

RUSH COUNTY  
AREA PLANNING COMMISSION MEETING MINUTES

APRIL 5<sup>th</sup>, 2023

6:00 P.M.

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

**ROLL CALL:** Jeff Amos, Kenny Aulbach, Vice President, Denny Corn, Virgil Bremer, Kelly Land, Justin Orme, Mary Richardson, President, Marvin Rees. Also present were Attorney, Geoff Wesling, Planning Director, Mike Holzback, and Linda Ashwill, Deputy Planning Director. Tom Monka was not present.

**APPROVAL OF MINUTES:** for the February 1<sup>st</sup>, 2023 Marvin asked if there were any additions or corrections to the minutes as written. Kelly made the motion to approve the minutes as written. Seconded by Denny. All were in favor. Minutes approved as written.

Geoff swore in Virgil Bremer, the newest member of the Board. He was welcomed by President, Marvin Rees.

**NEW BUSINESS:** APC-2023-6 Rush County Atea Plan Commission is requesting a rezone of property along and north of US 52 next to Arlington, Indiana from Manufacturing to A-3 zoning. Parcels #'s 70-06-19-400-001.000-006, 70-06-30-126-001.000-006, 70-06-30-200-008.000-006, 70-06-30-200-004.000-006, 70-06-30-200-001.000-006.

**Finding of Fact: for APC-2023-6**

1. Past years zoning maps recorded this area as manufacturing.
2. A good portion of the area includes Arlington East Hill Cemetery.
3. Cemeteries are not permitted in a Manufacturing zone.
4. 84.7 acres of this is Agricultural use and abuts A-3 on the East.
5. A-1 zone lies just to the North but requires a special exception for cemeteries.
6. Cemeteries in an A-3 zone are a permitted use.
7. Property owners were notified on March 3<sup>rd</sup>, 2023 and this was properly advertised.
8. No one has commented or called regarding this change.
9. This rezone was properly advertised.

**Recommendation:**

Recommendation is to send a favorable recommendation to the County Commissioners to have this rezoned to A-3, Regulated livestock.

Mike told the Board this came about when there was a need for an appraisal for the cemetery. They are getting ready to add on some acreage on the East side. Mike shows this on visual. Mike stated he was surprised the area was zoned manufacturing. You can't have a cemetery in a manufacturing zone. He also stated a lot of areas in county are zoned and need to be changed, but the only way he knows to deal with is to just change as they come up for questioning.

Marvin asked the Board if they had any questions. Hearing none, he asked for a motion. Jeff made the motion to have these parcels rezoned to A-3. This was seconded by Justin. All were in favor.

A favorable recommendation will be presented to the Commissioners at the April 10th meeting. Jeff asked if there were other cemeteries in the County that were zoned improperly. Mike said he didn't know

**OLD BUSINESS:** Nothing was brought up to discuss.

**REPORTS:**

**Attorney:** Geoff Wesling Geoff stated he had nothing at this time.

**Director:** Mike Holzback-Discussion of Parent care structures. Mike stated he had several phone calls in regard building permanent structures on same parcel with parents. In our Ordinance we allow trailers to be move on same lot for family members that are taking care of their parents. The trailers never get removed after the parents are gone. This was brought up at the BZA and they were in agreement that permanent structures would be allowed if they passed Health Depts regulations in regard to septic.

**ADJOURNMENT:** Marvin asked if there was anything else that needed to come before the Board. Hearing none, he asked for a motion to adjourn. Denny made the motion to adjourn. Seconded by Virgil. All in favor. Meeting adjourned 6:10 P.M.

  
Marvin Rees

President

  
Kenny Aulbach

Secretary