

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY  
MINUTES OF A PUBLIC HEARING**

DATE..... January 18, 2023  
TIME..... 6:00 P.M.  
PLACE..... County Office Building  
20 North 3<sup>rd</sup> Street  
Lafayette, IN 47901

*This meeting was held in-person. Members of the public may watch the video of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/C/TippecanoeCountyGovernment>*

<b>MEMBERS PRESENT</b>		<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>
Larry Leverenz	Carla Snodgrass	Jason Dombkowski	David Hittle
Gary Schroeder	Tracy Brown		Larry Aukerman
Jerry Reynolds	Tom Murtaugh		Austin Hammerli
Michelle Dennis	Kathy Parker		Eric Burns, Atty
Greg Jones	Jackson Bogan		
Perry Brown	Vicki Pearl		
Bob Metzger	Lisa Dullum		
Diana Luper	Jody Hamilton		

The Area Plan Commission of Tippecanoe County Public Hearing was held in-person on the 18th day of January 2023 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

Larry Leverenz called the meeting to order.

Attorney Eric Burns called the roll to establish members present.

**I. ELECTION OF OFFICERS**

Eric Burns opened nominations for president.

Gary Schroeder moved to nominate Larry Leverenz for president. Jerry Reynolds seconded.

Gary Schroeder moved that nominations for president be closed. Greg Jones seconded, and the motion carried by voice vote.

Gary Schroeder moved to cast a unanimous ballot for Larry Leverenz for president. Diana Luper seconded, and the motion carried by voice vote.

Larry Leverenz requested nominations for the office of vice president.

Gary Schroeder moved that Gary Schroeder be nominated for vice president. Jerry Reynolds seconded.

Gary Schroeder moved that nominations for vice president be closed. Jerry Reynolds seconded, and the motion carried by voice vote.

Gary Schroeder moved to cast a unanimous ballot for Gary Schroeder for vice president. Diana Luper seconded, and the motion carried by voice vote.

Larry Leverenz requested nominations for the Executive Committee representatives.

Gary Schroeder moved that Gary Schroeder and Tom Murtaugh be nominated to represent Tippecanoe County. Diana Luper seconded.

Gary Schroeder moved that Jerry Reynolds and Jackson Bogan be nominated to represent the City of Lafayette. Diana Luper seconded.

Gary Schroeder moved that Larry Leverenz and Kathy Parker be nominated to represent the City of West Lafayette. Diana Luper seconded.

Gary Schroeder moved that Greg Jones be nominated to represent the Towns of Dayton, Battle Ground, and Clarks Hill. Diana Luper seconded.

Gary Schroeder moved that the nominations for Executive Committee be closed. Diana Luper seconded, and the motion carried by unanimous voice vote.

Gary Schroeder moved to cast a unanimous ballot for Gary Schroeder, Tom Murtaugh, Jerry Reynolds, Jackson Bogan, Larry Leverenz, Kathy Parker, and Greg Jones, for Executive Committee. Diana Luper seconded, and the motion carried by unanimous voice vote.

Larry Leverenz requested nominations for the Area Board of Zoning Appeals representatives.

Gary Schroeder moved that Gary Schroeder and Michelle Dennis be nominated to represent the Area Plan Commission on the Area Board of Zoning Appeals. Diana Luper seconded.

Gary Schroeder moved that nominations for the Area Board of Zoning Appeals be closed. Diana Luper seconded.

Gary Schroeder moved to cast a unanimous ballot for Gary Schroeder and Michelle Dennis to represent the Area Plan Commission on the Area Board of Zoning Appeals. Diana Luper seconded, and the motion carried by unanimous voice vote.

## **II. BRIEFING SESSION**

David Hittle stated the rezone **Z-2872 THE FRIENDS OF THE EDUCATION BUILDING, INC. (R1U to R3U)** must be continued to the February 15, 2023 APC public hearing due to a filing deficiency. All other cases were ready to be heard.

## **III. APPROVAL OF THE MINUTES**

Gary Schroeder moved to approve the minutes from the December 21, 2022 public hearing as submitted. Greg Jones seconded, and the minutes, as submitted, were approved by unanimous voice vote.

## **IV. NEW BUSINESS**

### **A. APC BYLAW AMENDMENT**

#### **RESOLUTION 2023-01:**

Proposed changes to the APC bylaws would include changes to meeting procedures, deadlines, as well as changes to the Executive Committee responsibilities.

Gary Schroeder moved to hear and vote on **RESOLUTION 2023-01**. Greg Jones seconded.

David Hittle presented a list of proposed changes to the Area Plan Commission bylaws. These changes were brought before the Bylaws Committee in December. These proposed changes mirror, as much as possible, the bylaws of the Board of Zoning Appeals. The biggest proposed change would be to require a notification period of 21 days rather than 10 days prior to the hearing. For example, if you would want to rezone a property or do something that would come before this board, you would have to send the letter

to the neighbors and put the sign on your property at least 21 days prior to the hearing, rather than 10 days. Ten is the state minimum and there are only a few jurisdictions that adhere to the state minimum. Most jurisdictions have expanded to 14, 21, 23 or 28 days. This change would allow for more time for staff review, time for neighbors to understand what is going on, time to call and talk to staff, and to meet with petitioners. A proposed change to the notification range is also included. Currently you must mail letters to the adjoining parcels. With the change, letters would be mailed to all neighbors, adjoining and within another parcel, or 200 feet, whichever is greater. This is still quite a bit below what is normal for most jurisdictions. This change is still relatively meager, but it would double our current requirement. An additional proposed change is how letters of support and opposition would be handled. Rather than reading these letters into the record, letters received a week before the hearing would be included in the published packet for advanced viewing of the hearing. Letters received after that timeframe, would be included in the file, and would be made available for review, if desired. Language dictating the font size and letter length have been removed, as those have never really been a problem. The final proposed change would allow for an administrative approval for certain administrative tasks. The Executive Committee somewhat frequently meets to not hear anything, but to approve the APC and BZA agendas, Determination of Variances, and approval of the monthly budget report. In this instance, the president of the Executive Committee would administratively approve those matters with written notice to the rest of the Executive Committee, saving everyone time. The paragraph to explain this addition is shown on page 21 of the packet. Steve Clevenger, prior to the start of this meeting, pointed out that we want to add language under number two on page 21. We want to add the language to read, 'makes determinations that variance requests pending hearing by the Area Board of Zoning Appeals and the Lafayette Board of Zoning Appeals' because that applies not just to Lafayette, but to our ABZA as well. That is language that was not put in. The BZA is slated to look at their bylaw amendments next week, and again, to the extent that they can, will mirror what is reviewed here. He offered to answer any questions.

Gary Schroeder asked if Steve Clevenger's comment of adding the Area Board of Zoning Appeals would also apply to item number three on page 21.

David Hittle responded no; special exceptions are only heard by the Area Board of Zoning Appeals. Special exceptions do not go to Lafayette, therefore, does not apply to item number three.

Jackson Bogan moved to amend the written proposed changes to include the additional language of the 'Area Board of Zoning Appeals' on item two. Gary Schroeder seconded, and the motion carried by unanimous voice vote.

Larry Leverenz asked for any questions from members of the audience. There were none.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

David Hittle collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **RESOLUTION 2023-01**.

		<u>Yes-Votes</u>			<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jody Hamilton	Michelle Dennis	(none)	
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder		
Perry Brown	Lisa Dullum	Carla Snodgrass	Larry Leverenz		
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds		

**B. PRIMARY APPROVAL EXTENSION REQUEST**

**ELLIOTT INDUSTRIAL PARK SUBDIVISION (S-2351):**

The subdivider, JIRO, LLC, represented by TBIRD Design Services Corp., is requesting a two-year extension of the primary approval originally granted

January 17, 1996. This is the 12<sup>th</sup> request for a two-year extension, and if approved, will extend the approval to January 17, 2025. The preliminary plat includes 8 industrial lots on 17.446 acres and is located at the southeast corner of Brady Lane and Concord Road, Wea 3 (SE) 22-4.

Gary Schroeder moved to hear and vote on the primary approval extension request for **ELLIOTT INDUSTRIAL PARK SUBDIVISION (S-2351)**. Greg Jones seconded.

APC staff Larry Aukerman explained this was the twelfth primary approval extension request. The eleventh request expired on January 17, 2023. These are two-year extensions. The site is on the corner of Concord Road and Brady Lane. It takes a while to develop, and this extension will allow them to continue to plat lots in the future.

Larry Leverenz asked if the petitioner or his representative wished to make a presentation.

Tim Balensiefer, TBIRD Design Services Corp, 105 N 10<sup>th</sup> Street, Lafayette, is present on behalf of the petitioner and agrees with all staff comments. He spoke with the owner and said this will probably be the last request you will see.

Larry Leverenz asked if any member of the audience wished to comment on this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

Larry Aukerman collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending a primary approval extension request of **ELLIOTT INDUSTRIAL PARK SUBDIVISION (S-2351)**.

<b>Yes-Votes</b>				<b>No-Votes</b>
Vicki Pearl	Kathy Parker	Jody Hamilton	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dullum	Carla Snodgrass	Larry Leverenz	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

## **V. PUBLIC HEARING**

Larry Leverenz read the meeting procedures.

Gary Schroeder moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Plan Commission, the application, and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies. Greg Jones seconded, and the motion carried by voice vote.

Gary Schroeder moved to continue **Z-2872 THE FRIENDS OF THE EDUCATION BUILDING, INC. (R1U to R3U)** to the February 15, 2023 APC public hearing due to a filing deficiency.” Greg Jones seconded, and the motion carried by voice vote.

### **A. ORDINANCE AMENDMENTS**

Gary Schroeder moved to hear and vote on **UZO Amendment #109**. Greg Jones seconded.

#### **UZO AMENDMENT #109:**

This amendment would create new standards and requirements for Agricultural Rental Halls that require a special exception.

David Hittle stated a proposed amendment to the zoning ordinance is before them, which was also brought before the Bylaws Committee in December. This amendment would add a new section to chapter four of the zoning ordinance titled Agricultural Rental Halls. These halls are currently permitted by grant of a special exception by the Board of Zoning Appeals in the agricultural districts. There is currently no specific language that goes along with that. Staff does a review of special exception findings and then determines whether the case meets them. This amendment would add specific dimensional requirements that agricultural rental halls would need to meet or get variances from. These requirements are listed on page 29 of the packet. The first requirement is that the primary use building of an agricultural rental hall shall be setback from the nearest dwelling, no less than a thousand feet. Whatever building is going to be built, or used as the agricultural rental hall, it can be no closer than one thousand feet to any neighboring dwelling. The second is that there may be no outdoor amplified music. The third addresses hours of operation and places them maximally at 8:00AM to 10:00PM, Sunday through Thursday and 8:00AM through midnight on Friday and Saturday. The fourth maxes out the guest capacity at 300 persons in the main hall, unless the state design shows, that because of the size of the building and by fire code, the maximum needs to be less than that. And finally, there should be a buffer yard required between the parking area and adjacent properties at the discretion of the Administrative Officer. There are some cases where the buffer might be useful, and in some cases, where it would have no impact at all. We would leave it to the Administrative Officer to make that determination at the time the permit is reviewed. Agricultural rental halls approved over the last several years have proven to be a little bit more onerous than anyone expected. That source of nuisance is often the noise. The most constant complaint about them has to do with noise, which is why we added this separation requirement and the prohibition on outdoor amplified music. In the last couple of years, these items, or variations of them, typically appeared as conditions that we requested the petitioner to add. With this amendment, they would be in the ordinance, and you would have to meet these requirements, unless you wanted to additionally request a variance from one of these. He offered to answer any questions.

Larry Leverenz asked for any questions or comments from the Commission.

Tom Murtaugh said he received feedback from two different rental halls, and they have questions around the outdoor amplified music. Their concern is for the bridal procession, which they say is less than 15 minutes, and is always before 6:00PM. They do at times amplify the music, not at a loud level, but they were inquiring as to whether an exception would be considered. Perhaps no later than 6:00PM or a certain length of time.

David Hittle said that topic was addressed, and it was decided to not specifically address it. The thought is intended to address the reception music, often played at loud levels, that it cannot be outdoors or amplified outdoors. There's an expectation that you might have amplified music or a string quartet for the ceremonial music, but that probably wouldn't spur a complaint. He said language could be added, if there is a desire to do so, to exempt ceremonial or processional music, because the intent is not to say you can't play *Here Comes the Bride* at a quiet level.

Vicki Pearl said the current halls would be grandfathered in, so this would only apply to new ones. They could write that in.

Tom Murtaugh said they would have to do a variance for the processional music.

David Hittle said with a very strict reading of this, they would. He added that the thought would be it would never come up as a complaint if they are doing it thoughtfully.

Vicki Pearl added she understands the point Tom Murtaugh is making. She knows what has gone on with another wedding barn. The neighbors are getting upset, it doesn't matter whether it's ceremonial music or not, they will be calling in and complaining.

Tracy Brown added that it then gets into what song do you play for the wedding march and for how long. He asked a question regarding the privacy fence. The amendment specified wood, but there's always a possibility there could be another substance, perhaps PVC or some kind of windscreen, that blocks or deflects the light. It may be better to say a six-foot solid fence, or describe something that blocks out light, if that's what we are trying to achieve.

David Hittle added that the Administrative Officer would have that discretion, but we could take out the word wood. A six-foot, solid privacy fence.

Tom Murtaugh added that he would feel more comfortable if it had the ceremonial music exempted.

Eric Burns suggested adding at the end of item (b)., the words 'other than brief ceremonial or processional music' to continue the sentence.

Gary Schroeder moved to add the phrase 'other than brief ceremonial or processional music' at the end of item (b), and to remove the word 'wood' from item (e) #1. Tom Murtaugh seconded, and the motion carried by unanimous voice vote.

Larry Leverenz asked if anyone in the audience wished to speak in favor or opposition. There were none.

Michelle Dennis added that in BZA hearings, there is a lot of talk about the enforcement. She asked if we need to consider anything when adding these items, in terms of the enforcement.

David Hittle said APC handles the enforcement now. If there was a violation, it would be handled in the same manner as any other violation of the zoning ordinance. Noise is not easy to enforce, as you need to be there to see or hear the music being played outdoors, but you can get neighbors who are able or willing to do videos to use as proof. It folds into our enforcement processes just fine.

Larry Leverenz called for a vote on a yellow ballot.

David Hittle collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **UZO Amendment #109.**

<u>Yes-Votes</u>				<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jody Hamilton	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dullum	Carla Snodgrass	Larry Leverenz	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

## **B. Rezoning Activities**

Gary Schroeder moved to hear and vote on **Z-2870 AREA PLAN COMMISSION REZONE OF STOCKWELL (R3, A, GB, NB, R1 and AA to R1, R1B, NBU and GB).** Greg Jones seconded.

### **1. Z-2870 AREA PLAN COMMISSION REZONE OF STOCKWELL (R3, A, GB, NB, R1 and AA to R1, R1B, NBU and GB):**

APC is requesting rezoning of 17 properties within the unincorporated town of Stockwell based on recommendations made by the adopted Stockwell Land Use Plan. All the land in this request is within the platted portion of Stockwell, in Lauramie Sections 5(SW), 8(NE) & 9(NW), 21-3.

David Hittle showed the zoning map of the unincorporated town of Stockwell. This is a multi-rezoning that follows the Stockwell Town Plan that was completed in the last several months. This rezone request does not include rezoning on the outskirts of town to prep the agricultural area for new residential development because it was very clearly not something the town desired. Rezoning would be done at the request of the developers, in a public hearing in front of the Area Plan Commission, sometime in the

future. This request is a clean-up of several sites. There are three areas of R3 zoning, which allow for apartment buildings, that we don't know why they were ever zoned R3 because there are no apartment buildings on them. The town expressed a very clear concern for the development of apartment buildings, so we are proposing a rezone from R3 to R1B, to match the zoning of the single-family dwellings in town. There is one A-zoned property for agricultural, because at the time it was rezoned, it allowed, by right, for a mobile home which was put in place. This is not an agricultural used property, so we are proposing R1B rezoning to align with the other districts around it. There are two areas of NB zoning, neighborhood business, proposed to change to NBU, which is urban. NBU is more in line with the small-town Main Street feel. Older buildings are built to the street with the front door opening onto the sidewalk and smaller parking lots. NB is more of a suburban designation for strip malls and commercial shopping centers. There is a clear preference amongst the townspeople to continue the older business square feel. The R1 polygon would change to GB and would simply unify the zoning of this site. There are silos and other buildings that the current zoning line cuts directly down the center of, which doesn't make much sense. The proposed rezoning would extend the GB zone to include the entire lot where the silos and buildings are located. The last segment is on the far southside of town as AA to a R1 zone. The rezone would keep with the other more rural, large lot zoning districts in the area. These are all corrective rezones, to get the zoning to line with what's happening on the property. Notice was provided to all property owners involved with these sites, and notification was placed in the downtown area at the township trustee office. APC staff did receive a couple of phone calls, but mostly from people who weren't aware of what was going on. Once they were told, they didn't express any concerns. After this rezoning is done, APC staff will come back with another topic the town has requested, which are very simple architectural standards. Examples include new homes having front porches, no dominant garages and provide for some architectural variety from home to home. That aspect will come before the committee in a few months. He offered to answer any questions.

Tom Murtaugh stated what is being proposed would make no property non-conforming.

David Hittle said that is correct.

Larry Leverenz asked if any persons wished to speak in favor of this petition. There were none.

Larry Leverenz asked if any persons wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

David Hittle collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **Z-2870 AREA PLAN COMMISSION REZONE OF STOCKWELL (R3, A, GB, NB, R1 and AA to R1, R1B, NBU and GB).**

<u>Yes-Votes</u>				<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jody Hamilton	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dullum	Carla Snodgrass	Larry Leverenz	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

Gary Schroeder moved to hear and vote on **Z-2871 ZANIK CORPORATION (I3 to GB).** Greg Jones seconded.

2. **Z-2841 ZANIK CORPORATION (I3 to GB):**

Petitioner is requesting rezoning of a single lot for a proposed urgent care, located north and east of the intersection of Veterans Memorial Parkway and Concord Road, specifically 3411 Fairfield Court, in Lafayette, Wea 10 (NE) 22-4.

APC staff Larry Aukerman referred to zoning and aerial maps. He said the request is for I3 to GB on the northeast corner of Veterans Memorial Parkway and Concord Road. The site was previously a small vet clinic but was razed a few years ago. The surrounding properties to the east and west have been general business for quite some time. This site is on the edge of the industrial rezone from 1998. We had a large industrial corridor and staff sees this as a supporting site for the corridor. I3 zoning does not normally fit with the smaller lots, as most heavy industrial need larger sized lots. The site would get its access off Fairfield Court. APC staff were told by the petitioner's representative that it would be rezoned for an urgent care facility. There is currently not one along Veterans Memorial Parkway. Staff recommends approval.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.

John Schrader, Ball Eggleston PC, 201 Main Street, Lafayette, with the assistance of Joe Bumbleburg, said they agree with the conclusion of the staff report. The site is currently surrounded on three sides by GB zoning, so the change would not be a departure from the current character of the neighborhood. It would bring the lot in accordance with the character. The I3 zoning has been there since the 1965 plan, well before the Veterans Memorial Parkway retail corridor developed into what it is today. The I3 zoning is more of an artifact of that change, rather than an accurate reflection of what the area is like today. The property is currently a vacant lot, and Zanik Corporation is in the process of a deal to sell this to be developed into an urgent care clinic. This change in zoning would allow the change from nothing to something that would benefit the area. Utilities and emergency services are already there. We agree with the staff report, which recommends approval.

Larry Leverenz asked if any persons wished to speak in favor of this petition. There were none.

Larry Leverenz asked if any persons wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission. There were none.

Larry Leverenz called for a vote on a yellow ballot.

Larry Aukerman collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **Z-2871 ZANIK CORPORATION (I3 to GB).**

<u>Yes-Votes</u>				<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jody Hamilton	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dullum	Carla Snodgrass	Larry Leverenz	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

Gary Schroeder moved to hear and vote on **Z-2873 WHISKIR, LLC (I3 to I2).** Greg Jones seconded.

**3. Z-2873 WHISKIR, LLC (I3 to I2):**

Petitioner is requesting rezoning of four lots and two outlots located at the northeast corner of Maple Point Drive and Concord Road, specifically 2725 Concord Road, and 3410, 3420 and 3430 Maple Point Drive in Lafayette, Wea 3 (NE) 22-4.

David Hittle referred to zoning and aerial maps. This is a rezone of an approximately 7.5-acre property consisting of four subdivided lots at the northeast corner of Maple Point Drive and Concord Road. It is unimproved except for one building on the easternmost lot. It was platted in 2013. The rezone request, from I3 to I2, is in essence a down-zoning. The larger the number, the more intense the district. He said he was not entirely sure what the petitioner's intent is, but the comprehensive plan does recommend industrial for this property and staff has no objection to the request. He offered to answer any questions.

Larry Leverenz asked if the petitioner or the petitioner's representative wished to make a presentation.



Ryan Munden, Reiling Teder & Schrier, LLC, Lafayette, is present on behalf of the petitioner. WHISKIR owns lots four, three and two as a subdivision along with the outlot on the northern side of these lots. The building that exists on lot four is to be leased. The plan for developing lots two and three would be similar to the development of lot four. Karma Enterprises owns lot one and the outlot to the south and west of that. Their plans are the same to build a building to lease out. The reason for the down-zone to I2 is to provide some additional flexibility and the tenants that are available for these properties. We believe this creates a nice transition from the GB to the heavier industrial use in I3. They concur with the staff report and recommendation and request the approval.

Larry Leverenz asked if any persons wished to speak in favor of this petition. There were none.

Larry Leverenz asked if any persons wished to speak in opposition of this petition. There were none.

Larry Leverenz asked for any questions or comments from the Commission.

Jerry Reynolds, on behalf of the City of Lafayette, thanked the petitioner for sitting down and working this out with the City before it was presented. Good job and Thank you.

Larry Leverenz called for a vote on a yellow ballot.

David Hittle collected the ballots and noted the Area Plan Commission voted 16-Yes to 0-No recommending approval of **Z-2873 WHISKIR, LLC (I3 to I2)**.

<u>Yes-Votes</u>				<u>No-Votes</u>
Vicki Pearl	Kathy Parker	Jody Hamilton	Michelle Dennis	(none)
Bob Metzger	Diana Luper	Jackson Bogan	Gary Schroeder	
Perry Brown	Lisa Dullum	Carla Snodgrass	Larry Leverenz	
Tracy Brown	Greg Jones	Tom Murtaugh	Jerry Reynolds	

## VI. ADMINISTRATIVE MATTERS

None.

## VII. APPROVAL OF THE FEBRUARY EXECUTIVE COMMITTEE AGENDA

No new subdivisions have been filed.

## VIII. DETERMINATION OF VARIANCES—Area Board of Zoning Appeals

Gary Schroeder moved that the following request for variance from the Unified Zoning Ordinance is not a request for use variance, prohibited from consideration by ordinance and statute: **BZA-2093 JHS INVESTMENT GROUP LLC c/o RIPAM SINGH**. Greg Jones seconded, and the motion carried by voice vote.

## IX. DIRECTOR'S REPORT

David Hittle stated the Director's report was emailed and was available to answer any questions.

Vicki Pearl asked how we are reaching out to Wabash Township to let them know about the public meetings.

David Hittle said a variety of homeowners association groups, their Facebook groups and other social media communication lines were used. The town of Battle Ground agreed to send out notification with their utility bills, which was huge. There are other means, but he would have to find out the specifics.

**X. CITIZEN'S COMMENTS AND GRIEVANCES**

None.

**XI. ADJOURMENT**

Gary Schroeder moved to adjourn.

Meeting adjourned at 6:52 PM.

Respectfully Submitted,  
Kristina Lamb  
Recording Secretary

Reviewed by,

A handwritten signature in black ink, appearing to read "D. Hittle". The signature is written in a cursive style with a horizontal line underneath.

David L. Hittle  
Executive Director