

ROLL CALL

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

Michael Lautzenheiser, Jr., Director

The December 4, 2014 meeting of the Area Plan Commission was called to order at 7:30 p.m. by President Jerome Markley. All members were present for roll call.

**APPROVAL OF MINUTES:**

Mike Morrissey made a motion to approve the minutes from the November 6, 2014 meeting. Jarrod Hahn seconded the motion. Tim Rohr mentioned that he wasn't there for the November 6, 2014 meeting; the motion carried 10-0-1.

**OLD ITEMS:**

**A 14-09-21 NOTTINGHAM TWP. SE/4 21-25N-12E Sunshine Dairy, LLC requests approval for a new 6,855,614 gal. manure lagoon on an existing CAFO. The property is located at 9075 S 250 E, Keystone, IN 46759 and is zoned A-1.**

Johan De Groot, Jr., owner and operator of Sunshine Dairy, apologized for not making it to the last meeting due to harvest issues that evening. He said that things really haven't changed since last meeting. Jerome Markley asked if they were able to get the permit from State. Johan De Groot, Jr. said that the State Permit has been approved. Michael Lautzenheiser, Jr. said the permit was the main thing from the last meeting. He mentioned that the points calculated based on information from the state of Florida and how he was unable to obtain information from the state. Jerome Markley asked if we disregarded the time in Florida would that put the number under the required 220 points. Jarrod Hahn asked if we could get the information from Florida. Michael Lautzenheiser, Jr. stated that Florida doesn't have an easy database to check for information. Mr. Lautzenheiser, Jr. asked Mr. De Groot, Jr. if he could provide the information needed to verify the time in Florida. Johan De Groot, Jr. said that the permits from Florida would not be in his name since he was not the owner and just the general manager. Mr. De Groot, Jr. said he would check into getting the operation number from the farm in Florida.

Jerome Markley wanted to discuss the adjustments to the points. He asked Mr. De Groot, Jr. how long he's been working in the state of Indiana. Johan De Groot, Jr. said that he started working for Andrew's Farm in 2010 and then got permits in his name July/August 2010. He started to have cattle on farm in November of same year. Jerome Markley asked specifically about page 2 on Development Plan Application 16-07 #5. Michael Lautzenheiser, Jr. said that the paperwork wasn't updated after our review of the points. Jerome Markley asked what it would take off if we didn't consider the points from Florida. Michael Lautzenheiser, Jr. said that it would be under the 200 points. Jarrod Hahn had asked about the other questionable points taken off.

Mike Morrissey stated that he thought the main concerns from the last meeting were the IDEM permit and out-of state issues. Michael Lautzenheiser, Jr. said that there was discussion regarding the out-of-state manure and a commitment to not allow out-of-state manure to be placed in the lagoon. Bill Horan mentioned asking for verbal gentleman's agreement vs a legal binding agreement. Michael Lautzenheiser, Jr. said that he didn't think the board would want to get into the policing of out-of-state

legal commitment since we are not involved with out-of-state commerce. Jerome Markley talked about the difference between out-of-county vs out-of-state. John Schuhmacher asked if that would make it more of an industrial instead of agricultural. Michael Lautzenheiser, Jr. said that it would make it more of a satellite lagoon for neighboring counties which is discussed in the ordinance now. Jerome Markley wanted to verify what Mr. De Groot, Jr. offered at the September meeting. Johan De Groot, Jr. said that he would commit to not take manure from out-of-state, but he would allow operations from surrounding counties that run into emergency situations to store manure in the lagoon temporarily. Jerome Markley asked Mr. De Groot, Jr. if he was comfortable saying that he wouldn't allow out-of-state manure. Johan De Groot, Jr. said that he wouldn't accept manure from out-of-state and would only allow manure from his farms and other farms in emergency situations. Mike Morrissey asked about this development plan and the difference legally between on-site and satellite lagoon. Michael Lautzenheiser, Jr. said that they are defined differently in the ordinance. Mr. Lautzenheiser, Jr. said they are approved with same basic requirements. Mr. Morrissey wanted to verify that this was for an on-site lagoon. Jerome Markley said that it would be on-site since there were animals there vs. a satellite where there aren't any animals at the location and it's just the lagoon.

Jerome Markley asked the public if they had any new information to share. William Morris asked about manure application and points given for different application procedures. He asked what happens after the CAFO is approved and doesn't maintain the number of points. Michael Lautzenheiser, Jr. explained the points given for the application procedures. Mr. Morris asked what happens after the commission approves this petition with these points and fails to do what they said they would do in the application. Mr. Lautzenheiser, Jr. said that the board would enforce the 220 points required and would keep a written commitment throughout the lifetime of the project.

William Morris asked if the APC takes any steps in following thru and making sure that the applicant does what they say they are going to do. Michael Lautzenheiser, Jr. said that there would be a written commitment, which would be recorded at the recorders office, to maintain any points that the board would keep and use to enforce them to maintain the points throughout the lifetime of the project. Mr. Morris asked how the APC would know if something wasn't being followed-thru with. Jarrod Hahn said that it would be complaint driven process. Mr. Morris asked where and how can citizens have access to promises that have been made by CAFO operators. Mr. Lautzenheiser, Jr. stated that the document would be available in the Recorder and/or Area Plan Offices. Mr. Morris asked if these can be posted on the website so that the average citizen has access to the information without making a trip to the Recorder's office or the Area Plan office. Mr. Lautzenheiser, Jr. said that it would take some work to get done but it's possible. Mr. Morris asked if they should be posting Manure watches instead of Crime watches since it's a complaint driven violation process. He asked what kind of documentation would be needed to provide proof. Mr. Lautzenheiser, Jr. time stamped photos of the actual dumping or vehicles spreading the manure. Mr. Lautzenheiser, Jr. said that we would check the information as soon as we received it. Mr. Morris asked how we would know just based on a photo. Mr. Morris went on to say that it's great that it's in the ordinance but when there isn't any enforcement, it's left to the citizens to enforce it. Mr. Morris asked what the penalties are for certain violations. Mr. Lautzenheiser, Jr. said that it would start with a violation letter stating what would need to be corrected. He said if it continued they would have to come in and file a new development plan so show that they are able to get points another way.

William Morris said that in this particular case we are dealing with 221 points. He asked what the penalty is for an operator that has over 300 points. Michael Lautzenheiser, Jr. said that the commitment can only enforce that they maintain 220 points. Mr. Morris asked that if the CAFO had over 300 points and didn't apply the manure like they said they would could we do anything able it as long as they were over the 220 points. Mr. Lautzenheiser, Jr. said that the Area Plan couldn't enforce it. Jerome Markley said that IDEM would come into play with the manure not being applied correctly along with other state laws.

William Morris asked to clarify the roles played by the different governmental agencies and the regulations of CAFO's. He asked about Area Plan on the local level, IDEM and State Chemist office on the state level and what the roles are. Michael Lautzenheiser, Jr. stated that the Area Plan Commission is in charge of approving zoning, location of structures, and meeting of zoning ordinance requirements; IDEM is in charge of enforcing state rules for placing, constructing, and management of a CAFO operation; and the State Chemist is in charge of maintaining soil quality. Jarrod Hahn said that IDEM would be called in when spills happened as well.

Mr. Morris asked who they should contact regarding odor complaints. Mr. Lautzenheiser, Jr. said they would need to contact the Area Plan Commission. Mike Morrissey said it would be more accurate to say that we are in charge of the development meeting the requirements of zoning ordinance in terms of setbacks and that is a product of odor. Mr. Lautzenheiser, Jr. stated that odor would be part of the public health, safety, morals, and welfare section of the ordinance. Mr. Morris asked if odor counts or not count. Mr. Lautzenheiser, Jr. said that it does matter and that is why there are odor abatement processes in the zoning ordinance and additional points for setbacks. Jerome Markley said that it's an additional 30 points for setbacks.

Gene Boyer asked about the photos for violations. He wanted to know if he should take pictures at all hours of the night so they have the right time stamps. Jarrod Hahn stated that it's not a violation to inject manure. He said that he'd have a concern if it wasn't being injected into the ground after 2-3 days or even up to a week. Mr. Boyer just wanted to clarify to see where we stand as being the eyes and ears. Mr. Hahn said that just because they are spreading manure at night doesn't make it a violation.

Jerome Markley asked Mr. Horan if they have had contact with State offices with their department. Bill Horan said that he's mainly just contacted for the phone numbers. He said the only time he's had contact with the IDEM was after a violation, when they made a follow-up call to them since they were informed that the complainant received the contact information from their office. Mr. Markley said that one time someone came to him and wanted to make a complaint on the dairy near them, he got the number from Mr. Horan's office for the individual that wanted to make the complaint. He said they filed a complaint and a lady from Huntington came out to the site and responded within 24 hours if not the same day to look at the situation. Jarrod Hahn stated that he was pretty sure if you called the spill response number they are supposed to respond within 24 hours.

Jerome Markley said that if there is a motion to approve that we need to make sure to have the commitment to maintain the 220 points along with the out-of-state manure not being allowed.

Conditions: Commitment to maintain 220 points and a verbal commitment to not accept out-of-state manure.

Motion to Approve with Conditions: Bill Horan

Second: Jarrod Hahn

Vote: 10-1 (Dan Baumgardner)

**NEW ITEMS:**

**A 14-12-27 JEFFERSON TWP. SW/4 10-28N-12E John Dehner, Inc. request approval for a 4.0 acre division of a minor subdivision. The property is located on the North side of County 1000 N. (Davis Rd.) approximately 860 ft. East of SR 1 and is zoned R-1.**

Herb Spitzer, attorney, requested the board to approve the division of a minor subdivision for possible Ossian Healthcare future development. Michael Lautzenheiser, Jr. explained the one time exemption

related to this request that the ordinance allows. Jerome Markley asked if the rest of the tract was farm ground. Michael Lautzenheiser, Jr. said that the remainder is farm ground.

Jarrold Hahn mentioned the county tile that runs along with property line what would have to be dealt with for future projects. Mike Morrissey asked if it was a known tile. Jarrold Hahn said that it's a county regulated drain and if there is a development plan in the future, there would need to be provisions made at that time.

Jerome Markley asked if there was anything else to be discussed for this plan.

Conditions: Provide new survey with easement for county tile shown.

Motion to Approve with Conditions: Jarrold Hahn

Second: John Schuhmacher

Vote: 11-0

**A 14-12-28 HARRISON TWP. NW/4 3-26N-12E RTT Investments, LLC. requests approval for a building addition 1,643 sq. ft. & a hoop storage addition 7,494 sq. ft. The property is located at 3110 E SR 124, Bluffton, IN 46714 and is zoned B-3/I-1.**

Brett Miller, with MLS Engineering, stated that Andy Newsome with Nesco was beside him. Mr. Miller talked about the 2 different buildings on the petition request which had been started before getting permits. The first item he discussed was the building addition of 1,643 sq. ft. for offices which is out of the floodplain. The second item he discussed was the Hoop Building. He talked about the SW corner of the building being in the floodway, he mentioned it being in the compliance department at the DNR. He also mentioned after investigating no detention or drainage facilities that he met with Jarrold Hahn. He stated that north of the Hoop Building shows a retention pond. Mr. Miller said that they know the Hoop Building can't be approved today due to outstanding issues with DNR, Surveyor, and Planning Commission. He talked about how in 2008 when the last building was approved there was an agreement for water lines with fire hydrants that were to be installed by January 2013 but never happened. He mentioned that the City of Bluffton said they need to be installed and that Nesco has agreed for them to be installed. Mr. Miller asked that the building addition get approved tonight as there aren't the issues with that building as there are with the other part of the development plan. He said that the building addition is needed for office space for new employees that are to be added.

Jerome Markley asked if the contractor was local and didn't know that permits were needed to build. Jarrold Hahn suggested that we separate the 2 items and make two different development plans. Jerome Markley asked if they were in agreement that we would only discuss the building addition and postpone the hoop building to a future meeting. He stated that when we make the motion it will only be for the building addition. Michael Lautzenheiser, Jr. said that we will need to make a motion to continue hoop building at the end.

Michael Lautzenheiser, Jr. said that the items that would be needed for the building addition are the State Design Release and a written (recorded) commitment for the city water line to be installed. Mr. Lautzenheiser, Jr. talked about the elevation and how the building was above the elevation needed. Brett Miller said that he did that the State Design Release letter. Jerome Markley said that the city water line commitment is tied to both parts of the petition. Jarrold Hahn said at the time (back in 2008) he thought the pond would work but the Fire Department said it wouldn't meet the fire protection laws to protect the building. He said that the APC at the time agreed to go along with what the City of Bluffton and the Fire Department requested to be done in regards to the water line. Jerome Markley said that is what Mr. Morris was talking about earlier and how sometimes we get caught and aren't aware unless citizens bring it to our attention. Michael Lautzenheiser, Jr. said that the City of Bluffton was to handle it. He said that this time the commitment will be made with the board and we will make sure to follow-thru with it this time. Mr. Lautzenheiser, Jr. asked Brett Miller what kind of time commitment he was looking for in

regards to the water line getting installed. Mr. Miller said that he'd like a year to have everything done. Andy Newsome said that it all depended on the weather and the state permit to go under the highway. Jerome Markley suggested September 1, 2015. Mike Morrissey said that 9 months sounded good to him. Jarrod Hahn asked how long they thought it would take to get the INDOT permit to go under the road. Mr. Miller said he thought it would be February/March. Mr. Hahn asked if the water line would be public or private. Mr. Miller said that hasn't been discussed with NESCO or owner of property. He would recommend building it to City standards with an access easement over it. Mr. Morrissey asked how that would work. He asked if the City and Fire Department would need to be asked again based on the original agreement. Mr. Hahn talked about the letter presented to the board section 508.5.1 of the fire code says that here has to be a hydrant within 400 ft. or 600 ft. if the building has an approved automatic sprinkler system. He said that it didn't say if it had to be a city owned hydrant vs private. Mr. Lautzenheiser, Jr. said that during the meeting they discussed the easement that would be needed with the water line.

Jerome Markley asked for questions and comments from the public. Doug Sundling, with City of Bluffton, wanted to share a little bit more information regarding the discussion from 2008. He said that it was best to make it City (public) water line due to the complex and possibility of buildings on that property being sold off separately. Mr. Sundling talked about NESCO Park on the property to readdress buildings with easement. Jarrod Hahn said that the paint booth may be able to have the fire hydrant 600 ft. from the building do to the chemical sprinkler system in the building instead of the 400 ft. requirement needed for the rest of the buildings. Mr. Sundling said that the Mayor requested letter from NESCO, showing change of leadership with Fire Department. Mr. Hahn asked about the agreement and how it was supposed to be done by 2013, and asked if the City would have an issue with another letter showing a later date. Mike Morrissey said that he would think a new commitment with the correct time frame would be ok. Michael Lautzenheiser, Jr. suggested going with a recorded commitment, instead of just a letter, which is enforceable by the zoning ordinance. Mr. Morrissey asked if the recorded commitment would be a condition of a motion. Mr. Markley asked if the September 1, 2015 date on the commitment would be ok. Mr. Hahn said that the September 1, 2015 date is being very generous. Mr. Markley asked Mr. Miller if it would be done by then. Mr. Miller said yes that it would be done. Mr. Hahn said that typically when there are ordinance violations they are given lots of time, but he felt that this time it would need to escalate faster than what it done currently with other violations. He said that it was agreed to and it has to get done. Mr. Hahn mentioned that a contractor can work here when they can't work at other locations due to it being under stone. Mr. Sundling said that the Mayor just wants to see it happen.

Conditions: Commitment letter for water line with 3 hydrants to be installed by 9-1-15 with a 50' easement.

Motion to Approve Building Addition with Conditions: Mike Morrissey

Second: Bill Horan

Vote: 11-0

Conditions:

Motion to Continue Hoop Building to March 5, 2015 Meeting: Mike Morrissey

Second: Jarrod Hahn

Vote: 11-0

**A 14-12-29 JEFFERSON TWP. SE/4 21-28N-12E OD, Inc. requests approval for an industrial building 30,000 sq. ft. with parking and storage areas. The property is located on the South side of Industrial Parkway (CR 850 N) approximately 770.68 ft. west of SR 1 and is zoned I-1.**

Mark Reinhart, with Engineering Resources on behalf of Haldrup, said that Haldrup is a company out of Germany looking to make a presence on the south side of Ossian in Wells County. He said that the

building would be 31' in height, 36 parking spaces, and 2 drives of which the west drive would be for deliveries and would be dust controlled. Mr. Reinhart went on to talk about how the building will be used for manufacturing 2 row harvesters and office space. There will be two culverts; he said that he worked with Jarrod Hahn and the Town of Ossian to widen the existing ditch and make it a 2-stage ditch to create 1.5 times what is required. He also said that they are asking approval of sign variance as well. Jarrod Hahn said that the Drainage Board approved concept and the DNR does not require a permit. Jerome Markley asked if the company was planning any future development. Mr. Reinhart said OD, Inc. owns number of acres which they are working with Tim Ehlerding to layout an industrial park. Mr. Hahn said that if the industrial park were to develop there are plans for a regional detention pond to the east of the site. Mike Morrissey asked if this is all separate from Ossian Industrial Park across the street. Michael Lautzenheiser, Jr. said that it's just a conceptual drawing and have not come in for a major subdivision to have streets laid out. Mr. Morrissey asked about communication with Town of Ossian regarding utilities. Mr. Lautzenheiser, Jr. said that the Town of Ossian wants a detailed plumbing plan for the building to verify that oil and grease won't be put into sanitary system. We have received an e-mail saying they are ok with 2-stage ditch however we are in need of that in writing.

Mark Reinhart had an update on the plumbing plan; they have selected Jim Jackson as a contractor. He said the plan will be coming but they are not to that point yet. Jarrod Hahn said that from the Town of Ossian perspective isn't going to affect the size of the sewer line but may determine they may need a grease/oil separator to prevent those from going into sewer system. Michael Lautzenheiser, Jr. said that they would need to prove why they wouldn't need it. Mr. Hahn said they are going to hook-up but may need provisions so that doesn't happen. Mr. Lautzenheiser, Jr. said that Plat Committee recommended they need to get something showing the large gravel with dust control staging area vs trucks moving in and out. Mr. Hahn mentioned using Dust-Aid like NESCO uses where vehicles are driving a lot. Mike Morrissey asked if that goes back to ordinance compliance and complaints from citizens. Mr. Lautzenheiser, Jr. must maintain dust-free durable surface for parking. He said that if another area creates a dust issue we are able to use the commitment to enforce.

Mike Morrissey asked about the sign and any issues with the variance. Michael Lautzenheiser, Jr. asked Mark Reinhart about the 100' building setback he mentioned and said that it wasn't the zoning ordinance requirement. Mr. Lautzenheiser, Jr. said that since the sign location would be located just outside of the 30' proposed drainage easement it would meet the 30' sign setback and would be in compliance so there wouldn't be a need for a variance.

Mike Morrissey asked about the City of Ossian Fire Department and if they had a problem with protecting the proposed building. Jarrod Hahn said that it wasn't 400ft off the road. Mark Reinhart said that they are bringing a fire hydrant up close to the building. Mr. Lautzenheiser, Jr. said that the plan shows hydrants next to flag poles in the island in the parking lot. Mr. Hahn mentioned the parking lot lighting that was discussed at the Plat Committee and if it was lighted how it needed to be directed towards parking lot only.

Jerome mentioned the items that would be needed for approval with conditions. Michael Lautzenheiser, Jr. said that a photo metric plan for lighting would be needed as well. Mike Morrissey asked if there was a time table. Mark Reinhart said that they were hoping to start moving dirt in December and have the building finished in 2015. Michael Lautzenheiser, Jr. said that the main item they need is to get started is getting the State Design Release.

Conditions: Plumbing plans to Ossian, 2-Stage Ditch approval from Ossian, Dust Compliance, and Photo Metric Plan for lighting

Motion to Approve with Conditions: Jarrod Hahn

Second: John Schuhmacher

Vote: 11-0

**OTHER BUSINESS:****2014 Director's Annual Report**

Michael Lautzenheiser, Jr. updated the board on the events of 2014. He mentioned that the BZA did not have one meeting. Mr. Lautzenheiser, Jr. talked about the judicial review for the Large WECS project. Jerome Markley asked about the timeline on the judicial review. Mr. Lautzenheiser, Jr. said that it would hopefully be settled within a year. He spoke on the permits, new homes, violations, APC petitions, BZA petitions, and Plat Committee petitions.

Michael Lautzenheiser, Jr. discussed the budgets and collections for Area Plan/GIS. Jerome Markley asked for a comparison for this year compared to last year. Mr. Lautzenheiser, Jr. answered in detail in regards to Mr. Markley's question.

Michael Lautzenheiser, Jr. talked about the 2014 notes for Comprehensive Plan, new floodplain maps and regulations, applications filed for CRS. He stated that the redraft committee for Zoning Ordinance is about 50% done. He mentioned that we voted to not defend Wells County Wind II LLC's petition. Mr. Lautzenheiser, Jr. talked about the online permitting, the new aerial photography in 2015 and 2018.

**2015 Director's Plan of Operations**

Michael Lautzenheiser, Jr. talked about the approved budget for the Area Plan Office and the major purchase of new online permitting system. He spoke on different budget items as far as pay raises, budget line items increasing and decreasing in amounts for the New Year. We will have a new attorney for 2015. He talked about continuing education for both himself and for Suzie Freck. Mr. Lautzenheiser, Jr. mentioned projects that are coming up such as Comprehensive Plan, Rules of Procedures. He wants to look at the current enforcement process since it is really bogging down lately and wants to rethink process so that violations get handled in a reasonable time frame. Mr. Lautzenheiser, Jr. noted that the Director's salary was not changed to level 3.

Michael Lautzenheiser, Jr. talked about GIS Budget. The Major purchase will be the spatial analyst extension ArcGIS to all more elevation and drainage based on GIS. He will want to continue to participate in the Northeast Indiana Global Information Consortium. His talked about the different projects in detail as well for the GIS Department.

**V2013-013: Rex A. Bates**

Michael Lautzenheiser, Jr. stated the current situation is that the mobile home is still on site. He talked to Mr. Bates to allow 60 days to move mobile home to mobile home park or tear down. He said that there is another pending violation with the Health Department. Mr. Lautzenheiser, Jr. would like this to go straight to the attorney after 60 days. Jarrod Hahn said that Mr. Bates is been in Nursing Home/Assisted Living facility on and off. Bill Horan asked if Mr. Bates understood that they aren't able to keep the mobile home on the property.

Conditions:

Motion to Continue to February 5, 2015 Meeting: Bill Horan

Second: Jarrod Hahn

Vote: 11-0

**V2014-002: Harry F. & N. Jeanne Wilson**

Michael Lautzenheiser, Jr. spoke on the violation on the long standing issues for the semi-trailers and mobile home. We haven't heard from the Wilsons or the new owner who hasn't showed up on the Allen County website yet. John Schuhmacher said that the new owner's name was Josh Scheley. Mr. Lautzenheiser, Jr. said that hopefully Mr. Scheley received the last letter that was taped to the door. He mentioned that the semi-trailers have been removed and that the mobile home seems to be torn down some from the time we was out to post the letter.

John Schuhmacher talked about his conversation with Mr. Scheley. He said that Mr. Scheley stated that when he bought the property that he was told that the mobile home would be torn down and removed by the previous owners but it wasn't. He talked about the sharp metal from tearing down the mobile home and suggest to Mr. Scheley that he contact the previous owner and let them know that they have permission to come on to the property to remove it themselves. Jerome Markley asked how long ago the conversation was. Mr. Schuhmacher said it was around 2 weeks ago and was unsure of the exact situation as of today since he didn't have time to run by before meeting this evening.

Jerome Markley asked what the time schedule should be. Michael Lautzenheiser, Jr. suggested 30 days and how that should be more than enough since this violation has been going on so long. John Schuhmacher said he would provide new owner's phone number for it would be easier for us to contact him.

**Conditions:**

Motion to Continue to January 8, 2015 Meeting: Jarrod Hahn

Second: John Schuhmacher

Vote: 10-0 (Finley Lane left early)

**V2014-004: William D. Farabee**

Michael Lautzenheiser, Jr. mentioned that Mr. Farabee asked that this violation be moved to this meeting and didn't show up. Mike Morrissey asked if anything has been done. Mr. Lautzenheiser, Jr. said that the last time he looked at it was just before the last Area Plan meeting. Jerome Markley asked if Mr. Lautzenheiser, Jr. wanted to send another violation letter asking it be resolved by January 8, 2015 meeting. Jarrod Hahn stated that it is in an easement for the City of Bluffton and it more than likely in violation of Covenant of Subdivision, City of Bluffton, and Zoning Ordinance. He felt that since it isn't just our rules that they are violating the other parties need to be involved as well. Mr. Markley asked if it has been in front of City Council. Mike Morrissey said that it has not been in front of the City Council and suggested that we send another letter stating that we need to hear by the January Meeting. Mr. Hahn said that we are unable to enforce Subdivision rules so it will more likely end up being a 50/50 legal action needed with the City of Bluffton with us. Mr. Morrissey said to call the Mayor in regards to legal from City of Bluffton.

**Conditions:**

Motion to Continue to January 8, 2015 Meeting: Mike Morrissey

Second: John Schuhmacher

Vote: 10-0

**V2014-013: Monty D. Sliger**

Michael Lautzenheiser, Jr. said they are in the process of scraping the semi-trailer rather due to major rust issues. He felt it should be done by January/February. Jerome Markley asked the committee for their thoughts. Mr. Lautzenheiser, Jr. would like to continue for 60 days.

Conditions:

Motion to Continue to February 5, 2015: John Schuhmacher

Second: Keith Masterson

Vote: 10-0

**V2014-016: RTT Investments**

Michael Lautzenheiser, Jr. explained that they are still in violation, but had filed the Development Plan to comply with violation. Jerome Markley verified that the violation was due to the fact that they built the building without a permit. Mike Morrissey asked if this was handled in the development plan. Michael Lautzenheiser, Jr. said that it was and will need to be continued until the development plan is finalized.

**DISCUSSION:**

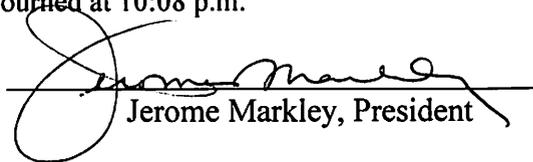
Michael Lautzenheiser, Jr. asked that everyone that needs to be assigned or appointed do so before the next meeting. Jerome mentioned that the next meeting will be January 8, 2015.

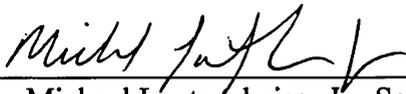
Doug Williams, Forget Me Not Acres Subdivision, voiced his concern about KOA Campground and their park models. Michael Lautzenheiser, Jr. said that it was an existing violation and it's filed to be heard @ January 8, 2015 meeting. Mike Morrissey suggested that he come to the January 8<sup>th</sup> meeting and tell the people he is hearing from that they can attend as well. Mr. Williams asked everyone to just drive back there.

**ADVISORY:**

**ADJOURN:**

John Schuhmacher made a motion to adjourn the meeting. Mike Morrissey seconded the motion. The December 4, 2014 Area Plan Commission meeting adjourned at 10:08 p.m.

  
Jerome Markley, President

ATTEST:   
Michael Lautzenheiser Jr., Secretary