

November 18, 2021
Regular Meeting of the
Marshall County Plan Commission
112 W. Jefferson St. Room 203
Plymouth, IN 46563

MINUTES

President, Stan Klotz, called the Marshall County Plan Commission meeting to order at 7:30 p.m. on Thursday, November 18, 2021, in Room 203 of the Marshall County Building. Present were: Commission Members Terri Barnhart, Craig Cultice, James Berger, Matt Miller, Dan Voreis, and Stan Klotz. Plan Director Ty Adley, and Lori Lowry Administrative Assistant were present along with interested parties.

Minutes of the October 28, 2021, meeting was presented. Mr. Miller moved, and Mrs. Barnhart seconded the motion to approve the minutes as submitted. The motion passed by acclamation.

The first item of business was 21-PC-07 HOUIN, Herman & Connie - A request for a 24 lot primary major subdivision (East Shore Estates, LL) on parcel # 50-43-07-000-014-000-005, East Shore Dr., Bremen, IN Zoned L-1.

The applicants requested that this application be tabled. Motion carried.

The second item of business was 21-PC-17 SCHMALTZ, Jeffrey & Patty - A request for a Vacation of the north and south alley west of lots 31, 32 and 33 of OP Teegarden Plat, Polk Twsp. Mr. & Mrs. Jeffrey & Patty Schmaltz were present to represent their request. Mr. Adley presented the findings of fact.

The applicant is seeking to vacate a 12' unimproved alley in Teegarden. The applicant owns the residence at 828 Center Street as well as the three lots opposite the unimproved alley with the intentions of combining the property together because of septic issues. They have received authorization from the Drainage Board to cross a county tile that runs at an angle across lots 31, 32, and 33. East Street at some point in time was vacated along with half of North Street, Polk Street and Taylor Street East of Center Street.

Based on the information provided and review by the TRC, staff and TRC would recommend approval of the vacation of the alley between North and Polk Street between lots 28-33.

Mrs. Barnhart moved and Mr. Berger seconded the motion to close the public hearing. Motion carried by acclamation.

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| 1. Georgia | 4313 W. 100 N. Warsaw | Has no problems with the request. |
| 2. Dennis Hornsby | 802 Center St. Walkerton | Has no objection to vacating the alley. |

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Mrs. Barnhart moved and Mr. Miller seconded the motion to close the public hearing. Motion carried by acclamation.

Mr. Berger made a motion to approve 21-PC-17 SCHMALTZ, Jeffrey & Patty - A request for a Vacation of the north and south alley west of lots 31, 32 and 33 of OP Teegarden Plat, Polk Twsp with a favorable recommendation to the Marshall County Commissioner's, seconded by Mrs. Barnhart. Motion carried with a voice vote 6-0.

Other Business

Before going to the County Attorney to get advice on the subject Mr. Klotz brought up discussion and wanted the boards thoughts about grandfathering storage containers even though it had already passed the Plan Commission.

Mr. Miller had a concern about what you were considering grandfathering....right of way setbacks, property lines or grandfathering everything that is out there. Grandfathering everything that is out there he has a problem with.

Mr. Klotz personally didn't want to see them in front of the houses.

Mrs. Barnhart felt that if they are in violation, they have the option to go in front of the Board of Zoning Appeals for a variance.

The proposed conditions currently in front of the County Commissioners are: zoning district requirements, 2nd structure based on acreage, setbacks, and maintenance and in good condition.

There being no further business, a motion was made to adjourn and seconded. The Motion was passed by a voice vote.

Respectfully submitted.

Bob Yoder