

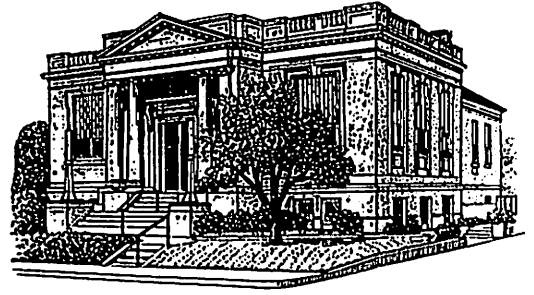
WELLS COUNTY AREA PLAN COMMISSION

WELLS CARNEGIE GOVERNMENT ANNEX

223 W. Washington St.

Bluffton, Indiana 46714-1955

Room 211 PHONE - 824-6407



March 27, 2008

WELLS COUNTY AREA PLAN COMMISSION MEETING

THURSDAY, APRIL 3, 2008, AT 7:30 P.M.

**ROOM 105 (MULTI-PURPOSE ROOM) LOWER LEVEL OF THE WELLS CARNEGIE
GOVERNMENT ANNEX BUILDING, 223 W. WASHINGTON ST., BLUFFTON, IN.
USE SIDE ENTRANCE ON THE WEST SIDE OF THE BUILDING**

AGENDA

ROLL CALL

APPROVAL OF MINUTES

NEW ITEMS

A08-04-04 HARRISON TWP., NE/4 7-26N-12E Gerber Development LLC by Eric Gerber requesting development plan approval for addition to an existing industrial facility. Property is located at 1274 S Adams St. and zoned I-1.

A08-04-05 HARRISON TWP., SE/4 9-26N-12E ANS Enterprises, Inc. requesting development plan approval for commercial retail and warehouse facility. Property is located at 1780 S. Main St. Bluffton and zoned B-3.

A08-04-06 LANCASTER TWP., SE/4 27-27N-12E Bell Brook Estates, Inc. by Blake Gerber asking for primary approval for a 27-lot major subdivision to be known as Bell Brook Section IV. Property is zoned R-3 and located north of the Bell Brook Villa section.

A08-02-02(REVISED) WELLS COUNTY AREA PLAN COMMISSION: Approval of amendments to the Wells County Zoning Ordinance.

ADVISORY

ADJOURN

ROLL CALL

Harry Baumgartner	Finley Lane
Deb Charleston	Joe Langel
Angie Dial	Jerome Markley
Jarrold Hahn	Mike Morrissey
Bill Horan, President	John Schuhmacher

Michael Lautzenheiser, Jr., Secretary

Board President, Bill Horan, called the April 3, 2008 meeting of the Area Plan Commission to order at 7:30 p.m. Roll call was answered by ten members, Mark Shaffer was absent.

Joe Langel offered a motion to approve the minutes from the March meeting and Jarrod Hahn seconded the motion the members approved the minutes 9-0-1, Finley Lane abstained.

Bill Horan stated before beginning with the items on the agenda he wanted to call attention to a letter from Mayor, Ted Ellis stating the city officials and department heads prefer that the Plan Commission not approve development plans with contingencies. Their wishes are that approvals with conditions be limited to "very special circumstances".

NEW ITEMS:

A08-04-04 HARRISON TWP., NE/4 7-26N-12E Gerber Development LLC by Eric Gerber requesting development plan approval for addition to an existing industrial facility. Property is located at 1274 S Adams St. and zoned I-1.

Business owner Eric Gerber and Matt Bertsch of Bertsch-Frank & Associates presented the expansion project. The proposed project is to add to the existing 20,000 sq. ft. facility that is situated on a 5.03-acre tract that was constructed in 2004. An addition of 2.65-acres has been added-to the original tract and expansion of the existing facility will be approximately 60,000 sq. ft. with expanded parking area. Currently on site there are 25 parking spaces and two handicapped spaces with a work force of 20-25 persons. Upon completion of the expansion he estimates up to 25 more employees, the parking requirements will be met with the 55 additional spaces shown on the development plan.

For sanitary service there is an existing line on the property, for water service there is a new 8" water line shown on the plan, although they are working with the builder to be sure they are meeting fire code specifications for fire protection. When the original building was constructed in 2004 fire protection was not required.

The storm water plan has half of the new addition directed or handled by the existing detention pond, either by overland flow or through a storm sewer conduit. The other half will be routed to the back parking area which consists of about 1.6-acres, and additionally they are working with Alexin that is currently under construction on the adjacent property for some shared detention.

Mike Morrissey inquired about the fire code in light of what had just been revealed at a previous meeting pertaining to the state statutes. Matt Bertsch said they have met with Ken Baker at the site and he looked at the location of the fire hydrants and the proposed project and he has signed off and stated they do not need any additional hydrants.

Matt Bertsch stated he was handed a letter when he arrived this evening from Doug Sundling requesting that they allow a 20' ft. easement around the entire property. Already in place is a dedicated 20' ft. easement on the northern edge of the property. The site plan however, shows a 20' ft easement around the perimeter of the property; it is just a formality that a document will need to be drafted that describes the easement.

The sign location meets and exceeds the front setback requirement as the right-of-way for Adams St. exists today, and will also be in compliance if or when the Adams St. improvement project begins.

Jarrod Hahn offered a motion to approve the proposed expansion and Joe Langel seconded the motion, the motion carried. 10-0.

A08-04-05 HARRISON TWP., SE/4 9-26N-12E ANS Enterprises, Inc. requesting development plan approval for a commercial retail and warehouse facility. Property is located at 1780 S. Main St. Bluffton and zoned B-3.

Developer, Andy Shively and Larry Owen engineer for the project presented the development plan. Larry began stating they are proposing a 6,000 sq. ft. commercial building that will include office space and warehousing. The new building will be for Four Star Ag Services that will relocate there from their 2275 N Main St. location. City water and sewer already exists on the property and runs along with the gravel driveway on the property. This project will be on a 1.03-acre tract on the northwest portion of the 6.63-acre tract.

The storm water drains from the front of the property at SR 1 to the east overland along the north line of the property to just east of the aggregate surface area for the existing buildings, and then redirected south with a culvert under the driveway and finally to an existing swale along the south side of the property. The detention area has a 6" outlet that meters water out into what is known as the Biberstine pits south of this property and then to Bill's Creek legal drain.

Presently they do not foresee a significant change in traffic, there is a taper in and out on SR 1 currently that seems to be handling the traffic well at this location.

A variance is being requested for a reduction in side yard setback on the north side of the property because of an overhang that will encroach the 10' ft. minimum for a B-3 zone.

Tom Jackson representing the Jackson Family Trust that owns the adjacent property on the north side submitted a letter and stated they oppose the variance being granted. He stated there are established minimum setbacks and they should be met. He feels this will negatively impact them for future development of their property.

The letter submitted from the Jackson group also stated concerns about the parking design that will have vehicles backing into the driveway of the property; they feel a fully developed decel lane should be considered and that they experience drainage problems on their property as a result of a covered parking structure that was previously built.

Andy Shively said he feels this development will improve the overall drainage of the property, and as a result improve the water problems mentioned in the letter from Jackson's.

Joe Langel asked if parking could be moved to the east and west end of the building and allow for the building to be moved to the south to meet the setbacks?

Parking was discussed at length with suggestions being offered for other configurations. Larry said on the west end there would be overhead doors that will not allow for parking in that area. Andy Shively stated that they do not actually need 15 parking spaces but the ordinance requires that many spaces based on the size and use of the building.

Andy Shively stated he is acting as developer for the project, his client is Galen Baumgartner and stated he was requesting that the building be located as close as possible to the north property line. A suggestion of making the building smaller was made and again Andy stated he couldn't make that decision for his client, adding that the development plan before them is what his client desires. Baumgartner's had discussed the pros and cons of relocating both on the north and south end of town and because of the lot prices had decided on the property on the south end, he feels if there are too many changes imposed they will scrap this project and relocate north. Andy said again he couldn't speak for them; he will go back to them with the board's decision and go from there.

Larry Owen pointed out there was a Panhandle gas pipeline that runs parallel with the north property line and that there is anywhere from 30' to 50' ft. right-of-way that must be adhered to on either side of the pipeline. Therefore he does not believe the variance for this building should impact the Jackson's with any future development on their property.

Bill Horan stated the variance request of this type is not something that has not been approved in the past. Given the fact there is nothing to the north adjacent property now and the proximity of the gas line prohibiting construction of a building there, at most it could only be a driveway or parking lot does not see a problem granting the variance.

Tom Jackson argues that a variance is usually granted for existing buildings that need to add on not new construction when you should design the project to fit and meet the setbacks. Adding he feels it takes their options away from them when you start crowding the property lines.

Andy Shively said he would agree in most cases but in this instance due to the location of the Panhandle gas line it is not likely that this area can be developed.

Joe Langel stated we have granted a lot of variances for things to be closer to the property line, but he does not recall ever granting one when the neighboring property owner came to the

meeting to object. He said it does not make sense to him to grant the variance in this case when there are things that could be changed to make it work.

Mike Morrissey said he would offer a motion to approve the development plan with the required minimum setback being met. Finley Lane offered a second and the motion carried 10-0.

A08-04-06 LANCASTER TWP., SE/4 27-27N-12E Bell Brook Estates, Inc. by Blake Gerber asking for primary approval for a 27-lot major subdivision to be known as Bell Brook Section IV. Property is zoned R-3 and located north of the Bell Brook Villa section.

Blake Gerber, developer and Larry Owen, engineer made the presentation for the next and final phase of Bell Brook Estates Subdivision. This final section to be developed is situated north of what is called Bell Brook Villas and south of section three.

Larry Owen states this is higher ground and the utilities are just extensions of the existing water and sewer lines that service the other sections. The storm water run-off is being channeled to the existing storm water facilities in the subdivision, the majority will be directed to the south and southeast to the two existing detention ponds. The remainder will go to the north and northwest to the detention pond that was part of phase three.

The site plan also shows a street that has been platted that will run east and west that will be for connectivity in the future.

Mike related that with the newest drawings the city still had a few concerns, hence the request by Bluffton city officials to the plan commission to not give projects approval with contingencies. The main areas of concern are the water and sewer taps and width of the pavement for the cul-de-sac needs to be 50' ft. to meet city street specifications.

After some discussion the petitioner requested the petition be continued until these issues are worked out. Blake said he couldn't agree with the city making this requirement to meet the cul-de-sac 50' ft pavement width, when the first sections have been approved and accepted by the city without this requirement.

Jarrold Hahn made a motion for the continuance and John Schuhmacher seconded the motion the vote was 10-0.

A08-02-02 (REVISED) WELLS COUNTY AREA PLAN COMMISSION: Approval of amendments to the Wells County Zoning Ordinance.

Mike related that after meeting with the last two sources of contention one being the real estate group and the other the Farm Bureau group it seems a compromise has been achieved. Pending the approval of the plan commission the document is ready to be taken to the other legislative bodies for approval. The sticking points seemed to be the surveying standards and minor subdivisions with that being resolved, barring any further difficulties the new ordinance should be in effect late April or early May.


There was discussion about the means of getting the agricultural practice recital on deeds for the people locating in the A-1 or A-R areas to put them on notice agricultural practices will take place in the area. It will be a part of the Findings of Fact and Ruling that will be recorded and can be a part of the rules of procedure.

Making a motion to approve the amended Wells County Zoning Ordinance/Subdivision Control Ordinance was Mike Morrissey, with John Schuhmacher offering a second. The vote by the plan commission for approval of the ordinances was 10-0.

The April 3, 2008 meeting of the Area Plan Commission adjourned at 9:40 p.m.



William Horan, President


ATTEST: _____
Michael Lautzenheiser, Jr., Secretary