MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
BOARD OF ZONING AND APPEALS
Held March 7, 2016 at 7:00 p.m.
Washington County Government Building

The Washington County Plan Commission was called to order at 7:00 p.m. by President, David Hoar. Plan Commission members in attendance were David Hoar, William Ridgway, Danielle Walker, Phil Marshall, Jeff Souder, Ervin Day, Mark Hartman, and Anthony Scifres. Adam Dufour was absent.

Also present for the meeting were WCPC/BZA attorney John Mead, Plan Director Travis Elliott, and member of the public, Rhonda Greene.

The Pledge of Allegiance was led by Phil Marshall and Jeff Souder offered prayer.

David welcomed Anthony Scifres, the new appointment to the Board, who replaces Scott Maudlin.

Minutes for the February 1, 2016 meeting were reviewed. Upon motion by Ervin Day, second by William Ridgway, the minutes were unanimously approved as read.

Travis Elliott addressed the Commission regarding the application of Marshall Toewes. His application currently has only 210 points without any credit for owner/operator points. Toewes does not live on the property and will not be living there for a period of time. The application needs 220 points in order for Travis to certify that the application complies with the local ordinance.

After discussion, on motion by William Ridgway, second by Phil Marshall, a recommendation was made for Toewes to apply to the BZA for a variance. Motion was unanimously passed with Ervin Day abstaining.

There was discussion regarding the application process for a variance. It was determined that forms that had been prepared for the process had not been approved by the Commission. The Commission asked its attorney to work with Travis to review the current forms and bring them back to the Commission for approval.

Travis informed the Board that he had been contacted by Chad Johnson who wanted to apply for a permit for chicken houses. Stan Johnson, Chad's father, was present before the Commission. Stan Johnson owns the property. He informed the Board that he was going to deed 15 acres to Chad. Stan is going to Belize on a mission trip for two (2) years. Stan presented variance agreements from a school within the setback limit and an adjoining landowner agreeing to the granting of a variance. Travis provided a photograph of the area.

After further discussion, it was determined that Johnson would need to apply for a variance. Upon motion by Phil Marshall, second by Mark Hartman, and unanimously approved on show of hands, the matter was referred to the BZA with instruction to Mr. Johnson that a variance application would need to be filed.

After discussion, it was decided that if a variance application is filed, a hearing will be held on April 4 at 6:30 p.m. Notice will need to be issued in accordance with rules.

Travis then presented to the Board the application of Steve and Shawna Humphrey, Case 16-01. Travis stated that he had verified the setback from the property line to the stake where the manure storage building is to be located. There was further discussion.

Upon motion by Phil Marshall, second by Ervin Day, and unanimously approved on show of hands, the Commission decided that the application of Steve and Shawn Humphrey meets the local standards and setback.

There was discussion of what is required for variance. Max Greene commented that there needs to be a completed application to go before the BZA.

There was discussion regarding the procedure to follow when an application for an AFO has been filed that meets all requirements and has enough points. Can Travis approve the application and issue a permit without a meeting, questioning whether an application can be approved by Travis or if all applications need to come before the Commission. There was also discussion regarding what, if any, notification needs to be given. If an applicant is filing for a CFO through the State, what is the hearing procedure before the Commission and does a separate notice need to be issued locally in addition to the notice required to be issued by the state? After discussion, it was concluded that with a CFO application, the local application is to be reviewed to determine if it meets with local standards, setbacks, and guidelines. No hearing is required or notice issued since the State requires notice and any response is back to the State.

There was discussion regarding notice and what it should contain. Ervin Day questioned whether the purpose is to notify adjoining landowners of public hearing, or just to notify that an application has been made.

Danielle Walker referred to Rule 3.07 and its provision. After further discussion, the Commission requested its counsel to review the Rules of Procedure and various forms that have been created and provide the Commission a report on when notice is to be issued locally, what is to be included in the notice, and whether the notice needs to state a time to reply, remonstrate, or of a hearing.

There was limited discussion regarding copies of Zoning Ordinances from surrounding counties that had been distributed by David. David requested that all Commission members review K.K.'s memo on development standards for rural residential.

Max Greene reported that he had heard nothing further from the Campbellsburg Conservation Club.

Danielle stated that she had attended a conference at Purdue and had copies of CFO studies prepared by Purdue for the county. Purdue had gathered information on all of the CFO's in the state. She said there are five (5) counties with scoring systems. Also, that setbacks in most counties are often stated in ¼ to ½ mile increments.

On motion by Jeff Souder, second by Phil Marshall, the meeting was adjourned at 8:45 p.m.

The Board of Zoning and Appeals was called to order at 8:45 p.m. by Max Greene. Members present were Darrell Tye, Max Greene, and John Mishler. Adam Dufour was absent.

Upon motion by Darrell Tye, second by John Mishler, BZA approved the February 1, 2016 meeting.

The Board requested Travis to notify BZA if an application is made.

The Board asked Travis to check and see if Rules of Procedure for BZA had been adopted.

It was commented that the Board needs to find another member for the BZA since Danielle Walker is no longer on the Board.

Upon motion by John Mishler, second by Darrell Tye, BZA adjourned at 8:55 p.m.

Washington County Plan Commission by:

David Hoar, President

William Ridgway

Danielle Walker

Adam Dufour

Phillip Marshall

Jeff Souder

Mark Hartman

Ervin Day

Anthony Scifres

Board of Zoning and Appeals by:

Max Greene, President

Adam Dufour

Darrell Tye

John Mishler

WCPC/BZA Attorney:

John W. Mead