MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
BOARD OF ZONING APPEALS
Held May 7, 2018
Washington County Government Building

The Washington County Plan Commission was called to order at 7:03 p.m. by President, David Hoar. Board members present were David Hoar, Danielle Walker, Todd Ewen, Ervin Day, Anthony Scifres, Mark Hartman, and Kevin Baird. Absent were Preston Shell and Deirdre Miller. Board of Zoning Appeals members present were Max Greene, Darrell Tye, Mark Hartman and Anthony Scifres. Absent was John Mishler. Also present were WCPC/BZA attorney Mark Clark, Plan Director Travis Elliott, and members of the public Rhonda Greene and Ken Temple.

The Pledge of Allegiance was led by Anthony Scifres; Kevin Baird offered prayer.

Minutes of the April 2, 2018 meeting were reviewed. Upon motion by Kevin Baird, second by Mark Hartman, the minutes were unanimously approved as presented.

Travis Elliott distributed a proposed Manure Storage/Compost Facility Permit Application tendered by Robert Keith Day. Discussion was held regarding the application, particularly Section II, bullet point 2, regarding structural dimensions. Following a text message being sent to Mr. Day, it was learned that the manure storage/compost facility dimensions itself would be 30' x 40'. There was further discussion regarding changing the permit application so that it better reflected the actual dimensions of the manure storage/compost facility and to have that line item separate from the operational details of the farming operation. Upon motion by Anthony Scifres, second by Kevin Baird, the Board unanimously approved the permit application.

Travis Elliott then presented a vacation of a subdivision plat as requested by Shawn Lynch of Indiana Land Company. The property known as Rockwood Section 2 of the Rockwood Subdivision has been sold and the seller does not seek to subdivide the real estate pursuant to the terms of the plat and plans to return the real estate to an agricultural purpose. Following discussion, more particularly involving road frontage and right of access to/from the real estate through the existing subdivision, upon motion by Kevin Baird, second by Anthony Scifres, the Board unanimously approved vacation of the plat of Rockwood Subdivision Section 2 and return of the same to agricultural real estate.

Ken Temple reported that the Forest Grove Subdivision has been platted and presented copies of the plat to Travis. Mr. Temple believes that all items on the subdivision checklist have been completed in that all utilities and roadways have been marked on the plats; that all utility services servicing the subdivision have been contacted and have agreed to provide utility services to the subdivision; that all soil samples have been taken on the property; and that a Rule 5 Plan has been accepted by the Soil and Water Conservation District for this subdivision. Mr. Temple left documents and plats with Travis. Approval of the subdivision plat will be placed upon the agenda for the June 4, 2018 meeting.

The memo under date of March 28, 2018 from K.K. Gerhart-Fritz regarding Section 400 and General Non-Conforming Regulations as they pertain to the Washington County Plan

Commission was discussed. Max Greene commented regarding various time frames of the sections throughout Section 400 of the memo, particularly the valuation of the properties as several of the sub-sections in Section 400 deal with the replacement value and replacement cost of certain buildings.

Following discussion, upon motion and the same being seconded, the Plan Commission, within Section 400 regarding non-conforming regulations, unanimously approved the terms "replacement value", "current replacement cost", and "market value" to all be defined as meaning "that value determined by a property appraisal completed within the past year by a licensed appraiser and furnished by the property owner". It was decided that such definition should be included in the Memorandum at Section 400.6 as a particular definition of the terms "replacement value", "current replacement cost", and "market value" as those terms are used in Section 400 only.

Following further discussion, it was determined that Section 400 should be amended in the following locations: (a) add 400.6 as to the definitions of "replacement value", "current replacement cost", and "market value"; (b) 402.2 should be revised from twelve (12) months to a period of two (2) years so that an improvement location permit would be obtained and such reconstruction or use to be accomplished within two (2) years of such calamity; 402.7 should be revised so that the application for an improvement location permit must be made within one (1) year of the date of destruction or removal; and (c) 405.2 should be revised so that Washington County shall not terminate an agricultural or non-conforming use if the agricultural non-confirming use has been maintained for at least a three (3) year period within the immediate past five (5) year period. Following discussion regarding the revisions, upon motion by Kevin Baird, second by Mark Hartman, the Board unanimously approved the suggested revisions to be incorporated within Section 400 and the Memorandum dated March 28, 2018.

President Hoar asked the Board's attorney if Section 400 was ready to be put into final order for submission to the Commissioners and for public hearing as an amendment to the Zoning Ordinance. The Board's attorney suggested that Section 400 be redrafted to include the revisions approved by the Board, but that the Board had not discussed some of the percentage amounts listed throughout Section 400, such as Section 402.2 regarding 100% of the replacement value; Section 402.4.1 regarding 50% of repair and replacement; 402.5.1 regarding 50% of the gross floor area; Section 402.5.2 regarding 25% in addition to any primary building; Section 403.1.3 regarding 50% of the gross floor area regarding an addition to any building; and that the Board should discuss those percentages before submission of the amendment to the ordinance to the Commissioners and any public hearing on the amendments. President Hoar asked the Board's attorney to have Section 400 with the requested revisions prepared and distributed to the Board electronically so that the Board can review the percentage amounts as pointed out by the Board's attorney so that any changes to percentage amounts as the Board feels necessary to Section 400 can be discussed quickly at the next meeting.

President Hoar brought to the Board's attention that the memorandum from K.K. Gerhart-Fritz dated March 30 regarding subdivision applications would be discussed at the June 4th meeting and the Board should be prepared to review and discuss the memorandum.

There being no additional business to come before the meeting, upon motion by Todd Ewen, second by Danielle Walker, the Commission unanimously approved to close the meeting at 8:44 p.m.

The Board of Zoning Appeals was not called to order; no action taken.

Washington County Plan Commission by:

David Hoar, President

Danielle Walker

Todd Ewen

Ervin Day

Mark Hartman

Anthony Scifres

Preston Shell

Kevin Baird

Deirdre Miller

WCPC Attorney:

Mark D. Clark