

ROLL CALL

Dan Baumgardner	Jerome Markley
Harry Baumgartner, Jr.	Mike Morrissey
	Tim Rohr
Kip Bunch	John Schuhmacher
Jarrold Hahn	Becky Stone-Smith
Bill Horan	

Michael Lautzenheiser, Jr., Director

The May 4, 2017, meeting of the Area Plan Commission was called to order at 7:30 p.m. by Jerome Markley. Ten members were present for roll call. Tyson Brooks was absent.

**APPROVAL OF MINUTES:**

Mike Morrissey made a motion to approve the minutes with changes from the March 2, 2017, meeting. Jarrod Hahn seconded the motion; the motion carried 10-0.

**OLD ITEMS:**

**NEW ITEMS:**

**A 17-05-02 HARRISON TWP. SE/4 17-26N-13E Nathan Gerber requests an approval for a zoning change to B-3. The property is located at 2961 SE Mulberry, Bluffton, IN 46714 and is zoned R-2.**

Nathan Gerber asked that the property be rezoned to allow for a business to be placed in the building. Michael Lautzenheiser. explained the history of the property. Mr. Gerber confirmed that it had been a commercial building for 10 years. Harry Baumgartner. said there was an archery business located there. Jerome Markley asked what had changed. Mr. Lautzenheiser. said that it had lost the grandfathered status. Jarrod Hahn said that prior to the petition there was a house on the property as well. Mr. Lautzenheiser. confirmed that there was a house split off thru the Plat Committee and now they want to rezone the large building to allow a business. The Board discussed other business zoned properties nearby. Mike Morrissey asked what business would be located in the building. Mr. Gerber said that Ringger Soft Water needs storage for salt pallets. Mr. Markley asked the board if there were any additional questions or comments. Mr. Morrissey asked Harry Baumgartner if he had heard anything from Vera Cruz on the matter. Mr. Baumgartner said that they seemed ok with it. Mr. Markley reviewed the 3 possibly motions: Do Pass, Do Not Pass, and No Recommendation. He asked if there was anyone from the public with comments or questions. There were none.

Conditions:

Motion to Send a Do Pass Recommendation to Town Board of Vera Cruz: Jarrod Hahn

Second: Harry Baumgartner, Jr.

Vote: 10-0

**A 17-05-03 LANCASTER TWP. NE/4 28-27N-12E Carl & Becky Fisher request an approval for a zoning change to B-3. The property is located at 2740 E 200 N, Bluffton, IN 46714 and is zoned**

Mick Cupp, Cupp Real Estate, explained the rezoning petition requested by the Fishers. He said that they are wanting to place a U-Store building on their property as an alternative use of the land. Jerome Markley asked if it was next to the golf course. Michael Lautzenheiser talked about the location and the

requested zoning. He also mentioned other B-3 zoned properties nearby. Mr. Markley asked the board and public if there were any questions or comments. There were none. He explained the 3 options for the motion.

Conditions:

Motion to Send a Do Pass Recommendation to Wells County Commissioners: Bill Horan

Second: Jarrod Hahn

Vote: 10-0

#### A 17-05-04 WELLS COUNTY Ordinance Amendments

- **Zoning Ordinance**
  - **New & Adjusted land uses.**
  - **Establishment of Power Plant Overlay District.**
  - **Additional and updated ordinance definitions.**
  - **Cost estimate for permits.**
- **Subdivision Control Ordinance**
  - **Primary Parcel Right-of-Way Grant for Minor Subdivisions.**

Jerome Markley asked Michael Lautzenheiser to explain the proposed ordinance amendments.

Michael Lautzenheiser explained that the 1<sup>st</sup> proposed amendment would be to add a Power-Plant overlay district what would need to be approved prior to any development plan in the A-1, I-1, or I-2 districts. He also talked about the different sizes and the requirements for each. Mr. Markley asked what Tri-County would be considered. Mr. Lautzenheiser said that it would possibly be the medium size requirement. Mike Morrissey, Jerome Markley, and Michael Lautzenheiser discussed the change in zones with the P-1 overlay. Jarrod Hahn suggested changing the proposed exemption for 200W to 1,000W. Mr. Markley asked if the numbers were based on other counties. Mr. Lautzenheiser said that they were based on solar power light. He said that there is no intention on policing small personal use items. Kip Bunch talked about the watts for one that is placed on the roof of a home. Mr. Lautzenheiser said that he would look into the number more before the next meeting. Joel Hoehn asked about the development plans. Mr. Lautzenheiser said that they would be based on medium and large developments. Mr. Hoehn asked about the hard surface and what would be included. Mr. Lautzenheiser said that it would be the max area. Mr. Morrissey asked if it would be subject to drainage and who suggested the change. Mr. Lautzenheiser said that the commissioners suggested it. Mr. Hahn said that power companies know where things need to be. Mr. Lautzenheiser said that it would make like zoned areas. Mr. Morrissey asked how it would be shown on the maps. Mr. Hahn asked why a different zone could not be made instead of an overlay district. Mr. Lautzenheiser explained that it would be similar to the landfill use. He said that the board would still have to rezone to allow for the overlay district just like they would a new zone for the parcel. Mr. Hoehn asked what happened for farm ground if it's a new zone district. Mr. Lautzenheiser explained that the use would be grandfathered in as a legal non-conforming use. Mr. Hoehn suggested that the overlay would work better since the original uses would still be permitted.

Michael Lautzenheiser explained that there has been some shown interest in the county regarding wineries & breweries. He said that it was time to have them defined in the ordinance and show where the permitted uses were. He talked about the difference between micro versions vs full versions of each category. Jerome Markley asked if there would need to be special licenses. Jarrod Hahn asked about the wineries and brandy since brandy isn't considered a wine but can be produced at a winery. Mr. Hahn suggested that they are permitted the same to avoid confusion. The Board discussed micro vs full-scale operations and where the uses should be allowed. Mr. Lautzenheiser said he would make the suggested changes before the next meeting.

Bill Morris said that he was happy to see that solar power was being looked at in the ordinance amendments. He talked about different types of solar power structures and the land that they take up. Mr. Morris mentioned the Comprehensive Plan and how the farm ground should be protected. He talked about the leases that are being offered for 30 years with an option for 50 years. Mike Morrissey asked how other counties were handling solar farms. Michael Lautzenheiser explained that there was a wide variety on how solar was handled. He said that nationwide it's pro-solar and that they think it should be able to go anywhere. He said that we are taking a more conservative approach. Mr. Morris explained the size difference in solar panel options and the amount of ground they take up.

Michael Lautzenheiser explained the request made by the Assessor's Office to get cost information when issuing permits. Jarrod Hahn asked if it would be voluntary or mandatory. Mr. Lautzenheiser said that it would need to be mandatory.

Michael Lautzenheiser talked about the request that was made to the office about allowing kennels in the B-3 zoning district. Jarrod Hahn asked if that was downtown. Mr. Lautzenheiser explained that it was not in the central business zoned area and gave a location example. Mike Morrissey asked that there be a definition of kennel added.

Michael Lautzenheiser talked about the request for granting additional right-of-way (ROW). He said that the highway department has made the request for needing a larger ROW for safe travel. Jarrod Hahn asked to clarify if it was just granting ROW or deeded property. Kip Bunch said that it's like being penalized for selling off property. Mr. Hahn said that he would be ok with ROW on sell-off but not primary. He suggested after multiple sell-offs then increase ROW on the primary parcel as well. Mike Morrissey asked about the other side of the road and how the ROW would be handled then if road work were to be needed. Mr. Lautzenheiser explained that the highway department would request the additional ROW from the owners of the properties. Mr. Bunch asked if it would be an additional 30' or if 10' in addition to the current 20'. Mr. Lautzenheiser explained that it would be an additional 10'. Mr. Morrissey asked what the public would think about this amendment. Joel Hoehn said that the farmers won't like it. He doesn't see a problem with ROW on the sell-off. He said that he felt that it was asking the farmer for too much. Mr. Hahn suggested maybe after the 1<sup>st</sup> sell off then ask for ROW on the primary. Mr. Morrissey asked if each jurisdiction could have its own ordinance. Mr. Lautzenheiser explained that it was a possibility but how it is easier to have one for the county. Mr. Markley said that we as a board just recommend items to the jurisdictions to vote on. Mr. Hoehn suggested using the term centerline to section line instead of the center of the road. Mr. Lautzenheiser said he would discuss the proposed changes with the highway department. Mr. Markley suggested continuing to the next meeting.

**Conditions:**

Motion to Continue to June 1, 2017, Meeting: Mike Morrissey

Second: Kip Bunch

Vote: 10-0

**OTHER BUSINESS:**

**DISCUSSION:**

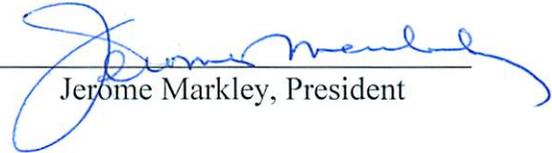
Jerome Markley mentioned Jarrod Hahn's request to discuss a possible new start time.

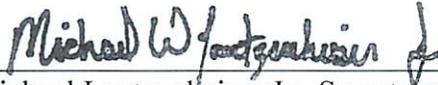
**ADVISORY:**

Jerome Markley confirmed the June 1, 2017, meeting.

**ADJOURN:**

John Schuhmacher made a motion to adjourn the meeting. Bill Horan seconded the motion. The May 4, 2017, Area Plan Commission meeting adjourned at 9:06 p.m.

  
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Jerome Markley, President

ATTEST:   
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Michael Lautzenheiser Jr., Secretary