

AREA PLAN COMMISSION MINUTES
AUGUST 7TH, 2006

PUBLIC HEARING OF THE AREA PLAN COMMISSION OF GRANT COUNTY was held on Monday, August 7th, 2006 at 7:00 P.M. in a regularly scheduled meeting on the first floor of the Grant County Office Complex at 401 South Adams Street, Marion, Indiana. The following members were present: John Woodmansee, Dennis Fox, John Bonham, Myron Brankle, Rana Vctor, Kim Windle, Dick Trobridge, Keith Roorbach, Mark Bardsley and Dick Treon, Vice-President, and Tony Manry, President. Absent were Bob Highley, and Karen Owen. Staff present was Tanya Ford, Executive Director, and Brenda Harrison.

Motion was made by Dick Treon to approve the June 13, 2006 minutes as presented. Dick Trobridge seconded. All members present voted yes; motion carried.

Tanya Ford read and explained the procedures then asked the Board members if they had any contact with any petitioner, or with anyone else regarding any of the petitions. All members present answered no.

Docket: #3Z-2006

Name: Robert C. King/
Town of Sweetser

Address: Southwest corner of SR 18 & 400 W

Zoning District: Agricultural

Legal Description: Being 18.29 acres located in the Southeast Quarter of Section 32 in Pleasant Township.

Request: To change the zoning from Agricultural to Light Industrial

Kim Rogers, Sweetser Town Attorney, from the firm Rogers & Rogers, represented this petition. Mr. Rogers stated that this is a petition of rezoning for half of a tract, which is owned by Robert King. Tract 1 is in Pleasant township and is zoned AG; Tract 2 is in Franklin township and is zoned I-1. In 2000, Mr. King petitioned the Town of Sweetser to annex both tracts. The Town of Sweetser then approached the City of Marion regarding the annexation to Sweetser, and was given approval. Upon annexation, Sweetser stated that both parcels would keep there light industrial zoning. After the fact, it was brought to the attention of Mr. Rogers and the Town of Sweetser that only the portion of the 36 acres in Franklin Township was zoned I-1. Robert King and the Town of Sweetser ask that the Pleasant Township parcel be rezoned to light industrial, and correct what was thought to have already been done.

John Woodmansee asked if the home by the river on SR18 is in this zoning.

Mr. Rogers replied that it was not in that tract.

John Woodmansee asked if it would have any effect on the Sweetser Switch Trail.

Mr. Rogers stated that the Sweetser Switch Trail was in the Town of Sweetser.

Proof of publication is in the file.

There were no objectors in the audience and none were on file.

Motion was made by Rana Vctor to give Docket #3Z-2006 a favorable recommendation for a change in zoning from Agriculture to Light Industrial (I-1) to the Town Council of Sweetser. Dennis Fox seconded. All members present voted yes; motion carried.

OTHER BUSINESS:

Cessation of permits due to amended Section 14. 6.

Tanya Ford stated that verbiage was added that if the cessation of permits was enacted, permit applications could not be accepted. The amendment has been to the Commissioners and all of the Town Councils. Everyone has approved them, except the Town of Matthews. Any vote on this tonight would not apply to the Town of Matthews. We are asking that you reaffirm the cessation of permits based on the amended Section 14. 6, but carry it through to the December 13th. We are not asking for an additional six months, just to fulfill the remaining time of the six months.

Tony Manry asked if the Town of Matthews voted it down or didn't vote on it.

Both Tanya Ford and Dick Trobridge stated that they continued it.

Dick Trobridge stated that the Town did not feel they got sufficient information on what it entailed. He also stated that they did not want any cessation of any building permits in the Town of Matthews.

Tony Manry stated that this is only for CAFOs and CFOs.

Dick Trobridge stated that how it was explained to him was this can happen later with this amendment.

Tanya Ford stated that they are looking long term. She also stated that she will be speaking to their Board on August 22nd. So anything you do tonight will not apply to Matthews, if at a later date they decide to adopt this, they can. It would apply from that day forward or we might do some modifications for Matthews.

Dick Treon stated that he thought everybody had to be on board to do this.

Tanya Ford said no, we checked all the codes to make sure and for an ordinance amendment (this is not an original ordinance). They do not for an original ordinance we do, but not for an amendment. It just doesn't apply to a municipality where the legislative body doesn't adopt it. John Woodmansee asked if this would apply to the ones in process, like the duck farm.

Tanya Ford stated yes, just like the other one did, this will too, unless a specific waiver is granted. But then you have to be careful on how you grant your waivers. We are simply asking that this go through to December 13th to finish out the six months.

Tony Manry stated that this is just so Senate Bill 35 doesn't catch us.

John Woodmansee stated that he understood all the legal reasons why we had to do this. It just seems like we've got one or two things in limbo.

Tanya Ford stated that they are in limbo right now.

John Bonham asked if there has been an application turned in for the duck farm.

Tanya Ford stated no.

Dick Treon stated that he saw where another gentleman requested an extension to his current operation. So, I assume he has been into Area Plan, already.

Tanya Ford stated that he has called and we have received many letters. But, he hasn't made an application.

Dick Treon asked if he would be affected by this.

Tanya Ford answered yes. There are a couple people affected by this. Jason Sweet on the west side of the county, who wants to expand, Mr. Duckwall and Mr. Bole, who are on the east side of the county. Not to forget, the proposed dairy.

John Bonham stated that December 13th is as far as we can go with this, unless we finish before then.

Tanya Ford stated that was right, and that the committee met on August 3rd, and is proposing to meet every week through August, that will be five meetings and hope to have a product to bring to you by then.

Motion was made by Myron Brankle to continue the cessation of permits through to December 13, 2006 under the amended Section 14.6. Mark Bardsley seconded. All members' present voted yes, except Dick Trobridge and John Woodmansee; motion carried.

Other Amendments to be continued until September meeting.

Tanya Ford stated that at the June meeting the Amendments for the Wireless Communication Ordinance was mentioned and to the definition section of the zoning ordinance. She asked that they be continued until September.

Motion was made by Dick Trobridge to continue the Other Amendments to the September meeting. Myron Brankle seconded. All members present voted yes; motion carried.

Dick Treon made the motion to adjourn the meeting. Keith Roorbach seconded. All members present voted aye; motion carried.

Meeting adjourned at 7:30 pm.

Tony Manry, APC President