

Minutes of the August 23, 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, August 23, 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, Ronnie McCartney and Julian Rouch, Plan Director Ralph Booker, Secretary Lori Lowry, and interested parties.

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

The second item of business was 07-PC-11 DRAKE, Deanna – A request for a Right of Way Vacation, a part of an un-named street in the Harris Station plat located near 12730 4 A Rd. located east of US 31. Mr. Roy Roush, representative for Ms. Drake, was present to represent their request. Mr. Booker gave the details and presented the findings of fact. This is a request to vacate a portion of a street which was created in November of 1885 as part of the Harris Station plat. This plat was created by the Terre Haute and Logansport Railroad to be adjacent to a railroad depot. In reality this plat has never been developed and the railroad has been abandoned. The area is just maintained as a dirt road.

Mrs. Drake is concerned that her property sits on the very most south western portion and would have a problem with encroachment if she would try to sell.

The applicant would like to have the portion of the alley that is adjacent to her property vacated.

Mr. McCartney asked where the ROW setback would be. Mr. Booker believes it would be to the west where the driveway is.

Mr. Thornton moved and Mr. Roush seconded the motion to open for public hearing. The motion passed by acclamation. There being no one to speak for or against Mr. Morrison moved and Mr. Thornton seconded the motion to close the public hearing. The motion passed by acclamation.

**Mr. Roush moved and Mr. Fisher seconded the motion to approve the alley vacation on the western portion adjacent to Mrs. Drake's property and forward to the County Commissioners with a favorable recommendation. The motion passed with a voice vote 8-1. Mrs. Griewank voted nay.**

The third item of business is 07-PC-12 WALDRON, Craig & Vicki – A request of 1 lot of 3.57 acres more or less and one lot of 4 acres more or less. Mr. & Mrs. Craig Waldron was present to represent their request. Mr. Booker gave the details and presented the findings of fact. The applicant is applying for a two lot subdivision. The situation is they have exhausted the ability to subdivide without doing a subdivision. The applicant wishes to buy 4 acres from a relative. They want to keep the parcel as part of their adjacent property, thus they do not wish to provide access to the parcel or to sell it individually. The new Lot 2 cannot be sold other than to an adjacent property owner since there is no access provided to the property.

Due to family financial problems the applicants are purchasing a property from their sister and need to go through subdivision proceedings to allow this split. The split they are creating would land lock that property.

Mrs. Griewank moved and Mr. Thornton seconded the motion to open for public hearing. The motion passed by acclamation. There being no one to speak for or against Mrs. Griewank moved and Mr. Morrison seconded the motion to close the public hearing. The motion passed by acclamation.

Mr. Fisher commented that he doesn't have a problem with splitting parcels, but does have a problem with splitting a parcel that will be an illegal lot. He recommended that a metes and bounds survey be created eliminating three parcels and making it into one parcel.

**Mr. Fisher moved and Mr. McCartney seconded the motion to table this matter to allow the Waldron's time to take the advice of the Plan Commission and get a metes and bounds description made up and also get a new deed drawn up. Motion carried by acclamation.**

**Other:**

The second reading on the proposed Zoning Ordinance, Subdivision Ordinance and Zoning map is scheduled for September 4, 2007, at 6:30 p.m. in the County Commissioners Room.

The board agreed that a joint meeting between the City of Plymouth and the Marshall County Plan Commission and/or Board of Zoning Appeals needs to be scheduled to discuss the 2 mile zone and the responsibility. Later it was also recommended to invite all other towns to the meeting.

The Spruit Case was upheld and we now have to wait 30 days for another possible appeal.

The Budget Hearing for the Plan Commission will be heard on August 28, 2007, at 10:35 a.m.

A brief presentation was given on the US 31 corridors.

Joe Skelton asked the board to consider reducing the amount of allowed days a travel trailer can be inhabited at Lake of the Woods. The board asked that this topic be brought back up after the approval of the Zoning Ordinance.

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