture but the zoning did not transfer forward. The goal of this rezoning is to clear up discrepancies when the need arises. The owner of this property inquired about zoning and has filed an Affidavit & Consent of Property Owner". According to IC 36-7-4-603, the following items must be taken into consideration.

1. The Comprehensive Plan, 2. Current Conditions, 3. Desirable Use, 4. Conservation of Property Values, 5. Responsible Development and Growth.

This hearing was published locally and adjacent property owners were notified. Planning staff recommends giving this parcel at 916 East US 52 a zoning code of Commercial. Marvin stated the Board would be giving a Favorable, Non-favorable or no recommendation to the Commissioners. Tom made the recommendation for a Favorable recommendation to be sent to the Commissioners. Seconded by Ben. All in favor. Motion carried for the Favorable recommendation to rezone to Commercial to Commissioners.

OLD BUSINESS: None

REPORTS:

Attorney: Nothing

Director: Gregg state the County Commissioners did give them some homework by asking that Commercial Wind Turbines are not allowed in the County. After discussion, motion was made by Tom for Gregg to proceed to rewrite the WVECS portion of the Ordinance and ban Commercial Wind Turbines. This was seconded by Phil. All in favor. Motion carried.

Marvin asked if there was anything else to come before the Board. Bruce said he would like to hear discussion on the time of the APC meetings. His thinking was the time should be forwarded or backward. 6:00 P.M. was awkward. He thought 6PM was right in the middle of everything. After discussion it was decided to put this on the Agenda for the May meeting and at that time make a decision.

Having no further business to come before the Board, Phil made the motion to adjourn. Seconded by Tom. All in favor. Meeting adjourned 6:35 P.M.

