

WABASH COUNTY PLAN COMMISSION

Wabash County Court House

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Wabash County Board of Zoning Appeals

Wabash County Court House

Wabash IN 46992

BZA MEETING MINUTES

MAY 24, 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, Emil Harris, Joseph Harris, Mandy Harris, Paul Smith

The Wabash County Board of Zoning Appeals met on Tuesday, May 24, 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 April 26th meeting, there being none he asked for a motion to approve the minutes as written. Motion to approve by Mr. Younce, second by Mr. Milam, motion carried.

Mr. Vogel: The 1st item on the agenda is Variances #2 and #3, for Emil and Joseph Harris, for a property split in Lagro Township.

Mr. Howard: Joseph and Emil Harris are looking at splitting out two different parcels. On the Emil Harris property we have a survey that was completed by Bunnell Surveying. The parcel deeded to Emil Harris is 15.94 acres and the parcel deeded to Joseph Harris is 14.06 acres. They are wanting to separate out a parcel from each one. The second parcel to the east would be 4.153 total acres and they are taking 3.081 acres out of Emil's property and 1.072 acres out of Joseph's property to make the 4.153 acres. The other split will be from the Emil Harris property for 1.70 acres. Property will stay within the family, the son and daughter of Joseph and Mandy Harris, both plan to build. Mr. Howard asked if they will share the driveway. Mr. Emil Harris said yes. Mr. Howard encouraged them to write an easement and to get it in writing how the driveway would be maintained. Mr. Vogel noted that the easement would be recorded, it would spell out how the driveway is to be maintained, this would protect Mr. Harris in case the property would change hands at a later date. Mr. Howard reviewed the conditions he would recommend to apply on the properties: Tract 4, the 4.153 acres parcel, the conditions that I would recommend would be no further splits of the parcel; one single family dwelling; minimum 1400 square feet of above ground living space; we recommend a 5 / 12 or greater roof pitch; no unlicensed vehicles parked outside.

Mr. Howard reviewed the restrictions for Tract #1, for the new parcel only, no further splits of the property, maximum of one single family dwelling on the property; minimum of 1400 square feet of above ground living space; 5 / 12 roof pitch, no unlicensed vehicles parked outside.

Mr. Milam asked if Tract 3 will have its own deed, Mr. Howard said it will be combined and will have a deed.

Mr. Smith asked if the required square footage would exclude mobile homes? Mr. Howard said yes, it would. Mr. Smith then shared his concerns over a new home that close to his property, he stated that it is their (Harris) property and they can do this. Mr. Smith asked if there was another area on the property for their family to build on, Mr. Harris said that the other area is very swampy ground and that his son would not be building for another year or two. Mr. Smith asked if the septic system will be a pressurized system.

Mr. Vogel asked if there were any further questions or comments, there being none the Board proceeded to vote on Variance # 2 for Emil Harris. Mr. Thrush tallied the votes; the request was approved. The Board then voted on Variance #3 for Joseph Harris, Mr. Thrush tallied the votes, the request was approved.

Mr. Vogel: Next on the agenda is Variance #4, Iris White seeking a variance from the minimum ground floor square footage for a residence in an AG zoned area. The property is located at 893S St. Rd. 524, Lagro. Ms. White could not attend the meeting. Mr. Howard reviewed the plans, it will be a 2 story house, with a 16 x 40 footprint, the required minimum ground floor square footage in an Ag. Zone for a two story residence is 720 square feet. Mr. Howard reviewed the conditions he feels should be on the property: No further splits of the property; maximum of 1 single family dwelling; no unlicensed vehicles parked outside; if anything should happen to this structure any new residential structure, after variance #4 is approved shall meet the minimum 1,400 square feet of above ground living space; have a 5/12 or greater roof pitch; and honor all other conditions. There being no questions or comments, Mr. Vogel called for a vote. Mr. Thrush tallied the votes; the request was approved.

Mr. Howard gave the following updates:

- Reminded Board members that when the County Ordinance draft gets final approval there will be 2 AG zones in the county. AG 1 will be prime farm ground; you would have to meet certain requirements or a point total to construct a residence in an AG 1 zone. He then reviewed the point process to determine if a residential structure would be permitted on AG 1 ground. I have a chart with the point system to determine if it would meet the requirements. Mr. Vogel asked if this would apply to immediate family members of the land owner. Mr. Howard noted that this is covered in the point system that an immediate family member would automatically get 15 points.
- Continuing to work with Mr. Downs on the County Ordinance draft.
- Imagine One 85, representatives from Grow Wabash County and the Community Foundation attended the May 5th PCB meeting to address any concerns or questions the Board had regarding the proposed countywide comprehensive plan They are asking for a

joint meeting of the three Plan Commission Boards, Wabash City, Wabash County, and N. Manchester, at that time they are hoping to have the approval needed. The date they are planning would be June 16th at 7:00 pm. The location is yet to be determined. After the discussion the members of the PCB felt comfortable with the plan going to a final vote by the three county Plan Commission Boards.

- Mr. Thrush will be back to court on Friday, May 27th for Matthew Miller, for complaint at Sandy Beach.
- At the June 2nd meeting the PCB we will have the hearing for the unsafe premise order for Mr. Kowalczyk's property in the town of Lagro.
- Four roll-off dumpsters have been placed at Sandy Beach to help with cleaning up the area. Mr. Howard said he would like to place dumpsters in the Liberty Mills area, he would talk with someone from the Church at Liberty Mills to see if someone from the church would be willing to monitor the dumpsters if we would put some in that area.
- The Linkenhoker property at Ijamsville, I haven't found a good address to get in touch with the property owner.

There being no further business Mr. Vogel asked for a motion to adjourn. Ms. Godfroy made the motion to adjourn, seconded by Mr. Younce. The meeting adjourned at 8:40 PM.

Libby Cook
Secretary, Wabash County Board of Zoning Appeals
mth