

Minutes of the April 22, 2004
Regular Meeting of the
Marshall County Plan Commission
112 West Jefferson Street, #302
Plymouth, Indiana 46563

MINUTES

President David Dinius called the meeting to order at 7:30 p.m. on Thursday, April 22, 2004, in Room #307 of the Marshall County Building. Present were: Commission Members David Dinius, Larry Fisher, Fred Lintner, Ronnie McCartney, Wayne Neidlinger, and Harold VanVactor, Plan Director Troy Kiefer, Planning Assistant Dave Rockaway and interested parties. Absent were Plan Commission members Clifford Allen, Randy Gingle, and Max Watkins.

The first item of business was the review of the minutes from the February 26, 2004 meeting. Mr. Neidlinger moved and Mr. Van Vactor seconded a motion to pass the minutes with corrections. The motion passed by voice vote.

The second item of business was case 04-PC-07, Treaders, Inc., A request for a B-2, Business Interchange Site Plan Review for a 80' x 80' building located at 11992 6th Rd, North Township. Owner Tom Gregorich was present to represent the request. Mr. Kiefer gave the details of the request and presented the findings of fact.

Mr. Gregorich presented information on the request and what the company had planned for the new building.

Mr. Kiefer added that in addition to this approval, the project will require drainage approval, septic approval, and state building release approval. Mr. Gregorich stated that their engineers had reviewed the existing drainage plan and that it was adequate for the addition.

Mr. Neidlinger moved and Mr. McCartney seconded a motion to open the public hearing. The motion passed by voice vote.

Mr. Roger Walker, 12050 S Michigan Rd spoke in favor of the request stating that he was a customer of the business and this addition was needed.

There was no one else present to speak either in favor of or against the request. Motion to close public hearing was made by Mr. Neidlinger and seconded by Mr. Fisher. Motion passed by voice vote.

Mr. McCartney introduced the issue of the State's plans for US 31 and asked the applicant why he would invest in this property if those plans were in the works. Mr. Gregorich stated he was aware of the State's plans for US 31. He stated that the business can't stand still awaiting some future State project the may or may not happen. He stated that he didn't see how the State could eliminate his access to US 31.

Mr. Fisher moved and Mr. Lintner seconded a motion to approve the B-2 Site Plan. The motion passed unanimously.

The third item of business was 04-PC-08, Charles Klockow, A request for a Special Exception to allow a Farm Service Center on property located ¼ mile south of 5th Rd on the east side of Fir Rd., in an A-1, Agricultural District, Section 14 of German Township. Charles Klockow was present to represent his request. Mr. Kiefer gave the details of the request and presented the findings of fact.

Mr. Klockow stated that this building would be used for both internet sales and retail sales on the property. He stated they also clean and repair saddles and tack. He stated internet shipping would be done through UPS.

Mr. Lintner asked the applicant to describe the properties and buildings around the subject property. Mr. Klockow described each property and house in each direction.

Mr. Neidlinger moved and Mr. McCartney seconded a motion to open the public hearing. The motion passed by voice vote.

There was no one present to speak either in favor of or against the request. A motion to close the public hearing was made by Mr. Neidlinger and seconded by Mr. McCartney. Motion passed by voice vote.

After further discussion concerning outside storage, this use as a home workshop, and the adjacent County drain, Mr. McCartney made a motion to pass this item to the Board of Zoning Appeals with a favorable recommendation. The motion passed unanimously.

The fourth item of business was 04-PC-09, Terry Gerstbauer, A request for a two lot subdivision located south of 12th Rd on the west side of Michigan Rd, Section MRL 16, Center Township. Al Bustamante was present to represent the case. Mr. Kiefer presented the details of the request.

Mr. Bustamante made comments pertaining to the request and the situation with a property encroachment with a neighbor. He stated he had no problem with the encroachment.

Mr. Neidlinger inquired as to the location of the request. Mr. Fisher asked if there had been a subdivision plat drawn for the request and if he could see it. After some discussion it was concluded that what was presented for approval was only a survey of the new lot and not a subdivision plat for the entire parcel.

Mr. Dinius asked Mr. Kiefer about the non-access easement on Michigan Rd. Mr. Kiefer stated that the City of Plymouth Plan Commission had recommended that the road frontage along Michigan Rd have a non-access easement, requiring future development to access the property from 12th Rd.

After further discussion about the appropriateness of the information provided as a subdivision plat, the true number of lots involved, and the location of the City jurisdiction line, Mr. Neidlinger made a motion to open the public hearing. Mr. Van Vactor seconded the motion and it passed by voice vote.

Cindy Drudge, 12173 Michigan Rd spoke in regards to this request. She spoke to the issue of the encroachment and what the history of the property was.

Roger Walker 12050 Michigan Rd spoke in regards to this request with questions concerning the request. He wanted to know if there was proposed to be a number of houses or expansion of the race track. He was informed that there had been no plans proposed at this time for the 8 acre parcel.

After much discussion concerning the property lines and the encroachment of the neighboring properties, Mr. Neidlinger moved and Mr. McCartney seconded a motion to close the public hearing.

Mr. Kiefer stated that there are a couple of discrepancies in this request. He stated one of those is the question of the property line and encroachment to the south. He stated that a registered surveyor has surveyed that existing property line and that he wasn't sure there was much that could be done by the Plan Commission to address that issue.

He continued by stating that another issue was with the total acreage of the survey and the condition of the plat that had been presented.

Mr. Neidlinger moved and Mr. McCartney seconded a motion to table this case pending clarification of the subdivision plat.

The fifth item of business was a discussion concerning the State of Indiana's plans concerning US 31. Mr. Kiefer explained the process of public input that the State is undergoing in this project. He stated that he thought the Plan Commission should present a letter to the State supporting the County's efforts to make certain changes to those plans.

Mr. Dinius moved and Mr. Van Vactor seconded a motion to send a letter to the State in support of the County Commissioner's statement concerning the addition and arrangement of overpasses and interchanges on US 31. The motion passed by voice vote.

The next order of business was discussion concerning the Andy Lemler's position on the Zoning Ordinance Subcommittee. Mr. Dinius stated that it has come to his attention that Mr. Lemler lives within the Bourbon zoning jurisdiction. It was the consensus of the Commission that he should remain on the Subcommittee.

Mr. Kiefer briefly reviewed the first Zoning Ordinance Subcommittee.

President Dinius asked for other business. There being none, The meeting was adjourned.

Respectfully submitted,

Harold VanVactor
Secretary