

LAGRANGE COUNTY PLAN COMMISSION
JULY 27, 2020

THE LAGRANGE COUNTY PLAN COMMISSION WILL MEET IN REGULAR SESSION ON **MONDAY, JULY 27, 2020 AT 7:00 PM.** IN THE COUNTY OFFICE BUILDING WITH THE FOLLOWING AGENDA:

CALL TO ORDER: Tyler Young called the meeting to order at 7:00 p.m.

ROLL CALL: Tyler Young, Lynn Bowen, Zack Holsinger, Peter Cook, Freeman Miller, Steve Engleking, Miriam Carnahan, and Rich Sherman. In attendance Dustin Glick, Robbie Miller and Brittney Johnston.

INVITATION FOR PUBLIC COMMENT ON NON-PUBLIC HEARING ITEMS:

ADOPT AGENDA: Lynn Bowen made a motion to adopt the agenda, Freeman Miller seconded the motion. A vote was taken, motion carried.

APPROVE MINUTES OF PREVIOUS MEETING: Lynn Bowen made a motion to approve the previous minutes with corrections. Freeman Miller seconded the motion, motion carried.

OLD BUSINESS

(Non-Public Hearing)

HOSTETLER, MERVIN & IVA & SCHWARTZ, CARL ~ STRAIGHTLINE

ENTERPRISE ~ By: Rob Yoder (20-SP-31) Eden Twp., Sect. 18, T36N R08E, zoned A-1. Located Northeast corner of CR 1200 W & CR 400 S, Millersburg. Application is for a proposed 3,840 sq. ft. manufacturing area, 5,640 sq. ft. warehouse area and 3,096 sq. ft. office and retail area for the production and retail sales of dog related products.

Robbie Miller introduced & reviewed the site plan.

Rob Yoder, 7740 W SR 120, Shipshewana, was present on behalf of the petitioner. Mr. Yoder explained the traffic flow layout, storm water detention, and concrete drive areas.

Tyler Young asked for public comment on the petition. There was none.

The board discussed the site plan.

Steven Engleking made a motion to approve the site plan, Freeman Miller seconded the motion. A roll call vote was taken 8 Yes/ 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

NEW BUSINESS

Proposed changes to the LaGrange County Zoning Ordinance ~ The proposed amendment to the LaGrange County Zoning Ordinance affects the following zoning district, A-1, and the following section (J) to be entitled "**Commercial Solar Facility**" as a permitted use in the A-1 Zoning District. **Section (C)(2)(a)(iv), Section (K)(2)(d), Section (M)(3)(a)(i) Table 3-K-1: Permitted Accessory Uses Agricultural and Residential Districts, Article 9: Definitions and Rules of Interpretation, Section (M)(40), Section (M)(66), Section (M)(109), Section (M)(115), Section (M)(140).**

Robbie Miller introduced the ordinance and explained the reason for adopting the ordinance.

Tyler Young asked if there was anyone in favor of the petition. No others appeared in favor of the petition. Mr. Young asked if anyone would like to remonstrate against the petition. No remonstrators appeared.

The public hearing was subsequently closed.

The board discussed the ordinance.

Steve Engleking questioned as to why it is only in an A-1 zone, what if an industry wanted to place solar panels but cannot due to the zoning.

Robbie Miller answered that most areas of industrial zoning do not have the solar coverage that would be necessary.

Steve Engleking added that a variance for an industrial zoning to have solar is an option and would not stop these areas from being able to utilize the solar ordinance if desired.

Peter Cook made a motion to send to the commissioners with a positive recommendation, Lynn Bowen seconded the motion.

A roll call vote was taken 8 Yes/ 0 No / 0 Abstain and the motion carried. The ordinance will be sent to the LaGrange County commissioners.

SITE PLAN

(Non-Public Hearing)

LAKEFRONT PROPERTIES REAL ESTATE, LLC ~ SHIPSHE WELDING ~ By: Midwest Land Surveying (20-SP-23) Newbury Twp., Sect. 21, T37N R8E, zoned I-1. Located at 9340 W US 20, Shipshewana. Application is for a proposed 12,600 sq. ft. building for fabrication of metal trailers.

Robbie Miller introduced & reviewed the site plan.

Josh Lash, Midwest Land Surveying, was present on behalf of the petitioner.

Tyler Young questioned the location of the hazardous waste storage being within the 100-year flood zone.

Rich Sherman then questioned the contents of the hazardous waste barrels.

Robbie Miller confirmed the hazardous waste barrels contain dried paint chips.

Zack Holsinger mentioned the need for a master site plan and an overall view of the property.

The board discussed the site plan.

Lynn Bowen made a motion to postpone until the next available meeting, Tyler Young seconded the motion. A voice vote was taken, motion carried. The petition was postponed until the next available Plan Commission meeting.

(Non-Public Hearing)

SCHROCK, ALBERT & ELLA / SCHROCK, ELI & ROSELLA ~ BIKE SHOP ~ By: Sexton & Associates (20-SP-24) Newbury Twp., Sect. 09, T37N R8E, zoned A-1. Located at 2235 N 1000 W, Shipshewana. Application is to operate a bike shop with retail and repair in an A-1 zoning district.

Robbie Miller introduced and reviewed the site plan.

Danny Schrock, 2235 N 1000 W, Shipshewana was present as the petitioner. Mr. Schrock reviewed the landscaping plan, and informed the board that the well and septic were added to the site plan.

The board discussed the site plan.

Tyler Young asked if there is an existing septic field beneath both driveways.

Robbie Miller confirmed yes.

Tyler Young asked for public comment on the petition. There was none.

Freeman Miller made a motion to approve, Steve Engleking seconded the motion. A roll call vote was taken 8 Yes/ 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

MILLER, JOHN/ OAK GROVE TAX SERVICES LLC ~ By: John Miller (20-SP-35): VanBuren Twp., Sect. 29, T38N R9E, zoned A-1. Located at 4430 W SR 120, Shipshewana. Application is to operate a tax preparation and book keeping office in an A-1 zoning district.

Robbie Miller introduced the petition and reviewed the site plan.

Amber Taylor, Taylor Land Surveying, was present on behalf of the petitioner. Mrs. Taylor informed the board she had previously reached out to Jason Hanaway for an INDOT comment letter, and was requesting approval pending the INDOT letter.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none .

Lynn Bowen made a motion to approve the site plan pending the INDOT letter. Zack Holsinger seconded the motion. A roll call vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

MILLER, LARRY ~ PINE'S RV REFRIGERATION~ By: Rob Yoder (20-SP-36) Clay Twp., Sect. 18, T37N R9E, zoned A-1. Located at 5930 W 200 N, Shipshewana. Application is for a proposed 5,040 sq. ft. building for an existing wholesale business for repairs and assembly of refrigeration appliances and related accessories.

Robbie Miller introduced the petition and reviewed the site plan.

Rob Yoder, 7740 W SR 120, Shipshewana, was present on behalf of the petitioner. Mr. Yoder explained the site plan.

The board discussed the site plan.

Freeman Miller made a motion to approve the site plan, Peter Cook seconded the motion.

A roll call vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

YODER, WAYNE ~ By: Rob Yoder (20-SP-37) Eden Twp., Sect. 09, T36N R8E, zoned A-1. Located at 9120 W 300 S, Topeka. Application is for a proposed 7,020 sq. ft. building for production of baled hay to be ground and pelletized.

Robbie Miller introduced the petition and reviewed the site plan.

Rob Yoder, 7740 W SR 120, Shipshewana, was present on behalf of the petitioner. Mr. Yoder explained that an existing building will be gutted and nothing structurally will be changed.

The board discussed the site plan at length.

Steve Engleking made a motion to approve the site plan, Freeman Miller seconded the motion.

Tyler Young asked for public comment on the petition. There was none.

A roll call vote was taken 8 Yes/ 0 No/ 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

BONTRAGER, HARLEY ~ SUNSET APPLIANCES~ By: Rob Yoder (20-SP-38) Eden Twp., Sect. 27, T36N R8E, zoned A-1. Located at 6395 S 900 W, Topeka. Application is for a proposed 3,200 sq. ft. building for “cold” warehouse building for equipment for an existing retail and repair business.

Robbie Miller introduced the petition and reviewed the site plan.

Rob Yoder, 7740 W SR 120, Shipshewana, was present on behalf of the petitioner.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none.

Steve Engleking made a motion to approve the site plan, Freeman Miller seconded the motion. A roll call vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

LKB, LLC/TOPEKA GRAPHICS ~ By: Midwest Land Surveying (20-SP-41): Eden Twp., Sect. 25, T36N R8E, zoned I-2. Located at 428 Hawpatch #015 Dr., Topeka. Application is for a proposed 8,000 sq. ft. manufacturing building for fiberglass truck hoods.

Robbie Miller introduced the petition and reviewed the site plan. Mrs. Miller explained to the board that the petition went to Plat and received a neutral recommendation.

Josh Lash, Midwest Land Surveying, was present on behalf of the petitioner.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none.

Lynn Bowen made a motion to approve the site plan, Zack Holsinger seconded the motion. A roll call vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

FREY, ELVIE ~ ELVIE FREY INVESTMENTS, LLC ~ By: Midwest Land Surveying, LLC (20-SP-42 / 20-SP-47) Newbury Twp., Sect. 21, T37N R8E, zoned I-1. Located at 9550 W U.S. 20, Shipshewana. Application is for a proposed 11.69 +/- acres expansion of existing outdoor storage yard.

Robbie Miller introduced the site plan and reviewed the petition.

Josh Lash, Midwest Land Surveying, was present on behalf of the petitioner. Mr. Lash informed the board of Elvie Frey’s plan to purchase the property and the proposed project will begin after approval from the Plan Commission.

The board discussed the site plan.

Tyler Young asked for public comment on both petitions 20-SP-42 and 20-SP-47. There was none for either petition.

A roll call vote was taken for **(20-SP-42)** 8 Yes/ 0 No/ 0 Abstain and the motion carried. The site plan was approved as presented.

A roll call vote was taken for **(20-SP-47)** 8 Yes/ 0 No/ 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

MILLER, AMOS & FANNIE ~ CFO ~ By: Taylor Land Surveying (20-SP-44): Lima Twp., Sect. 34, T38N R9E, zoned A-1. Located at 2375 W 450 N, Howe. Application is for a proposed

80' x290' heifer barn, expanding and covering two feed lanes, expanding and covering one manure stack and constructing a second manure stack.

Robbie Miller introduced the petition and reviewed the site plan. Mrs. Miller informed the board that the PLAT committee gave a positive recommendation and received their IDEM permit the day of the meeting.

Tiffany Rolin, Agronomics Solutions, was present on behalf of the petitioners.

The board discussed the site plan at length.

Freeman Miller made a motion to approve the site plan, Steve Engleking seconded the motion.

Tyler Young asked for public comment on the petition. There was none.

A roll call vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

YODER, MARK & DORETTA ~ THE CONNNECTION ~ By: Taylor Land Surveying (20-SP-45): VanBuren Twp., Sect. 35, T36N R8E, zoned A-1. Located at 2165 W Lake St., Topeka. Application is for a proposed 2,800 sq. ft. office for a home based publication design business.

Robbie Miller introduced the petition and reviewed the site plan. Mrs. Miller informed the board that the petition had received a positive recommendation from the Plat committee and an approval letter from the Town of Topeka.

Amber Taylor, Taylor Land Surveying, was present on behalf of the petitioner. Mrs. Taylor explained the business and its needs to the board.

The board discussed the site plan.

Tyler Young made a motion to approve the site plan, Peter Cook seconded the motion.

Tyler Young asked for public comment on the petition. There was none.

A roll call vote was taken 8 yes/ 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

(Non-Public Hearing)

INTERRA CREDIT UNION~ By: Crystal Welsh, Abonmarche Consultants (20-SP-46): Bloomfield Twp., Sect. 19, T37N R10E, zoned B-2. Located at Northeast corner E. Central Ave. & S. Poplar St., LaGrange (parcel #'s 44-07-19-400-002.046-002, 44-07-19-400-002.047-002 & 44-07-19-400-003.063-002). Application is for a new Interra Credit Union.

Robbie Miller introduced the petition and reviewed the site plan.

Crystal Welsh, Abonmarche Consultants, 1009 S 9th St., Goshen, was present on behalf of the petitioner.

The board discussed the site plan.

Steve Engleking made a motion to approve the site plan, Peter Cook seconded the motion.

Tyler Young asked for public comment on the petition. There was none.

A roll call vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried. The site plan was approved as presented.

COMMUNICATIONS: None.

COMMITTEE REPORTS / ZONING ADMINISTRATORS REPORT: None.

OTHER BUSINESS: Tyler Young brought a letter from Vincent J. Heiny to the board's attention. The letter was in reference to the conditions of Curtis Towing & Wrecking.

Dustin Glick clarified that the property is owned by Allen & Anna Miller. Their son, Austin Miller, who owns Tire Star, and is purchasing the trucks from Curtis Towing with which he plans to operate a towing business at the location in question.

Tyler Young stated he knows Austin Miller as an ambitious man and that he keeps his existing businesses clean and tidy. Mr. Young expects the issue to resolve itself.

An emailed version of the letter was sent to Robbie Miller, Dustin Glick, and Lynne Bowen. Tyler Young turned in the complaint letter to Robbie Miller for her to contact Vincent J. Heiny and inform him that the letter had been addressed by the board.

ADJOURNMENT: Lynn Bowen made a motion to adjourn, Freeman Miller seconded the motion. A vote was taken, motion carried. Meeting adjourned at 8:52 p.m.

LAGRANGE COUNTY, INDIANA

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The County of LaGrange does not illegally discriminate because of race, color, national origin, sex, religion, disability, or age with regards to admission, participation, or treatment in its facilities, programs, activities, or services, as required by Title III and Title VI of the American Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and their related statutes, regulations, and directives. The County has established an Anti-Discrimination Compliance Division to ensure compliance with these laws. If you would like more information concerning the provisions of these laws and about the rights provided thereby, or if you have a suggestion on how the County can better meet the needs of persons protected thereby, please contact the Division at 300 E. Factory St., LaGrange, IN 46761 or by telephone at (260)499-6352.