

Minutes of the October 27, 2005  
Regular Meeting of the  
Marshall County Plan Commission  
112 West Jefferson Street, #307  
Plymouth, Indiana 46563

## MINUTES

President David Dinius called the meeting to order at 7:30 p.m. on Thursday, October 27, 2005, in Room #203 of the Marshall County Building. Present were: Commission Members Gary Davis, David Dinius, Larry Fisher, Don Morrison, Harold Van Vactor, Max Watkins, Robert Yoder, Plan Director Ralph Booker, Secretary Leesa Kolter, and interested parties. Absent were members Thomas Chamberlin and Ronnie McCartney.

The first item of business was the review of the minutes from the September 22, 2005 meeting. Mr. Davis moved and Mr. Watkins seconded a motion to approve the minutes with corrections. The motion passed by acclamation.

The second item of business was case, 05-PC-24, Edith Smith, A request for a Special Exception to permit a Communication Tower to be constructed on Elm Road, in an A-1, Agricultural District, Section 13 of German Township. Mr. David Dickson of Cingular Wireless was present to represent the request. Mr. Booker gave the details of the request. He stated that the Plan Commission would forward a recommendation to the Board of Zoning Appeals who would make the final decision.

Mrs. Smith was present in the audience. Mr. Dickson added to the details of the request. He stated that the proposed tower was part of a network of 100 sites to provide service from South Bend to Ft. Wayne. The structure would be 195' tall. He presented a map showing the coverage areas, the tower would provide service to State Road 331. The tower was proposed to be located off Elm Road 880', and 120' from the South property line. All of the setbacks had been met.

Mr. Van Vactor asked what was the maximum length that the towers could reach. Mr. Dickson stated that possibly three to six miles of radius from the tower, depending on the variables. Mr. Dinius asked if site had been picked out for the planned towers. Mr. Dickson stated that there had been sites picked. The sites that were not collocations were not ready to be brought before the appropriate board. Mr. Dinius asked if all sites had been researched for the possibility of collocations. Mr. Dickson stated that they had been researched.

Mr. Dinius noted that the only person in the audience was the Edith Smith, property owner. There being no one to speak there was no public hearing. Mr. Booker noted that there was no public hearing required.

Mr. Fisher moved and Mr. Morrison seconded a motion to forward the request to the BZA with a favorable recommendation. The motion passed with a unanimous vote of approval.

The last item was other business. Mr. Booker brought a copy of the proposed contract between Mr. Kiefer and the County for writing the Zoning Ordinances. He stated that the bench marks had been set and schedule for payments. Mr. Booker stated that there would be public hearings and Mr. Kiefer would be in attendance for the public hearings. Mr. Clevenger would review the final draft and it would be submitted to the County Commissioner's for approval.

Mr. Booker stated that Mr. McCartney would be up for reappointment for 2006. He was appointed by the County Commissioners.

Mr. Booker stated that there was a webpage for the office. It offered information to the public and provided meeting dates and copies of the minutes.

Mr. Booker stated that he would like to update the Subdivision Ordinance, now that the Zoning Ordinance is being rewritten. Mr. Fisher stated that he would like to see a Minor Plat Ordinance. Mr. Booker stated he would work on the ordinance and would like to put all of the ordinances in digital form so that it could be accessed via the website.

Mr. Booker stated that the Peterson case was still alive. A motion to dismiss was scheduled for Superior Court I, December 13, 2005.

There being no other business before the Plan Commission, a motion was presented and seconded to adjourn the meeting. The motion passed by acclamation and the meeting adjourned.

Respectfully submitted,

Robert Yoder,  
Secretary