

APC MINUTES

September 19, 2017

Members present: Amy Alka, Adrian Moulton, Paula Keister, John Reece, Don Calhoun, Gary Girton, Dan Vinson, Jim Hufford, Bryn Albertson

Members absent: Rex Amburn, Andy Fahl, Bob McCoy, Leesa Friend

Legal Representation: Jason Welch

Staff Present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Ed Laughman, Eric Mills, Amy Holt, Kamille Mills, Ed & Claudia Thornburg

President Calhoun opened the September 19, 2017 meeting of the Area Planning Commission at 7:00 pm. We have at least one new member on the board tonight, so if everyone would want to go around and just introduce themselves that will be great.

John Reece, Bryn Albertson, Winchester, Deb Johnting, Jason Welch, Randy Abel, Adrien Moulton, Farmland, Don Calhoun, Dan Vinson, Union City, Jim Hufford, Union City, Gary Girton, Paula Keister, Farmland, Amy Alka, I am the new 4-H Extension Educator.

President Calhoun: Amy, glad to have you aboard. Does everybody have a copy of the minutes from the last meeting? Is there any questions or corrections on the minutes?

J. Hufford: I will make the motion that we accept the minutes as written.

President Calhoun: Is there a second? It has been moved and seconded that we accept the minutes of the August 22, 2017 meeting, all those in favor say aye, all those opposed no. Motion passes. Tonight we have one item of business, APC2017-22-Z. Ed Laughman, are you here? Would you like to come up.

D. Johnting: I have a correction, it was put in the newspaper as R-1 to C-2, it should have been R-1 to C-1.

President Calhoun: Ok, thank you. If you'd want to tell us what you are wanting to do?

E. Laughman: What is happening here is the Mills family, represented by Eric Mills and his sister, Amy Mills Holt, their father owned this property at one point in time and his residence and the former building of Star Sheet Metal was on Short Street here in Winchester. What we failed to know at this point in time, is that we were going to have me purchase the Star Sheet Metal building and Amy is going to purchase the home of her father. And when we found that we could not make the property divisible due to the fact the storage building could not stand on it's own without a residence we did not know that. So, we are here tonight to try to take steps to make it possible to divide this property into the residence and the storage building and pursuing a legal fashion of doing that. We are in the

residence of Short Street near Anchor Hocking. I don't believe that any of the neighbors have said anything negative about what we are trying to do here. I do have pictures of the property where I have cleaned it up, and the outside storage that was outside the building and the parking lot has been re-graveled and sprayed. If anybody would like to see these and pass them around. And the picture from the inside of the building, I am not planning on starting a business there of any sort the building is just for my own personal storage. So there will not be any interruption to any of the neighbors or anything of that fashion, we're just trying to pursue a legal way to divide the property from the residence to the storage building.

President Calhoun: Ok, does any of the board members have any questions that they would like to ask?

J. Hufford: You say this was a sheet metal shop at one time?

E. Laughman: Yes, owned by Eric's grandfather, and then his father. The business has been closed for several years.

J. Hufford: It was never rezoned to C-1 then?

E. Laughman: I don't know, I just found out that it was a residential.

R. Abel: It was probably grandfathered in at the time. But once the use is discontinued for a year, it is considered an abandoned use. So, if you were wanting to put a sheet metal shop back there today you would not be able to do that.

D. Vinson: Did the house always go with that property?

E. Laughman; The house that stood with the property which was Eric and Amy's grandmothers house was sold off upon her death years ago. And then the property was then made one property, because Mike put a home behind the shop and then that became one property with that house, the original home with the property was sold off years ago.

D. Vinson: Is there plumbing in that building?

E. Laughman: No. There was, there is none now. It's all unhooked, no bathroom in there at all.

D. Vinson: So it will be strictly for storage now that's for sure. It is just a pole barn setting there?

E. Laughman: Yes, it's a pole barn with electricity, that's all it has.

D. Vinson: Whose stuff is this?

E. Laughman: Mine.

D. Vinson: So you are already using it?

E. Laughman: Yes, I moved in some time ago, upon agreement with the family.

R. Abel: Did you investigate any other options to, besides rezoning or reparceling? Such as renting or leasing the property?

E. Laughman: Such as what?

R. Abel: Such as gaining control of this through a lease?

E. Laughman: No, I was trying to purchase this so Amy would be able to purchase her father's home. We were trying to divide it into two separate entities for that reason.

E. Mills: Actually all we are trying to do is split the two properties so we can get the money so we can pay off the mortgage so my dad can stay in his home because he is disabled. We want to keep him there at the house.

D. Vinson: This fifteen foot easement, this is just access to their property from Short Street?

E. Laughman: Mike's home is behind the property with no other access and there is an easement to the east side of the storage building that is in the survey that was handled when we had the survey done. So he has that easement back to his home.

D. Vinson: Is that where his driveway is to get back there?

E. Laughman: Yes.

J. Hufford: So what you are really wanting to do is just separate that sheet metal shop from the storage building behind it?

E. Laughman: No, we want to separate the sheet metal shop from, there's a small storage building that would stay with the home in the rear. And that small building and the house would be a property. And then the sheet metal building near the street would be a separate property. Have you got a picture of the survey there? There's a small building behind the sheet metal shop that would stay with the residence. Correct.

President Calhoun: Does anyone in the audience have any questions or comments to make? I will entertain a motion. A motion has been made and seconded to have a roll call vote. Debra.

D. Johnting: Don Calhoun, yes, Jim Hufford, yes, Dan Vinson, yes, Gary Girton, yes, John Reece, yes, Paula Keister, yes, Adrian Moulton, yes, Amy Alka, yes, Bryn Albertson, yes. Favorable recommendation.

President Calhoun: That is a favorable recommendation. And now that will go to the town of Winchester for the final say.

E. Laughman: Thank you.

President Calhoun: Is there any old business that we need to discuss at this time?

R. Abel: Actually we still have this animal committee, which is composed of Don Calhoun, used to be Julie, it's going to be Amy now, we'll talk to you later about that, Bob McCoy and Andy Fahl, they're not here, we're trying to figure out a way to revive the part that requires five acres to have animals in,

farm animals, livestock. So we're going to try to figure out pasture areas, and so on. We're hoping Purdue has some guidelines.

A. Alka: I think they do.

R. Abel: And next month we're going to discuss some amendments, we didn't get it in the paper in time, they changed their filing dates for legals so we missed the filing date or we'd be talking about an amendment tonight. That amendment is going to increase the height of a tower from 200 feet, to over 300 feet. That means that they have to go through a hearing for every single MET Tower that they put up and that seems ridiculous. So, we're going to increase that height to 325 feet. And then we also have an issue where C-3's do not allow residential uses. And you would not believe the number of houses we have in Winchester and Union City and in all these towns that are in C-3. So whenever they come in and say I want to put an addition on, you can't expand a non-conforming use. So, we say no, you have to get a variance, or rezone it. We have a gentleman who is thinking of doing that right now, he's going to put an addition on his home and is going to have to rezone it first. So, we'd like to put an exception on that if you are in an existing C-3.

B. Albertson: If you need someone else for the livestock committee, I would be happy to serve on that.

R. Abel: Certainly, yes that would be good. We have been asked by several towns if we were going to do anything with poultry. We're trying to kind of avoid that in the city, because whatever you do for Farmland, Winchester won't like, or Union City won't like, we might try to find a model ordinance and hand it to the cities and say, there you go, you make your own ordinance for in town. But we'd really like to have something for out in the unincorporated areas.

D. Vinson: What we need to figure out is how to make poultry livestock, it's not considered livestock.

J. Hufford: Home rule.

R. Abel: Yes it is, poultry is.

D. Vinson: Well see, that's what we need to change.

J. Hufford: Well it is in the county.

D. Vinson: But it's not in the city.

J. Hufford: Yes, it is, that's what he just said.

D. Vinson: Ok, Jim, we'll argue this later.

President Calhoun: Anything else that needs to be brought up?

J. Reece: Does the county currently have anything on bee keeping? I am a bee keeper, so the town I live in, that's how I got my first hive, they ran them out of town. And they have some form of \$500 per day for keeping bees in town. It's pretty massive. Does the county have any reference for that?

R. Abel: Bees aren't considered livestock.

J. Reece: So there's nothing on it now in the county, it's left up to the individual towns?

President Calhoun: If there's no other business, I will entertain a motion for adjournment. Thank you for coming tonight.

President, Don Calhoun

Vice President, Bob McCoy

Secretary, Dan Vinson

Recording Secretary, Debra Johnting