

# Wabash County Plan Commission

Wabash County Courthouse • One West Hill Street, Suite 205 Wabash, IN 46992  
(260) 563-0661 ext. 1252, 1267 • [plandirector@wabashcounty.in.gov](mailto:plandirector@wabashcounty.in.gov)

## Wabash County Board of Zoning Appeals – Meeting Minutes

Board Members: Dan Dale, Amanda Lyons, Mark Milam, Joe Vogel, Jerry Younce

Staff: Mark Frantz, Board Attorney; Brian Campbell, Plan Director; Jennifer Hicks, BZA Secretary

**Tuesday, February 25, 2025**

### **1. Call To Order**

Brian Campbell, Wabash County Plan Commission Director, called to order the Board of Zoning Appeals meeting to order at 7:00 pm.

### **2. Roll Call**

Jennifer Hicks, BZA Secretary, called roll:

- ✓ Dan Dale – *Absent*
- ✓ Amanda Lyons – *Present*
- ✓ Mark Milam – *Present*
- ✓ Joe Vogel – *Present*

Jennifer Hicks declared a quorum was present.

### **3. Approval of Meeting Minutes – December 30, 2024**

The minutes from the December 30, 2024 meeting were presented. Mr. Joe Vogel made a motion to approved the minutes as written. Ms. Amanda Lyons seconded the motion.

Jennifer Hicks called roll:

- ✓ Amanda Lyons – *yes*
- ✓ Mark Milam – *yes*
- ✓ Joe Vogel – *yes*

### **4. Approval of Meeting Minutes – January 28, 2025**

Minutes from the January 28, 2025 BZA meeting were tabled.

### **5. Old Business**

No old business

### **6. VAR-25-003 – Stacy Shepler, a variance to place a travel trailer on the property to be used for temporary housing, Lagro Township**

- Ms. Ann Shepler, wife of Stacy Shepler, was present to discuss the request for the variance. Mr. Brian Campbell provided the board with a summary of the request. Mr. Mark Milam asked Ms. Shepler for additional information regarding the variance request. Ms. Shepler provided a summary of her situation; her son was recently released

from Indiana Department of Corrections after 10 years. He has recently started his 3-year probation term. He does not currently have a job and therefore does not have the funds for an apartment, so Ms. Shepler purchased a new travel trailer to place in their driveway for him to live in until she can find an apartment that will accept him. Ms. Shepler stated that she needs him to remain close so she can keep an eye on him. Ms. Shepler continued by letting the board know that her son is unable to enter her and her husband's home because Mr. Shepler owns firearms. She stated that she made arrangements with a neighbor to allow her son to use her bathroom and shower when needed. She stated there would be running water at the travel trailer and portable gray water tanks to take to dump when needed.

- Mr. Milam stated that in the covenants for the area does not allow for a travel trailer. Ms. Shepler stated she knew that. Mr. Milam continued by stating in the county ordinance it states a travel trailer can only be lived in 7 days in a 90-day period. Mr. Milam asked Ms. Shepler to confirm that her son is not able to live in her home because of the firearms. Ms. Shepler confirmed.
- Mr. Joe Vogel asked if there was the possibility of him living in a recreational park. Ms. Shepler stated that she is hoping that will be the case once the campgrounds open if she can find one in the county that will allow a felon on probation to stay there. She stated that she would have to wait until April when the campgrounds open, specifically she was waiting on Travis Airgood of Art's Country Park, but she is unsure if her son will be able to stay there because they require background checks now.
- Ms. Shepler stated she would prefer for her son to live in her house with her, but it isn't allowed because of the firearms and Ms. Jill Gibson, her son's probation officer, won't allow it and isn't giving her any options on anything.
- Mr. Vogel asked what the age of her son is. Ms. Shepler responded with 36 years old.
- Mr. Milam asked Ms. Shepler where her son was staying currently. Ms. Shepler responded with between his sister's homes, one in Wabash and the other in North Manchester.
- Ms. Amanda Lyons asked if it was possible for the firearms to be moved to allow him in the home. Ms. Shepler stated that doing that would be a violation of her "first" amendment rights and she doesn't feel that they are a problem, only probation has an issue.
- Mr. Milam asked if there were any other questions or comments regarding the request. Mr. Campbell stated that a letter was received regarding this request from a concerned neighbor. Mr. Campbell read the letter to the board.
- Ms. Shepler added that she used almost all of her savings to be able to purchase the travel trailer for her son to live in.
- Mr. Milam asked BZA Board Attorney Mr. Mark Frantz about the county ordinance of 7 days out of 90 days and the covenants if the BZA would be able to override those. Mr. Frantz responded by saying that they are separate and the BZA can grant a variance from the county ordinance but not from the covenants. The covenants would be up to others that live in the area to enforce those. Mr. Milam asked if that means she needs to get others in the subdivision's permission. Mr. Frantz stated that it isn't required to get the permission, she could do it and hope no one tries to enforce the covenants, but it is a good idea to do so. Mr. Frantz reiterated that the BZA cannot override the covenants.

- Mr. Joe Vogel asked if the BZA could put conditions on an approval, such as a timeline. Mr. Frantz confirmed that was a possibility.
- Ms. Lyons asked if Ms. Shepler had checked with New Beginnings. Ms. Shepler stated she had, but they would accept him because his offense wasn't drug related.
- Mr. Milam asked for additional questions or comments. Mr. Dave Terflinger, a Wabash County Resident, just asked the board to remember that most campgrounds are currently closed and don't open until around the first of May.
- Mr. Vogel made a motion to approve the variance with the condition that Ms. Shepler's son would have to be out of the travel trailer by June 1, 2025, Ms. Lyons seconded the motion. Ms. Lyons also reminded that Ms. Shepler start looking for alternatives since the campgrounds are going to close in October.

Jennifer Hicks called roll:

- ✓ Amanda Lyons – yes
- ✓ Mark Milam – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

#### **7. SE-25-001 – Billy & Erica Hite Adams, request to maintain livestock in residential zoned area, Pleasant Township**

- Mr. Milam let the BZA know that Ms. Hite-Adams had contacted the Plan Commission office and requested a continuance on her special exception.
- Mr. Vogel made a motion to approve the continuance, Ms. Lyons seconded the motion.

Jennifer Hicks called roll:

- ✓ Amanda Lyons – yes
- ✓ Mark Milam – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

- Mr. Robert Moyer, a resident of Twin Lakes, asked if the BZA had "seen the mess down there."
- Mr. Campbell answered that he is familiar with the area the reason behind the continuance request is the couple is getting divorced and will be selling the animals.
- Mr. Moyer asked if they were going to take their garbage. Mr. Campbell stated he doesn't know, but they are trying to get rid of everything. They asked for the continuance because of the divorce.
- Ms. Lyons wanted a confirmation that Mr. & Mrs. Adams will be back for the March meeting. Mr. Campbell confirmed.
- Mr. Moyer continued to speak regarding the Adams property and bringing up concerns he had regarding the horses and the condition of the area where they are kept.
- Ms. Lyons asked Mr. Frantz for confirmation that the request cannot continue to be discussed because Mr. & Mrs. Adams were not present. Mr. Frantz confirmed.
- Mr. Moyer continued to speak. Mr. Milam told Mr. Moyer again that it would not be discussed because Mr. & Mrs. Adams were not present. Mr. Moyer continued to speak. Mr. Campbell told him they aren't present, but they called and asked for a continuance which was granted.

**8. VAR-25-004 – David & Sue Ridenour, a variance of use from the Factor Point System to split a parcel out of A1 ground for a residential structure without first receiving the minimum required points, Waltz Township**

- Mrs. Ridenour and Mr. Grant Peebles were present to discuss the variance request and answer any questions.
- Mr. Campbell provided a summary of the request. Mr. Campbell informed the board that a call was received from a neighbor who had received notification. The neighbor didn't have any concerns, just wanted clarification on what the request was for.
- Mr. Milam asked for confirmation the split was the wooded section and asked how far back from the roadway it was. Ms. Ridenour confirmed the wooded section and stated it was approximately ½ mile back. Mr. Milam then asked about the 50-foot easement. Ms. Ridenour confirmed that an easement would be needed on the North side of the farm. Ms. Ridenour stated that the intent that Mr. & Mrs. Peebles would be purchasing the strip for the driveway now and eventually purchasing the entire farm. Ms. Ridenour did state that the farm is not for sale, but they are willing to sell it to Mr. & Mrs. Peebles.
- Mr. Milam asked questions regarding the factor point system. Mr. Campbell answered the questions and explained the way the factor point system is calculated.
- Mr. Vogel asked how many total acres were on the parcel. Mr. Peebles answered 77 total acres, 66 tillable. Mr. Vogel asked how many acres were the wood. Ms. Ridenour stated about 9 ½ - 10 acres plus the strip of land for the driveway.
- Ms. Lyons asked if there was any provision needed with the approval for the cash rent farmer in the spring. Mr. Peebles clarified that they are going to purchase the woods and the driveway at the same time to avoid any issues in the future.
- Mr. Milam asked if there were any other questions or comments regarding the request.
- Mr. Lee Smith, a neighbor to the property in question, stated he had a question. He asked about the width of the driveway. Mr. Campbell confirmed the county ordinance requires a minimum of 50 feet in width for a flag lot. Mr. Smith continued by asking if there was a 50-foot setback before the 50-foot driveway and how many feet from the property line would the driveway need to be. Mr. Peebles explained that the 50-foot strip for the driveway would start at the current northerly property line and go 50 feet to the south that way it would minimize the amount of the field that would be affected by the driveway. Mr. Campbell explained that the driveway can be any width inside that 50-foot strip, it just can't be within 10 feet of the property lines.
- Mr. Milam asked for any additional questions, and if none if there was a motion.
- Mr. Vogel made a motion to approve with the restriction of no further split of the woods. Ms. Lyons seconded the motion.

Jennifer Hicks called roll:

- ✓ Amanda Lyons – yes
- ✓ Mark Milam – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

**9. VAR-25-005 – Barbara Branson, a variance request to place a property line closer to the side yard setback for a residential structure than required and a variance to have less than the minimum front yard width, Liberty Township**

- Ms. Branson was present with Suzie Mack to answer questions regarding the variance requests.

- Mr. Campbell provided the board with a summary of the request including information regarding a reciprocal easement that will be on the properties for the septic outlet pipe that will be crossing the property line.
- Ms. Lyons asked which house was being sold. Ms. Branson answered that they are selling both homes, both are under contract. Ms. Suzie Mack, realtor for Ms. Branson, was present to assist Ms. Branson with downsizing. Ms. Mack stated that the buyers are both aware of the septic easement and what is being done to split the property.
- Mr. Campbell stated that they are bringing the property into compliance, they were grandfathered when the ordinance change happened, but they wouldn't be able to do anything on the property with the current situation.
- Mr. Milam asked if there were any questions regarding the requests.
- Mr. Terflinger asked if the reciprocal agreement would be recorded for any sales in the future. Mr. Campbell answered yes it was already done. Mr. Terflinger then asked if the rest of the utilities were taken care of, such as natural gas. Mr. Campbell stated they are on propane so natural gas isn't an issue.
- Mr. Vogel made a motion to approve the variance to place the property line closer to the side yard setback for a residential structure. Ms. Lyons seconded the motion.

Jennifer Hicks called roll:

- ✓ Amanda Lyons – yes
- ✓ Mark Milam – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

- Ms. Lyons made a motion to approve the variance to have less than the minimum front yard width. Mr. Vogel seconded the motion.

Jennifer Hicks called roll:

- ✓ Amanda Lyons – yes
- ✓ Mark Milam – yes
- ✓ Joe Vogel – yes

The motion passed unanimously.

## 10. Other Business

- **Countywide Complaint Update**  
There are 38 open complaints currently, including those rolled over from 2024. 34 of those 38 were rolled over. 4 complaints have been received in 2025. 12 of the open complaints are being dealt with by legal counsel. 9 complaints have been closed so far in 2025.
- **Any other business to be brought before the Board of Zoning Appeals**
  - No other business was brought before the Board of Zoning Appeals.

## 11. Motion for Adjournment

- Mr. Vogel made a motion to adjourn, Ms. Lyons seconded the motion.
- The BZA Meeting adjourned at 7:59 pm.

**Also Present:** Chasity Mowery, Suzie Mack, Barbara Branson, Mike Rose, Steve Hicks, Ann Shepler, Grant Peebles, David Ridenour, Sue Ridenour, Robert Moyer, David Terflinger, Karen Vanderpool, Karen Smith, Lee Smith

(bac)