

**ALLEN COUNTY PLAN COMMISSION  
MONTHLY BUSINESS SESSION MINUTES  
MAY 11, 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 May 11, 2023 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 Steve Moore	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; Karen Couture, Associate Land Use Planner; Cathy Stone, Office and Finance Manager; as well as Sarah Jones, Senior Special Projects Planner and Kaylie Slate, Associate Special Projects Planner. Also present were Legal Counsel for the Commission Robert Eherenman; and Brian Sechler of the Allen County Highway Department.

Immediately following the Public Hearing, confirming a quorum, Ms. Hoot called the meeting to order at 1:16 p.m. and the Commission acted on the following items (not necessarily in the order presented).

**ADMINISTRATIVE AGENDA**

1. Review of the April Minutes, Findings of Fact and Conditions of Approval

Mr. Lagemann motioned to approve the minutes as presented. Mr. Day seconded and the motion passed unanimously.

## **PUBLIC HEARING AGENDA**

PROPOSAL: Rezoning Petition REZ-2023-0013 – 6311 Smith Road  
APPLICANT: Phil Goss  
REQUEST: Rezone parcel from R1/Single Family Residential and I3/Heavy  
Industrial to A1/Agriculture to permit an existing farm.  
LOCATION: 6311 Smith Road southeast corner of its intersection with Sand Point  
Road (Section 29 of Wayne Township)

Mr. Wolfe motioned to DO PASS Rezoning Petition REZ-2023-0013, 6311 Smith Road. Mr. Day seconded and the motion passed unanimously.

PROPOSAL: Vacation Petition VPLT-2023-0005 – Quail Hollow, Lot 8  
APPLICANT: Jim and Amanda Mahan  
REQUEST: Vacate platted building line along Lodge Pole Lane for a garage  
addition.  
LOCATION: 14730 Lightning Ridge Run northeast corner of the intersection of  
Lightning Ridge Run and Lodge Pole Lane (Section 19 of Aboite  
Township)

Mr. Wolfe motioned to APPROVE Amended Primary VPLT-2023-0005 – Quail Hollow, Lot 8. Mr. Fruchey seconded and the motion unanimously passed.

## **CONSENT AGENDA**

*(The Consent Agenda includes items which are routine or non-controversial in nature. They are presented here to be reviewed and approved with one motion and vote. Prior to the presidents' request for action on the Consent Agenda, any member of the commission may remove an item or items from the agenda for discussion and a separate vote.)*

1. Restrictive Covenant Amendment – Devils Hollow, Sections A through L  
*Devils Hollow Association, Inc.*
2. Restrictive Covenant Amendment, Tuscany, Section I – 3<sup>rd</sup> Amendment  
*Tuscany Community Association Inc.*
3. Restrictive Covenant Amendment, Tuscany, Section I – 4th Amendment  
*Tuscany Community Association Inc.*
4. Restrictive Covenant Amendment, Tuscany, Section II – 2nd Amendment  
*Tuscany Community Association Inc.*
5. Restrictive Covenant Amendment, Tuscany, Section II – 3<sup>rd</sup> Amendment  
*Tuscany Community Association Inc.*
6. Restrictive Covenant Amendment, Tuscany, Section III – 1st Amendment  
*Tuscany Community Association Inc.*

7. Restrictive Covenant Amendment, Tuscany, Section III – 2nd Amendment  
*Tuscany Community Association Inc.*
8. Restrictive Covenant Amendment, Tuscany, Section IV – 1st Amendment  
*Tuscany Community Association Inc.*
9. Restrictive Covenant Amendment, Tuscany, Section IV – 2nd Amendment  
*Tuscany Community Association Inc.*

Noting a conflict of interest, Mr. Eherenman recused himself from Consent Agenda, Item 1 and requested it receive a separate vote.

Mr. Bailey moved to APPROVE Consent Agenda, Item 1. Mr. Lagemann seconded and the motion unanimously passed.

Mr. Bailey moved for APPROVAL of Consent Agenda Items 2 through 9. Mr. Fruchey seconded the motion and it passed unanimously.

## **OTHER BUSINESS**

1. Infrastructure Completion Agreement Releases
  - a. Eagle Rock, Section III

Mr. Day moved to approve the Infrastructure Completion Agreement Release for Rapids at Eagle Rock, Section III. Mr. Lagemann seconded and the motion was unanimously approved.

- b. Mercato, Section III

Mr. Lagemann motioned to approve the Infrastructure Completion Agreement Release for Mercato, Section III. Mr. Day seconded and the motion passed unanimously.

- c. Majestic Pointe, Section II

Mr. Henry moved approval of the Infrastructure Completion Agreement Release for Majestic Pointe, Section III. Mr. Day seconded and the motion passed unanimously.

- d. Sonora, Section I

Mr. Lagemann motioned to approve the Infrastructure Completion Agreement Release for Mercato, Section I. Mr. Day seconded and the motion unanimously passed.

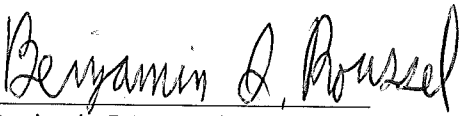
**ADJOURNMENT**

Next Public Hearing: June 15, 2023 at 1:00 p.m. in Room 35  
Citizens Square 200 East Berry Street, Fort Wayne, Indiana

Next Business Meeting: June 22, 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 1:23 p.m.

An Executive Committee Meeting was held immediately following the Business Meeting.



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-2023-0013

APPLICANT: Phil Goss  
REQUEST: Rezone parcel from R1/Single Family Residential and I3/Heavy Industrial to A1/Agriculture to permit an existing farm.  
LOCATION: 6311 Smith Road southeast corner of its intersection with Sand Point Road (Section 29 of Wayne Township)  
LAND AREA: 45.97 acres  
PRESENT ZONING: R1/Single Family Residential and I3/Heavy Industrial  
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-2023-0013 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 property has historically been used for agricultural uses.
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 existing homestead is adjacent to other agriculture fields as well as residential homes.
3. Approval is consistent with the preservation of property values in the area. The applicant has invested in the property to rehabilitate the home as well as agricultural uses on the property.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. No new infrastructure will be required with this proposal.

These findings approved by the Allen County Plan Commission on May 11, 2023.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission

## ALLEN COUNTY PLAN COMMISSION • FINDINGS OF FACT

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### Vacation Petition VPLT-2023-0005 – Quail Hollow, Lot 8

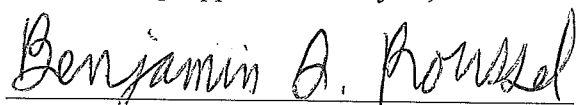
APPLICANT: Jim and Amanda Mahan  
REQUEST: Vacate platted building line along Lodge Pole Lane for a garage addition.  
LOCATION: 14730 Lightning Ridge Run northeast corner of the intersection of  
Lightning Ridge Run and Lodge Pole Lane (Section 19 of Aboite  
Township)  
LAND AREA: 0.8 acre  
PRESENT ZONING: R1/Single Family Residential

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**Regarding the plat of Quail Hollow Lot 8, the Plan Commission approves removal of the platted building line along Lodge Pole Lane based on the following:**

1. Conditions in the platted area have changed so as to defeat the original purpose of the platted build line. The homes to the north are metes and bounds lots on parcels over 5 acres. Any structure additions will be required to meet ordinance building setbacks unless a variance is approved.
2. It is in the public interest to vacate all or part of the plat. Vacation of the platted build line will allow investment into the property and allow the property owner to fully use the rear and side yard of the property that is located on a corner lot, as permitted by the zoning ordinance.
3. The value of that part of the land in the plat not owned by the petitioner will not be diminished by the vacation. Approval of the vacation request will not change conditions and allow further investment in the property.

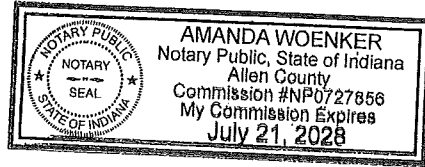
These findings approved on May 11, 2023.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission

Subscribed and sworn to before me, a Notary Public, said Benjamin J. Rousel this  
11 day of May, 2023.

Amanda Woenker  
Amanda Woenker, Notary Public  
Resident of Allen County, Indiana



My Commission Expires: July 21, 2028

Prepared by: Jacob Rose, Department of Planning Services  
Pursuant to IC 36-2-11-15(d): I affirm, under the penalties of perjury, that I have taken  
reasonable care to redact each Social Security number in this document, unless required by law.

Jacob Rose

Jacob Rose