

**ALLEN COUNTY PLAN COMMISSION  
MONTHLY BUSINESS SESSION MINUTES  
JANUARY 12, 2023**

*(The following reflects a synopsis of the Allen County Plan Commission's monthly public hearing. Actual tape recordings of the proceedings before the Plan Commission are available upon request.)*

The Allen County Plan Commission convened on January 12, 2023 immediately following the Public Hearing, in Room 035 of Citizens Square. Attendance of the Commission members was as follows:

	Membership Status	Present	Absent
President Susie Hoot	Citizen Member	X	
Vice President David Bailey	Citizen Member	X	
Commissioner Nelson Peters	Allen County Commissioner	X	
Commissioner Adam Day	Citizen Member	X	
Commissioner Renee Fishering	Citizen Member	X	
Commissioner Paul Lagemann	Allen County Councilperson		X
Commissioner John Henry	Township Trustees' Representative		X
Commissioner Mike Fruchey	Allen County Surveyor	X	
Commissioner James Wolff	Agricultural Extension Agent	X	

Staff members present were Ben Roussel, Executive Director; Michelle Wood, RLA, Senior Land Use Planner; Jacob Rose, Principal Land Use Planner; Nathan Schall, Principal Land Use Planner; and Cathy Stone, Office and Finance Manager. Also in attendance were Legal Counsel for the Commission Robert Eherenman; and Brian Sechler of the Allen County Highway Department.

Confirming a quorum, Mr. Bailey called the meeting to order and the Commission acted on the following items (not necessarily in the order presented).

**PUBLIC HEARING AGENDA**

PROPOSAL: Rezoning Petition REZ-2022-0067 – 5310 Ardmore Avenue  
 APPLICANT: Elaina Robbins and Andrew Balabuch  
 REQUEST: Rezone property from R1/Single Family Residential to A1/Agriculture to permit existing agriculture uses.  
 LOCATION: 5310 Ardmore Avenue

Following discussion, Ms. Hoot moved the Commission recommend DO PASS for Rezoning Petition 2022-0067 – 5310 Ardmore Avenue. Mr. Day seconded the motion and it was unanimously approved.

## OTHER BUSINESS

1. Infrastructure Completion Agreement Releases
  - a. Livingston Lakes, Section II
  - b. Rolling Oaks, Section IV
  - c. Ridley Park, Section I

Mr. Day motioned to approve the documentation requested for these projects. Ms. Hoot seconded and the motion passed unanimously.

2. Appointment of Legal Counsel  
*Governing Board recommendation: Robert Eherenman*

Following the Governing Board's recommendation to retain Mr. Eherenman's services for the department's Plan Commission and Boards of Zoning Appeals meetings, Mr. Day so moved. Ms. Fishing seconded and the motion approved unanimously.

3. Legal Counsel Disclosure

Mr. Eherenman advised that he is required to file an annual disclosure statement with the State Ethics Commission since he receives a salary and health insurance from the County. Additionally, the Haller and Colvin law offices, where he is employed, bills the County as a third-party vendor for litigation. The Uniform Conflict of Interest Disclosure Statement requires the signature of the Plan Commission president.

Mr. Day moved to authorize the Plan Commission president to sign the Disclosure Statement. Mr. Wolff seconded and the motion unanimously passed.

4. Election of Officers and Board Appointments for 2023:
  - a. Plan Commission President  
*(2022 – Susie Hoot)*

Ms. Fishing nominated Ms. Hoot for re-election as President of the Plan Commission. Mr. Bailey seconded the motion and it passed unanimously.

- b. Plan Commission Vice President  
*(2022 – David Bailey)*

Mr. Wolff moved to re-elect Mr. Bailey as Vice President. Mr. Fruchey seconded and the motion unanimously passed.

- c. Plan Commission Secretary  
(2022 – Ben Roussel)

Mr. Wolff nominated Mr. Roussel to continue serving as Secretary to the Plan Commission. Mr. Fruchey seconded the motion and it carried unanimously.

- d. Appointment to Urban Transportation Advisory Board  
(2022 – Mike Fruchey)

Following Mr. Fruchey's comments of interest to serve in this position, Mr. Day moved to appoint Mr. Fruchey as the Plan Commission's appointment to the Urban Transportation Advisory Board. Ms. Hoot seconded the motion and it unanimously passed.

- e. Members of the Executive Committee (5)  
(2022 – Susie Hoot, David Bailey, Nelson Peters, Mike Fruchey and Paul Lagemann)

The five members of Plan Commission serving as the Executive Committee, assigned by their elected and appointed positions, will continue to do so. The vote was affirmed by Mr. Day's motion and Mr. Wolff's second.

- f. Alternate Members of the Executive Committee (2)  
(2022 – John Henry and James Wolff)

Mr. Day's motion and Ms. Fishering's second was unanimous that Mr. Henry and Mr. Wolff will continue to serve as Alternates to the Executive Committee.

- g. Zoning Hearing Officer  
(2022 – Patrick Rew)

Mr. Day moved that Mr. Rew continue as Zoning Hearing Officer for the department. Mr. Fruchey seconded and the vote was unanimous.

- h. Alternate Zoning Hearing Officer  
(2022 Bryan McMillan)

Mr. Day's motion and Ms. Hoot's second was unanimous that Mr. McMillan continue to serve as the Alternate Zoning Hearing Officer for the department.

## ADJOURNMENT

Next Public Hearing: February 16, 2023 at 1:00 p.m. in Room 35  
Citizens Square 200 East Berry Street, Fort Wayne, Indiana

Next Business Meeting: February 23, 2023, at 1:00 p.m. in Room 30  
Citizens Square 200 East Berry Street, Fort Wayne, Indiana

There being no further business, the meeting adjourned at 1:47 p.m.

Benjamin J. Roussel

Benjamin J. Roussel  
Executive Director, Department of Planning  
Secretary, Allen County Plan Commission

# ALLEN COUNTY PLAN COMMISSION • FINDINGS OF FACT

## Rezoning Petition REZ-2022-0067

APPLICANT: Elaina Robbins and Andrew Balabuch  
REQUEST: Rezone property from R1/Single Family Residential to A1/Agriculture to permit existing agriculture uses.  
LOCATION: 5310 Ardmore Avenue  
LAND AREA: 6.562 acres  
PRESENT ZONING: R1/Single Family Residential  
PROPOSED ZONING: A1/Agriculture

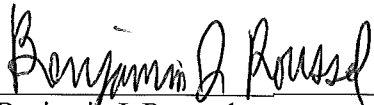
**In preparing and considering proposals for rezoning, I.C. 36-7-4-603 states that the Plan Commission and legislative body shall pay reasonable regard to:**

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

**The Plan Commission recommends that Rezoning Petition Rezoning Petition REZ-2022-0067 be returned to the Board of Commissioners with a recommendation of “Do Pass” for the reasons stated below:**

1. Approval of the rezoning request will be in substantial compliance with the Allen County Comprehensive Plan, and should not establish an undesirable precedent in the area. The existing use is agriculture with proposed expansions in the future that would have a positive impact on prime agricultural land.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The proposed zoning will conform to the existing uses. The site has been farmed and used agriculturally for decades. The owner intends to continue and expand uses that would be permitted within the A1/Agriculture zoning.
3. Approval is consistent with the preservation of property values in the area. The proposed use would benefit the unincorporated Allen County and the City of Fort Wayne. Rezoning will allow further investment on the property that has always had agricultural uses and is adjacent to ag fields, athletic fields and a church.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. The property has been used for ag uses and ag related uses. Leaving the residential zoning in place will limit the development of the property as permitting ag uses in residential would require Board of Zoning Appeal Approval. Furthermore, the current zoning prohibits some agricultural uses that would be compatible with surrounding land uses.

These findings approved by the Allen County Plan Commission on January 12, 2023.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission