

ROLL CALL

Harry Baumgartner, Jr.	Jerome Markley
	Keith Masterson
Jarrold Hahn	Mike Morrissey
Bill Horan	Tim Rohr
Richard Kolkman	John Schuhmacher
Finley Lane	

Michael Lautzenheiser, Jr., Director

The September 5, 2013 meeting of the Area Plan Commission was called to order at 7:30 p.m. by President Jerome Markley. Ten members were present for roll call. Dan Baumgardner was absent.

**APPROVAL OF MINUTES:**

Jarrold Hahn made a motion to approve the minutes from the August 1, 2013 meeting. Tim Rohr seconded the motion; the motion carried 9-0-1 with Mike Morrissey abstaining. Tim Rohr made a motion to approve the minutes from the August 14, 2013 meeting. Finley seconded the motion; the motion carried 7-0-3 with Jarrod Hahn, Keith Masterson, and Mike Morrissey abstaining.

**OLD ITEMS:**

**V2013-004 – Bank of New York Mellon and Mark I. & Dixie L. Barkley**

Mr. Lautzenheiser stated that the property that was owned by the bank has been sold to a private party, Travis and Melissa Brown. The Barkley’s are still the owner on record for the 13 acres, which the taxes are up to date on. He explained that Andy Antrim has been in contact with the Barkley’s and were told to find a contiguous land owner to sell the property to, which would take care of the issue of the deed restriction. He restated what the violation was and how to resolve it.

Conditions: Resolve within the next 30 days. If not Andy Antrim will start legal actions

Motion: Jarrod Hahn

Second: Finley Lane

Vote: 10-0

**V2013-007 – Dennis D. Berlin Sr.**

Dennis Berlin explained that he has spoken with Michael Lautzenheiser, Jr. He provided the board with a packet of documents that could possibly help with a solution.

Mr. Lautzenheiser explained the violation. He stated that the property is zoned industrial at the request of a former property owner, who had also filed a special exception of the ordinance at that time for a mobile home to be permitted on the property to be used for someone to watch over the cannery operation. He explained that the special exception was approved with the condition that the mobile home must be removed after the cannery operation stopped. He stated that under the current ordinance that the special exception that was previously applied for doe not exist. He also informed the board that the mobile home had been down for over a year.

Mr. Berlin stated that the condition still exists for the use of the mobile home as a security watch place. He referenced the meeting minutes from when the special exception was first approved. He explained that the operation hasn’t stopped. He stated that the mobile home blew down and he just wants to replace it. Mr. Berlin also issued a complaint about not receiving any of the correspondence by mail. He stated that the mail was going to the property in Indiana when it should be mailed to California. He then

explained that he purchased the property in 1989 and went through the process of replacing the mobile home at that time. He stated that is all he wants to do now. He explained that the business is in operation and what type of production will be occurring there.

Mr. Lautzenheiser stated that the whole property was rezoned to industrial in 1982. He said that being zoned industrial and being part of the Ossian Industrial Park are two separate things. He explained that the taxing classification is different from the zoning of the property.

Jarrold Hahn explained that there was no issue with the factory or the type of production that will occur at the facility. He stated that the issue was that a mobile home could not be located on the site for people to live in. He explained that there could be another type of structure for the guard shack constructed there. It's just that no one could live there 24/7.

Mr. Lautzenheiser explained the process that would need to take place for a development plan. If Mr. Berlin wants to construct a structure for a guard shack with an office.

Conditions: 60 days to file the petition or start the process to resolve the issue.

Motion to Continue for 60 days: Jarrod Hahn

Second: Bill Horan

Vote: 10-0

**V2013-010 – Ossian Partners, LLC**

Mr. Lautzenheiser explained that the contractor came in to pick up the variance paperwork, but has not brought it back in. It was after the last filing deadline, therefore it turned in before the October APC meeting to meeting the October BZA filing deadline.

Conditions: If no action occurs by the October meeting, Andy Antrim will start legal actions

Motion: Mike Morrissey

Second: Jarrod Hahn

Vote: 10-0

**NEW ITEMS:**

**A13-09-28 LANCASTER TWP., SW/4 22-27N-12E MMATT Partnership requests approval for a development plan for a 60ft x 100ft garage. The property is located on Commerce Dr. 550ft north of Monroe St., Bluffton, IN 46714 and is zoned B-3.**

Brett Miller, MLS Engineering, stated that MMATT is selling the property to a gentleman that is going use the barn/garage for personal use. It is in a commercial zoned area but will be used for residential purposes. He explained that there will hardly be any traffic to the structure, only about one car a day. He explained that plans are still being filed with the state because it is in a business area even though it will be for personal use. The 60ft x 100ft building will have a bathroom; therefore there will be new sewer and water service. It will have metal siding and a metal roof. Mr. Miller explained the drainage and that it will drain to a catch basin in the front of the property, which will then flow to the Lowe's detention pond. This property was included when the Lowe's pond was constructed. He explained that it would flow further south and then under the street before getting into the pond.

Conditions:

Motion to Approve: Jarrod Hahn

Second: Bill Horan

Vote: 10-0

**DISCUSSION:**

Andy Price informed the board of his progress on his violation. He stated that he has a contractor hired, who is to do the roof before the end of the month. He explained that things are progressing with the house.

Conditions: Keep Michael Lautzenheiser Jr. informed within 30 days.

Motion: Jarrod Hahn

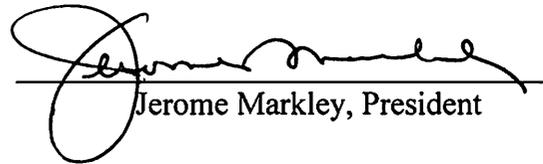
Second: Mike Morrissey

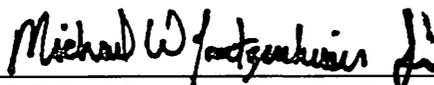
Vote: 10-0

Michael Lautzenheiser, Jr. updated the board on the comprehensive plan. He stated that September 4<sup>th</sup>, the Steering Committee voted to have the comprehensive plan to be heard by the APC at the October 3<sup>rd</sup> meeting. He stated that there will also be an open house scheduled for September 26<sup>th</sup>.

**ADVISORY:**

Mike Morrissey made a motion to adjourn the meeting. John Schuhmacher seconded the motion and the motion passed with a vote of 10-0. The September 5, 2013 Area Plan Commission meeting adjourned at 8:33p.m.

  
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Jerome Markley, President

ATTEST:   
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Michael Lautzenheiser Jr., Secretary