

**Minutes of the Owen County Plan Commission**  
June 26<sup>th</sup> 2008  
Owen County Courthouse, Commissioner's Room 2<sup>nd</sup> Floor

Members Present: Mike Branham, Citizen Member  
Gwen Dieter, Citizen Member  
Dwight Dunigan, Citizen Member  
Regina Gephart, Citizen Member  
Anton Neff, Council Member

Members Not Present: Mark Evans, Ag Extension Member  
Benton Pittman, Citizen Member  
Wiley Truesdel, Commissioner Member  
Gilmer Tucker, County Surveyor

Public Present:

Juanita Grayson  
Randall Wrightsman

Opening Meeting

Anton Neff Open meeting with Pledge to the Flag

Approval of Minutes

Regina Gephart: Motions to approve the minutes as written

Mike Branham: Seconds the motion

Motions fails: 4-0-1 vote with Dwight Dunigan abstaining

Old Business

There was no business

## New Business

### Juanita Grayson/Jerry Meadows

Juanita Grayson came before the Board to ask for a re plat of East Ridge Acre's located on Red Cedar Lane in Clay Township of Owen County. The lots in question are lots 2 and 3.

Anton Neff: Can you tell us a little bit of why you are doing this, and what you are trying to accomplish?

Juanita Grayson: Basically there was a spot where it came up on Jerry's driveway that it cut in closer to the garage and then went out to an angle. There is a place behind the garage and then there was this little spot on his side of the driveway that was his and the spot behind the garage was mine. He wanted a flat place to be able to pour a blacktop pad to park his R.V. and basically I just took the spot that is on the side so now the driveway would be the line and then cuts straight over to the next lot so that back part became his.

Anton Neff: So the dotted line on the legal size paper is the current line, is that correct?

Juanita Grayson: Yes

Anton Neff: And then the dark solid line is the new proposed?

Juanita Grayson: Yes

Anton Neff: One thing that we had a question on was, do you know the measurement between the new line you propose and the back of the house that is on the diagram? Because there has to be a certain minimum setback between that lot line and that house.

Juanita Grayson: I am not certain right off hand, I don't know if it is in the legal description or not.

Mike Branham: It is not on the survey.

Anton Neff: What is the new acreage on this lot? Is it the .784 or is it the .784 minus the .107 plus the .067? Do you follow me on that?

Juanita Grayson: Yes, I understand, I am not sure what the surveyor put on there whether it was the total of the old one, or the total of the new one. I just know that the switch is four tenth of an acre off. It was close enough for me.

Anton Neff: What are the wishes of the Board?

Mike Branham: I think we should table so someone can go look at it and make sure it is twenty five feet.

Gwen Dieter: My only question is, how it would impact the septic?

Anton Neff: Where are the septic fields on these properties?

Juanita Grayson: I believe the septic field on lot two is near the house. Like I said on lot three it is not a house, it is a garage and from my understanding there is no septic field or if there is it is tied in with the one on lot four.

Gwen Dieter: No one lives on lot three

Juanita Grayson: No, it is not actually a house it is just a huge garage.

Gwen Dieter: I'm just curious, If somebody then would want to build a home there?

Juanita Grayson: No, That lot will be sold with lot four.

Anton Neff: It seems to me at this point we have two questions that we need answers to, one is the set back distance which I am guessing is correct, but we need to verify that it is twenty five feet from the line that is drawn going all the way across over to lot four. The second thing that we need to double check is where is the septic for lot two. Although it may be very unlikely that the septic is in that location due to the black top slab. We need to before we say sure go ahead move the line we need to make sure we are not moving the line over or across an existing septic field.

Gwen Dieter: Motion's to approve on contingency upon the set backs being what it should be according to the ordinance and knowing that it does impact any septic fields that would causes future issues.

Regina Gephart: Seconds the motion.

Motion fails: 4-1 with Dwight Dunigan objecting wanting the verification first.

Issue is table until August 7<sup>th</sup> Meeting.  
(Issue begins at 025 on tape)

### Open Microphone

The splitting up of Ag 1 and Ag 2.

Anton Neff: I think what you need to do is reread this because there is an amendment in here. Which goes into what was presented, double check it and get comfortable with it and then put something together with either Richard or to get it to the Commissioners for them to discuss. All we did, there are about nine different kind of uses for Agricultural

land. And what we did was split them in half. Four or five went into what we determined as Ag 1 and then another group went into Ag 2. The big reason why we did this originally was because we had a lot of petition for cell phone towers. Based on that anybody with Ag land could put a cell phone tower on there. The cell phone company still had to petition specially for the approval of the site plan. But there were no zoning consideration other than being Agricultural. We thought that was a little to generous up front, and what we did was basically separated out certain types of Agricultural uses and put them into one. And then we put the cell towers and two or three other into a different Ag class. Anything that more of a commercial farming or a bigger operation or the cell phone tower stuff that was put into the two. Where as your crops, cattle, livestock type application is one.

Gwen Dieter: I do agree that we need more then one Ag, but then are we going to go through make a map of the County and decide what is Ag one and Ag two?

Anton Neff: That would be entirely up to the Commissioners if they decide to do this. They are the ones who determine Zoning. They have to vote on changing zones and things like that. They would have to take what ever into consideration if they want to do it. They may decide not to do it.

Mike Branham: Has the Commissioners approved this.

Anton Neff: He (D.J.) still has to do that, that has not happened.

Mike Branham: This has not been to the Commissioners since 2006?

Gwen Dieter: It appears to me that, I realize that you all in the past had passed but then did not get done. So it almost seems to me that we should vote again on it.

Anton Neff: We could if that is a motion?

Mike Branham: But what do we do, send in what we want. Who is going to sit in front of the Commissioners? Do you have to write it up and give it to them? What happens to some of these issues that go in front of the Commissioners and then disappear?

Anton Neff: You know what would be nice, is to have a report each meeting to us of what was approved, what was not approved just for our own closure.

The Board had a discussion on the County Attorney representing the Board and/or the Applicant on issues that come before the Board.

Anton Neff: To recap, we would like to have a report each meeting of what you know the outcome to be or the status of things we take action on. Some kind of closure, we don't expect you to know every case. The minutes of the Commissioners meetings are public they are approve you know what actions they took Angie would know that. It

would be nice to know. The other thing is, I will send a message on to Richard and say there continues to be concern over the situation where there is representation on both sides of the table. What can be done to address that? What is your defense of that? The other is confined feeding operation project to pursue.

Dwight Dunigan: Motions to Adjourn

Regina Gephart: Seconds the motion.

Passes: 5-0

Next Meeting is set for August 7th, 2008

Next meeting is scheduled for June 29th, 2008

Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008

Minutes prepared by Daniel J. (D.J.) Bault, Plan Commission Administrator

\_\_\_\_\_,  
Anton Neff, President

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Regina Gephart, Vice President

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Benton Pittman

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Gwen Dieter

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Mike Branham

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Dwight Dunigan

