MINUTES OF MEETING OF

WASHINGTON COUNTY PLAN COMMISSION

Held April 9, 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 7:00 P.M. Board members present included Todd Ewen, Kevin Baird, Emily Rodman, Andrew Katt, and Lori Gilstrap. Absent were Danielle Walker, Deidre Miller, Rondale Brishaber, and Marsha Daily.

Also present were Planning Director, Travis Elliott, and Commission Attorney, Lisa M. Fleming. Members of the public present included Denise Coots.

The **March 5, 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 if he had anything to report, and he passed, having already weighed in on earlier matters during the BZA meeting.

Todd then asked Attorney Lisa Fleming for her updates. Lisa responded that a letter had been hand-delivered by Travis Elliott and sent certified mail to **Samuel and Verena Wengerd**, for building a home and barn without following the permit process. The Wengerd property has the address of 7678 East New Philadelphia Road, but is accessed from N. Bryant Road/Ewen Road.

The Wengerd's continued with construction on a barn despite two Stop Work Orders being issued in September and December of 2023. An extension to the barn extends 15-feet into the 60-feet set-back area, for the length of the barn. The Wengerds are being fined a modest amount ($500.00) and will be allowed to continue construction on that portion of their barn that does not extend into the set-back area, after they have paid the fine. They were notified that they could either remove the concrete slab and block wall that extend into the set-back area, or they could apply for a variance. They were reminded in the letter that it is preferable to apply for a variance prior to construction. Todd Ewen will meet with one or more of the elders in our Amish Community to discuss the permit process and address any questions or concerns the elders may have.

Lisa also updated the Commission on the **Doug Turner matter**. Lisa reported that Mr. Turner had retained the services of an attorney in New Albany, John Kraft, following the denial of Mr. Turner's variance request at the March 5, 2024, BZA hearing. Mr. Kraft filed suit against the Board of Zoning Appeals on April 4, 2024, in Washington Circuit Court. Lisa will provide BZA members with a copy of the pleadings filed with the Court including her Appearance filed with the Court on April 9, 2024. Until further notice, communication on this matter should be between the attorneys and not directly with Mr. Turner. A meeting will be scheduled in the near future to discuss the litigation and our responses to the pleadings filed by Mr. Kraft.

Commissioner Ewen, reported that he, Emily Rodman, Lori Gilstrap, and Andrew Katt had had a very productive **meeting with Conner Barnette**, the Jackson County Building Commissioner, to talk with him about the possibility of Conner working on our Subdivision Control Ordinance and finalizing our Zoning Ordinance. Conner prepared these documents for Jackson County and they have a format that is easier to follow and less complicated. Conner would charge us $18,000 for his efforts. Andrew noted that Conner is technically adept and familiar with the software we use. He noted that we would need to get Conner familiar with our communities, like Saltillo, Fredericksburg, etc. Lori said she thinks this will make Travis Elliott's job easier. If Conner provides these services for us our format for Washington County will be very similar to Jackson County's, but Washington County specific language such as set-back amounts will be incorporated.

Lori made a motion to move forward and hire Conner to finalize all our ordinances w/respect to planning and zoning. Andrew seconded the motion and all voted in favor of proceeding. Todd said the timeframe for Conner completing this effort would be about 3 months and to get to final form following a public meeting would likely take us to the end of the year. Funding was briefly discussed and Todd indicated we would find the money, with some possibly coming from a grant from RDA Ready 2.0, some from the Surveyor's budget and a small amount from the Building Commissioner's budget.

The meeting adjourned at approximately 7:45 P.M. following a motion made by Emily Rodman which was seconded by Andrew Katt, and unanimously approved.

Washington County Planning Commission by:

Todd M. Ewen
Todd Ewen, President

Kevin Baird
Kevin Baird, Vice President

Danielle Y. Walker
Danielle Walker

Emily Rodman
Emily Rodman

Deirdre Miller

Rondale Brishaber

Andrew Katt

Loris Gilstrap

Marsha Daily
Marsha Daily

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