

Minutes of the January 28, 2010
Regular Meeting of the
Marshall County Plan Commission
112 W. Jefferson St. Room 307
Plymouth, IN 46563

MINUTES

President, Deb Griewank, called the Marshall County Plan Commission meeting to order at 7:30 p.m. on Thursday, January 28, 2010, in Room 203 of the Marshall County Building. Present were: Commission Members, Tom Chamberlin, David Dinius, Larry Fisher, Stan Klotz, Ronnie McCartney, Don Morrison, and Deb Griewank. Plan Director Ralph Booker, Secretary pro-tem Lorna Shively, and interested parties were present. Member absent was Bob Yoder and Gary Davis.

The first item of business was the review of the minutes from the December 17, 2009, meeting. **Mr. Dinius moved and Mr. Chamberlin seconded the motion to approve the minutes as corrected. Motion carried.**

The second item of business was the re-organization of the Marshall County Plan Commission. Mr. Fisher made a motion to retain all officers; Deb Griewank President, David Dinius Vice President, and Bob Yoder Secretary, seconded by Mr. Klotz. **The following members were elected as appointments to the board, Mrs. Griewank, Mr. Dinius and Mr. Yoder. Motion carried by acclamation**

The third item up for re-election was the Plan Commission's appointments to the Marshall County Board of Zoning Appeal. Mr. Fisher made a motion to appoint Deb Griewank and Stan Klotz, seconded by Mr. Chamberlin. **Mrs. Griewank and Mr. Klotz were elected as the appointments to the Marshall County Board of Zoning Appeals. Motion carried by acclamation.**

The fourth item up for re-election was the Technical Review Committee. Mr. Klotz moved to nominate the following persons to the Committee: Larry Fisher, Bob Yoder, and David Dinius with alternate Deb Griewank, while seconded by Mr. Chamberlin. **Mr. Fisher, Mr. Yoder, Mr. Dinius and Mrs. Griewank were elected to the Technical Review Committee. Motion carried by acclamation.**

The fifth item up for re-election was retaining counsel. Mr. Fisher made a motion to approve Ken Lukenbill for the Plan Commission's attorney, seconded by Mr. Morrison. **Mr. Lukenbill was approved to be counsel for the Marshall County Plan Commission. Motion carried by acclamation.**

The sixth person up for re-election was the liaison for the Plymouth Plan Commission. Mr. Dinius nominated Mrs. Griewank, seconded by Mr. Klotz. **Mrs. Griewank was elected as liaison for the Plymouth Plan Commission. Motion carried by acclamation.**

The seventh item up for business was 10-PC-01 – Add Table 6 – E Residential Off Street Parking Requirements, in Article 6, H Table of Off-Street Parking Requirements of the Marshall County Zoning Ordinance. Single Family Dwelling – 2 spaces, Duplex Dwellings – 4 spaces, and Apartment Dwellings – 2 spaces per dwelling unit plus 1 space for each 200 SF of office, activity center and common use facility.

The board asked the dimension of the off street parking spaces. Mr. Booker said that it must be not be less than 9' in width and 18' in length.

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

Mr. Dinius moved to approve this request and to forward on to the County Commissioners with a favorable recommendation, seconded by Mr. Fisher. Motion carried with a voice vote 7-0.

The eighth item up for business was 10-PC-02 add to Article 13, Definitions the following definition of Shooting Range to the Marshall County Zoning Ordinance.

THIS ORDINANCE, UNLESS THE CONTEXT OTHERWISE REQUIRES, "OUTDOOR SHOOTING RANGES" OR "RANGES" MEANS A PERMANENTLY LOCATED AND IMPROVED AREA THAT IS DESIGNED AND OPERATED FOR THE USE OF RIFLES, SHOTGUNS, PISTOLS, SILHOUETTES, SKEET, TRAP, BLACK POWDER OR ANY OTHER SIMILAR SPORT SHOOTING IN AN OUTDOOR ENVIRONMENT. OUTDOOR SHOOTING RANGE DOES NOT INCLUDE ANY AREA FOR THE EXCLUSIVE USE OF ARCHERY OR AIR GUNS OR A TOTALLY ENCLOSED FACILITY THAT IS DESIGNED TO OFFER A TOTALLY CONTROLLED SHOOTING ENVIRONMENT THAT INCLUDES IMPENETRABLE WALLS, FLOOR AND CEILING, ADEQUATE VENTILATION, LIGHTING SYSTEMS AND ACOUSTICAL TREATMENT FOR SOUND ATTENUATION SUITABLE FOR THE RANGE'S APPROVED USE. AN OUTDOOR RANGE USED ONLY FOR THE USE BY THE PERMANENT RESIDENTS OF THE PROPERTY IS EXEMPT.

A lengthy conversation was had between the board members regarding the sentence "An outdoor range used only for the use by the permanent residents of the property is exempt."

The following definition was proposed by the board.

IN THIS ORDINANCE, UNLESS THE CONTEXT OTHERWISE REQUIRES, "SHOOTING RANGES" MEANS A PERMANENTLY LOCATED AND IMPROVED AREA THAT IS DESIGNED AND OPERATED FOR THE USE OF RIFLES, SHOTGUNS, PISTOLS, SILHOUETTES, SKEET, TRAP, BLACK POWDER OR ANY OTHER SIMILAR SPORT SHOOTING IN AN OUTDOOR ENVIRONMENT. OUTDOOR SHOOTING RANGE DOES NOT INCLUDE ANY AREA FOR THE EXCLUSIVE USE OF ARCHERY OR AIR GUNS OR A TOTALLY ENCLOSED FACILITY THAT IS DESIGNED TO OFFER A TOTALLY CONTROLLED SHOOTING ENVIRONMENT THAT INCLUDES IMPENETRABLE WALLS, FLOOR AND CEILING, ADEQUATE VENTILATION, LIGHTING SYSTEMS AND ACOUSTICAL TREATMENT FOR SOUND ATTENUATION SUITABLE FOR THE RANGE'S APPROVED USE.

Mr. Morrison moved and Mr. Dinius seconded the motion to open for public hearing. Motion carried. There being no one to speak for or against Mr. Morrison moved and Mr. Dinius seconded the motion to close the public hearing. Motion carried by acclamation.

Mr. Dinius moved to pass the above amended change along to the County Commissioners with a favorable recommendation, seconded by Mr. Morrison. Motion carried with a voice vote 7-0.

Other:

Mr. Booker reviewed the current fee schedule with the board. There is currently nothing specific on the fee schedule for wind towers. To date this office has been applying the charge from a commercial building which is \$200.00. One other county has been researched and they charge \$300.00 for the permit fee and an additional \$150.00 for final inspections.

Due to there being talk of multiple towers being put up in the county, the board discussed possible options and setting a fee structure specifically for towers that would help cover the counties cost.

The board asked Mr. Booker to review all of the fees and to come back to them next month.

Court Case:

Kurtis Case - Due to the wording in the ordinance it is has been said that there are 13 property owners that didn't get notified of the hearings.

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