

Minutes of the July 26, 2007  
Regular Meeting of the  
Marshall County Plan Commission  
112 W. Jefferson St. Room 307  
Plymouth, IN 46563

## MINUTES

President, David Dinius, called the Marshall County Plan Commission meeting to order at 7:30 p.m. on Thursday, July 26, 2007, in Room 203 of the Marshall County Building. Present were: Commission Members, Thomas Chamberlin, David Dinius, Larry Fisher, Don Morrison, Deb Griewank, Dennis Thornton, Bob Yoder and Julian Rouch, Plan Director Ralph Booker, Secretary Lori Lowry, Plan Intern Kevin Einspahr and interested parties. Members absent was Ronnie McCartney.

The first item of business was the review of the minutes from the June 28, 2007, meeting. **Mr. Chamberlin moved and Mr. Rouch seconded the motion to approve the minutes as amended. The motion passed by acclamation.**

### South Pointe Subdivision

Mr. Booker explained to the board that Mr. Wenzel has provided to his office a contract with E & B Paving that originated on July 3, 2007. It was his opinion that he is making progress as required from the June meeting.

Del Wenzel, South Pointe Subdivision Developer, was present to give an update on the scheduling of the final topcoat. He stated that the process will start with the cutting out of the low spots, compacting the soils, and fill with binder. The final step will be the top coat.

Mr. Wenzel has been in very close contact with Mr. Kling from E & B. He believes that due to the rain on the previous day was the reason they didn't start today.

Mr. Rouch asked if the plan to fix the road will alleviate the drainage issues. Mr. Wenzel explained to the board that part of the area had clay soil and originally wasn't very stable. They dug down deep and put in gravel. E & B assured Mr. Wenzel that with the process that was done and the length of time it was done doing what it was going to do.

Mrs. Griewank asked if the housing access roads will be used by construction workers. Mr. Wenzel stated that they have two construction entrances and do not need any trucks using those roads.

It was the consensus of the board that they were satisfied with the progress. The board asked to have a monthly update until the project is complete.

#### Proposed Marshall County Zoning Ordinance

Mr. Booker proposed the following amendments as of the July 26, 2007 meeting of the Marshall County Plan Commission.

- Buffer Setbacks – A thirty foot buffer setback from all property lines shall be provided in A-1, A-2, A-3 Zoning Districts. There shall be no gardens, flowers, trees, landscaping, or other vegetative material deemed by the Zoning Administrator which would restrict the normal agronomic practices of crop or horticulture production.

The buffer setback shall not apply to crop or horticulture production or forestry.

The buffer setback shall not be required when the property the property line is five acres or less in area.

- Environmental Standards – All drainage plans are subject to review and approval by the Marshall County Drainage Board.
- Crop and Horticulture Production – The commercial planting, cultivation, and harvesting of cash crops and animal feed. Examples would include but not limited to cash grains, forages, small and large fruit production, floriculture, and vegetable crops.

- Environmental Standards – Septic System Approval – All construction shall comply with the State of Indiana and Marshall County Health Department regulations regarding approval and construction of on site septic systems. In addition when it is determined by the Marshall County Health Department that new construction required on a new on site septic system, an alternate on site septic system location shall also be approved and maintained for future use as an on site septic system.
- Drainage Tile- All private drainage tile, either existing or new construction, located outside of a parcel and used as a condition for the installation of a private on site sewage system, shall have a permanent easement of 20 feet in width provided from the parcel line to a public outlet. A blanket easement for an existing drain shall be obtained when the location of the drain is unknown. Any existing private tile that crosses the property shall be provided with 20 foot wide easement.
- Recreational Vehicles – Recreational vehicles shall not be occupied for longer than eight weeks in any county location other than an approved recreational vehicle park.
- Administrator/Officer – Present zoning ordinance with suggested amendments if any to the Plan Commission for review on an annual basis. Undertake a comprehensive review of the Zoning Ordinance every five years.
- Waste Disposal Verification – Either a septic permit from the Marshall County Health Department certifying the approval of one on site septic system and approval of one alternate on site septic system location on the same property or a sewer access permit from the appropriate public sewer provider (if applicable).
- Notice of Agricultural Activity – When agricultural activities are a permitted use in a zoning district in which a new residence is to be constructed, a “Notice of Agricultural Activity”, identifying common effects of agricultural activity in those areas of the county, signed by the owner of the real property.
- One house per single family lot – Dwelling Single Family – A detached residential building unit designed for and occupied by one family; and located on its own individual parcel. Dwelling Two Family – A residential building containing 2 dwelling units designed for occupancy by not more than 2 families and located on its own individual parcel.

Mr. Thornton moved and Mrs. Griewank seconded the motion to open for public hearing. There being no one to speak for or against Mr. Yoder moved and Mr.

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Fisher seconded the motion to close the public hearing. The motion passed by acclamation.

**After a lengthy discussion Mr. Thornton moved and Mr. Rouch seconded the motion to approve all previous noted amendments with no changes. The motion passed with a voice vote 8-0.**

**Mrs. Griewank moved and Mr. Rouch seconded the motion to require a Notice of Agriculture Activity be administered to all new residential building in an A-1 zone. The motion passed with a voice vote 8-0.**

The following zoning map changes were discussed.

4 A Rd. & US 31  
Burr Oak  
Tyner  
Teegarden  
Lapaz  
Linkville  
Hibbard  
Rutland  
US 30 & Iris Rd.  
Niff Cor  
Tippecanoe  
Inwood  
Walnut

**Mr. Thornton moved and Mr. Yoder seconded the motion to leave the State Highway Garage zoned business interchange development (C-2) and re-zone the remaining properties A-1 at the location of 4A Rd. and US 31. The motion passed with a voice vote 8-0.**

Mr. Fisher moved and Mr. Chamberlin seconded the motion to open for public hearing. The motion passed by acclamation.

- Robert Landis – Questioned businesses on 3 A Rd. and Mr. Booker responded that they will continue to stay zoned business interchange development.

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There being no one else to speak for or against Mr. Chamberlin moved and Mr. Fisher seconded the motion to close the public hearing. The motion passed by acclamation.

**Mr. Rouch moved and Mr. Fisher seconded the motion to approve the above zoning maps with the above stated amendment. The motion passed with a voice vote 8-0.**

Mr. Booker reminded the board that the proposed Marshall County Zoning Ordinance, Subdivision Ordinance and Zoning Maps will be presented to the Marshall County Commissioners on August 6, 2007, for the first reading. (Later changed to August 20<sup>th</sup> due to legal advertisement requirement).

Kevin Einspahr gave a presentation to the Plan Commission of his accomplishments this summer as the Plan Commission intern.

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 was adjourned.

Respectfully submitted,

Robert Yoder, Secretary