

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

Wabash County Board of Zoning Appeals

Wabash County Court House

Wabash IN 46992

BZA MEETING MINUTES

TUESDAY, JULY 26, 2022

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

PRESENT: Mark Milam, Patty Godfroy, Joe Vogel, Jerry Younce, Mike Howard, Larry Thrush, Libby Cook, Joe Cook, Mike Eviston (Eviston Farms), Dwayne Jones and family

The Wabash County Board of Zoning Appeals met on Tuesday, July 26, 2022. Board Chairman, Joe Vogel called the meeting to order at 7:00 pm. Mr. Vogel asked if there were any additions or corrections to the minutes of the June 28th meeting, there being none he asked for a motion to approve the minutes as written. Motion to approve by Mr. Milam, second by Ms. Godfroy, motion carried.

Mr. Vogel: First on the agenda is Special Exception #9, Dwayne Jones for construction of a pond in Noble Twp. Mr. Howard gave the following information on the pond: the address is 5608 S 550 W; 83.461 acre parcel; plans are to construct the pond prior to building a new home on the property; the request has been approved by the Drainage Board and the PCB gave a favorable recommendation to the BZA. Board members and Mr. Jones agreed to the following conditions set forth at the July 26, 2022 BZA meeting: Original pond location soils are an issue. BZA granted a 1 year continuation of the pond application, this will allow the new home to be built and the applicant can assess his finances to see if he will go ahead with a pond that would be more expensive. Application date is 6/6/2022, deadline would be 6/5/2023. Must go before BZA by the 6/5/2023 date or applicant would have to re-apply for a new special exception application.

Mr. Vogel: Next on the agenda is Special Exception #10, Eviston Farms LLC, Mike Eviston for construction of a pond in Lagro Twp. Mr. Eviston stated that the reason they are wanting to construct the pond is to help with erosion problems on the farm land. Mr. Howard gave the specs for the pond, Eads & Son will be the contractor; Mr. Eviston has been working with Adam Jones from SWCD, a soil scientist from Bluffton, and the DNR on the plans for the pond; there are no variances required; no floodplain involved; the flowage easement for the reservoir has been addressed and approved by the DNR; approximate water surface area will be 6 – 7 acres; maximum depth will be 15 feet; watershed into the pond is 67 acres; and no geothermal feed. The PCB gave a favorable recommendation to the BZA and the request was approved by the Drainage Board at

their June 20, 2022 meeting. Mr. Vogel asked if there were any questions or comments, there being none the Board proceeded to vote, Mr. Thrush tallied the votes, SE #9 was approved.

Mr. Vogel: Next on the agenda is the Imagine One 85 Resolution. Mr. Howard told the Board members that he received a copy of the proposed Resolution to be presented to the County Commissioners for their approval. Mr. Howard said he felt that the Resolution needed a statement added to protect the continuity of the Wabash County Advisory Plan Commission. A draft copy of the resolution with a statement to the effect that the Wabash County Advisory Plan Commission Board would remain in tact after the approval of the new county-wide comprehensive plan, Imagine One 85. Mr. Howard asked Mr. Thrush to review the Resolution, Mr. Thrush felt that the additional statement was acceptable. The Resolution draft was presented to the Plan Commission Board at the July 7th meeting at which time the Board approved the Resolution containing the additional statement. The Resolution that was presented for the County Commissioners at their regular meeting on July 18, 2022 did not include the additional statement, Mr. Howard noted that the Resolution was worded as approved by the plan commission board. Commissioners adopted the original Resolution (minus the added statement).

Mr. Vogel: Next is the Ordinance draft update. Mr. Howard gave Board members copies of the new Wabash Co. Zoning Ordinance. Plan Commission Board members will review the Ordinance in August and vote on sending the ordinance to the County Commissioners in September.

Mr. Howard gave the following updates:

- Solar, we have not heard from either of the companies that have shown interest in the past.
- Complaints:
 - Rob Kowalczyk property in Lagro Corp., unsafe premise order has been filed.
 - David Francis property in Servia, judgement was awarded to the Plan Commission.
 - Cathy White property at Sandy Beach, Ms. White has passed away and the property transferred to Debra Clark and Billy Jo Wilcox, who originally wanted to clean-up the property and sell it, this has not been done yet. Ms. Clark and Ms. Wilcox have both been asked to appear at the PCB meeting on August 4th.
- I need to check on junk cars around the county.
- Reviewed budget request for the Plan Commission office for 2023.
- After the June 28th BZA meeting we received notice that on June 27, 2022 a formal complaint was filed with the State alleging violation of the Open Door Law was filed against the BZA by David Terflinger and Heather Terflinger. The Terflinger's addressed the BZA on June 28th regarding concerns between their property at Sandy Beach and their neighbors. Mr. Thrush has reviewed the complaint and responded on behalf of the BZA, at this time he told the Board that he has not heard anything back from the State.

Mr. Vogel asked if there was any further business to address, there being none he asked for a motion to adjourn. Ms. Godfroy made the motion to adjourn the meeting, seconded by Mr. Younce. Meeting adjourned at 8:00 pm.

Libby Cook

Secretary, Wabash County Board of Zoning Appeals

MTH