MINUTES OF MEETING OF

WASHINGTON COUNTY PLAN COMMISSION

Held March 5, 2024

Washington County Conference Room

The regular meeting of the **Washington County Plan Commission** followed the BZA meeting and was called to order at approximately 7:15 P.M. Board members present included Todd Ewen, Kevin Baird, Emily Rodman, Andrew Katt, Rondale Brishaber, Lori Gilstrap, and new member, Marsha Daily. Absent were Danielle Walker and Deidre Miller.

Also present were Planning Director, Travis Elliott, and Commission Attorney, Lisa M. Fleming. Members of the public present included Max Greene, Rhonda Greene, and Daniel Blann.

The **February 6, 2024 Meeting Minutes** were reviewed and approved following a motion from Kevin Baird, second by Lori Gilstrap, and unanimous approval.

President Todd Ewen asked Travis Elliott for his report. Travis relayed that he was worried about the 60-feet setback requirement and the number of people who may request variances. Todd replied that the 60-feet requirement remains desirable. He relayed that there is no magic number of variance requests that would trigger consideration in a change to the set-back.

Daniel Blann, a Surveyor from Brownstown, spoke about his experience performing survey work in Washington County and offered his perspective on a few topics. He relayed that he has been a surveyor for 21 years and that his first customer was Ervin Day. Daniel told the Planning Commission that about ½ of his work in Washington County is fixing problems. He said that he encounters a lot of septic tanks, houses, and garages that are not located within a property. He also noted that he finds many legal descriptions that are not always from a survey and this is problematic.

Daniel reported that it is not uncommon to have multiple residential structures located on one property in Washington County, and he encounters private developments with private roads that are substandard and not always located where plans indicate they should be. He also finds one easement serving multiple properties in private developments, which also causes headaches. Daniel said that he believes all the problems noted above explain why there are no Surveyors with an office in Washington County.

Daniel talked abut the need for an updated Subdivision Control Ordinance with stricter standards. He said he thought that Jackson County has a sound Subdivision Control Ordinance and as a result, they do not see the subpar private developments and a proliferation of private roads that we have in Washington County. Jackson County requires a survey any time a new tax parcel is created, and only one residential home is allowed for each property in Jackson County.

enforcement of setbacks makes orderly growth, road widening and other improvements less costly, and construction faster if structures are prevented from being built within the set-back area. Attorney Fleming noted that the condemnation process is costly, and makes construction nearly impossible in some situations. When structures have to be moved or demolished in order to accommodate a project, the extra costs are borne by the taxpayers.

Doug Turner was listed on the agenda to speak generally about a **variance to the set-back requirement**. He indicated that he was interested in a variance to the setback due to the topography of his property.

Todd Ewen provided some **historical background on the set-back requirement**. Todd noted that the County Commissioners enacted a 60-feet setback requirement in 2003 following an incident where significant damage occurred at a home after a disc mower blade flew off and struck the side of the home and entered a utility room where it severed a water line and flooded the home. The family was fortunately away from the home at the time of the accident and no one was injured, but there was significant flooding and water damage. The County was hit with a major insurance claim against them. Following this incident, a calculation was made of how far away a structure would need to be in order to be outside the area of impact. The 60-foot setback (from the center of a roadway) originated from this study.

Todd encouraged Mr. Turner to go to the Board of Zoning Appeals (BZA) and ask for a variance. He advised Mr. Turner that this is strictly a matter for the BZA, and the next BZA meeting would be held in March.

Although **Jeff Souder was on the agenda to speak about minimum lot size**, he was unable to be present.

Cory Beach presented **two permit applications for approval; one was for a confined feeding permit 24-01C, and the other was for a manure compost permit 24-02M**. Both projects had been reviewed by Travis Elliott prior to the meeting. A minor change was made to the points for one category on an application but it continued to be in the acceptable range. Kevin Baird made a motion to approve the scoring sheets as modified and Danielle Walker seconded for the confined feeding permit. The vote was unanimous to accept. Following a discussion on the area of disturbance on the manure compost permit, Kevin Baird made a motion to approve which was seconded by Rondale and approved by all.

Todd Ewen reported that our Comprehensive Plan needs to be updated in order to receive grants. We may be eligible to get a $50K grant to help us with the update. There will an opportunity for public input in a series of meeting over the next several months.

The meeting adjourned at approximately 8:15 P.M. following a motion made by Emily Rodman, a second from Rondale Brishaber, and unanimous approval.

Washington County Planning Commission by:

Todd Ewen, President

Kevin Baird, Vice President

Danielle Walker

Emily Rodman

Deirdre Miller

Rondale Brishaber

Andrew Katt

Lori Gilstrap

Vacant

Lisa M. Fleming, Attorney for WCPC/BZA

Attendance:

Washington County Planning Commission & BZA

Date|Time: 3/05/2024|6:00pm

Location: Courthouse Courtroom (2nd Floor)

PC Members	Attend
Lisa Fleming	LMF
Travis Elliott	TE
Emily Rodman	ER
Danielle Walker	
Todd Ewen	TE
Rondale Brishaber	RB
Deidre Miller	
Kevin Baird	KB
Mark Hartman	
Andrew Katt	AK
Lori Gilstrap	LG

BZA Members	Attend
Lisa Fleming	LMF
Denise Coots	
John Mishler	JM
Marsha Dailey	MD
...	
Lori Gilstrap	LG

Public	Attend
Rhonda Greene	
Max Greene	

Washington County Planning Commission Guest Speaker(s) Sign in Sheet

Date | *time*3/5/2024 | 6:30-8:00pm

Location: Commissioners & Council Chambers (Courtroom)

Guest Speakers:

1. D. Ps. R
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

5.03 Time Limits:

1.0 Discussion of any Item shall be limited as follows:

- **a.** The petitioner shall have 15 minutes to present his or her case.
- **b.** Remonstrators and those in support:
  - **i.** Remonstrators and those in support shall have 3 minutes per person for the presentation of evidence in opposition or support. However, multiple individuals may defer, his or her comment time to a spokesperson who shall accrue time of those who defer, subject to a limit of 10 minutes for rebuttal and to answer questions raised by the public.
  - **ii.** The petitioner shall then have 5 minutes for rebuttal and to answer questions raised by the public.
- **c.** No limit shall be placed on the amount of time the WCPC/WCBZA takes to discuss a proposal.
- **d.** The WCPC/WCBZA may grant additional time for discussion if it deems it necessary to make an informed decision. The additional time should be allocated between the applicant and the public.

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Todd Ewen noted that private roads are really becoming a problem in our County. Todd thanked Daniel Blann for offering his thoughts at our Plan Commission Meeting.

The meeting adjourned at approximately 8:15 P.M. following a motion made by Kevin Baird, a second from Rondale Brishaber, and unanimous approval.

Washington County Planning Commission by:

Todd M. Ewen
Todd Ewen, President

Kevin Baird
Kevin Baird, Vice President

Danielle Walker

Emily Rodman
Emily Rodman

Deirdre Miller

Rondale Brishaber

Andrew Katt

Lori Gilstrap
Lori Gilstrap

Marsha Daily

L. M. Fl.
Lisa M. Fleming, Attorney for WCPC/BZA