

In 1912 Marshall was elected vice president and served in that office until 1920. Marshall was

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Fort Wayne Juvenile Facility, will explain what to look for and how to deal with the problem of gangs.

Planning director: the issues of zoning never die

By TERESA CARRANO
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Editor's note: This How are we growing? series is printed on Mondays, Tuesdays and Wednesdays of each week. This is the seventh segment, with more segments planned through October.

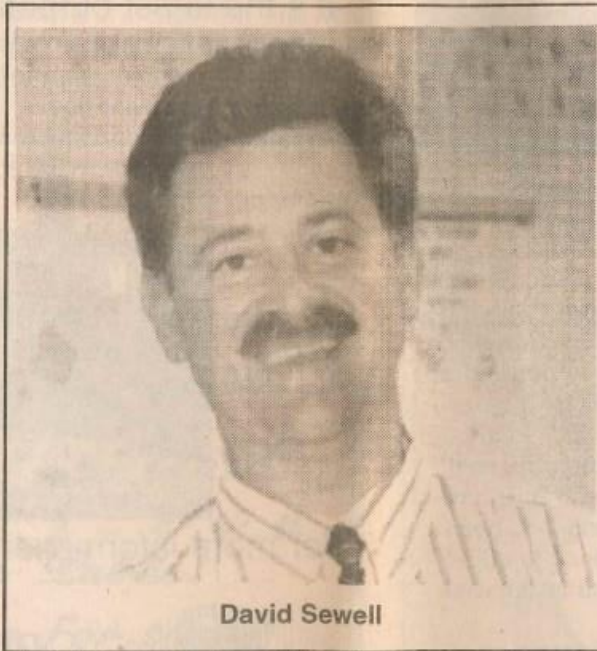
Perhaps it is just a matter of semantics. When the word *agriculture* is heard, the *business of agriculture* is perceived.

In Whitley County land zoned "A-1," agriculture, is considered appropriate for a single-family residential use. Those engaged in the business of agriculture traditionally build houses to be close to where they work and no one lifts an eyebrow.

There is a plan, a comprehensive plan, adopted in September of 1993. Briefly, it outlines speculative areas of growth areas perceived at the beginning of the decade. An accompanying map shows the cities bordered by commercial and industrial areas. Residential growth is shown as "natural" extensions of the old towns - such as Laud, Collins, Collamer and Coesse. The plan was not adopted as ordinance (as law).

In 1993, the development of 150 subdivisions in the county was never considered.

"Many places are going through this same thing. It is an issue. Any land use professional would be in error if he said it wasn't a problem," said David Sewell, director of the Columbia City/Whitley County Joint



David Sewell

Planning and Building Department.

"Even if you come up with the best regulation, to control this so called back-to-the-country movement, the issue never dies."

Under current ordinances many uses are allowed in ag districts; most are agricultural, however, residential use is allowed also. The county has residential districts for existing residential pockets, L-1 for the lake districts and S-1, suburban, to cover already established areas.

"In most urban areas agricultural means agricultural land use. In this county it hasn't meant that. My guess is that the majority of the counties around us are the same way. Some of them

have started to change. In some counties, if you are going to develop an area zoned agricultural, your first step is to change the zone to residential. This uses another way to go through the Board of Zoning Appeals. I think you should go through that process," Sewell said.

"If we are designating areas for future residential development, we should create a zoning district primarily allowing that use. This doesn't mean once in place, districts zoned ag will only have cows on it. If the preservation of our agricultural soil and uses is an important priority, then one way to accomplish that is to use the zoning ordinance, separate land uses and let the ag ground



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- Dave Sewell

be preserved."

In some communities the dwelling-per-land-ratio is larger than Whitley County's one residence to 1.837 acres. In Columbia City the ratio is smaller because of municipal services - .25 acre per home. In Napa Valley, California, a reasonable ratio is considered to be one dwelling to 340 acres. Other areas have 1:40 and 1:5 ratios.

"On the other side, wouldn't a larger residence per land ratio take more ground out of agricultural production?" Sewell asks. "I don't know that a larger ratio is the answer."

"From a planner's perspective, ideally, we would see clusters of development in designated areas, based upon review of develop-

ment criteria such as accessibility, drainage, availability of utility and public services. There are development techniques and practices we could establish to identify areas appearing to be most suitable for development.

"Within those areas we would require clustering of buildings and development to take advantage of available systems, services, utilities and nature, so it's cost effective and saves the remaining ground for what I think our county is known for, which is agricultural products."

There are no petitions filed, no lawsuits pending, no evidence of misuse, no commentary from the public before the boards of zoning appeals or plan commissioners to consider regarding a change in the use of land zoned agricultural, however."

As a whole, Sewell said, the plan commissioners make objective decisions regarding land use issues based on the ordinances established at the state and local levels. The ordinances reflect perceived priorities and values.

"If the community came together, had a big symposium, and said this is how we want you to do this, to solve it and decide what is acceptable. . . Only this community can decide these issues. It isn't right to pull ideas from New York, Chicago or Florida. Changes have to be acceptable to this community.

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"If there really is a problem it will be addressed. Sometimes deciding land use takes awhile to get addressed. And it is hard to fix once you find out there is a problem. It is not like you can just go back in and change everything."

"A conflict in one person's mind is a solution in someone else's mind. A housing development is not, automatically, a bad use of land. We're always going to have a bumping of heads. It's just part of the way land develops and grows, otherwise every place would look the same for miles and miles and miles."

According to state law, on whatever kind of ground is to be subdivided, certain technical requirements have to be met. The commissioners do not reject a plan just because the neighbors do not like it. Reasons to deny a project are because technical requirements are not met.

These considerations include the size of the property to be plotted and the number of lots on it, if the soil tests show acceptable results, if there is proper

drainage, if there is proper access to the property, whether or not road frontage or new roads need to be created, if the lots meet the requirement of the utilities easements and other restrictive convenants to prevent nuisances and inappropriate use of land.

Efforts are made to be sure none of adjoining property owners are affected negatively by a development. Developers are given notice about agricultural areas, that they can expect agricultural processes and all the things that go with it.

"I know people think if they do not want something in their neighborhoods they ought to keep it out. Isn't that their right? Doesn't the majority rule? The underlying situation is, if we allow subdivisions in certain areas, we can't deny those which meet all the requirements in other areas. Adjacent property owners would have to discover something which doesn't meet the requirements or find some way to change the requirements," Sewell said.

Winston said. He noted O'Bannon's "common sense" approach to state government. Winston told about O'Bannon's success with placing 500 new police officers in communities, reducing taxes, bring down unemployment and working to increase the quality of education.

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Winston. Winston is the political director of the Indiana Democratic Party, a position he has served in since 1996. In 1993 he came to Indiana to work as a community development specialist.

Boxing judge wanted for 'People's Court'

RENO, Nev. (AP) — Mills Lane, the boxing referee who disqualified Mike Tyson for biting heavyweight champ Evander Holyfield, is a wanted man. TV producers are pestering him to become the next Judge Wapner.

Lane, a Reno judge who moonlights as a ring referee, is weighing an offer to become host of a "People's Court"-style TV show.

"I think America would take to this guy big time," said producer Bob Young, who hopes to get the show on the air.

The syndicated program "The People's Court" is back on the air with former New York Mayor Ed Koch replacing Joseph Wapner on the bench.

Lane, who stopped the June 28 bout in Las Vegas after Tyson twice bit Holyfield's ear, told Daily Variety that the producers knew how to catch his attention. "What did Jerry Maguire say? 'Show me the money.'"

Prince understands celebrity status

MOBILE, Ala. (AP) — Running from celebrity status can be grueling — take it from Prince Albert of Monaco.

"I can give you countless accounts of different car chases in Paris in which 15 to 20 pho-

People in the news

following an Aug. 31 auto crash with her boyfriend Dodi Fayed and their driver, Henri Paul. Authorities said Paul was legally drunk and were investigating reports that paparazzi were in pursuit.

Albert's mother, movie star Grace Kelly, was killed in a 1982 car crash. He said he has tried to protect his younger sisters, princesses Stephanie and Caroline, from publicity.

"I can't always be there to protect them. They've been under intense scrutiny from the press and harassed by the press and the paparazzi," he said while in Mobile to accept the United States Sports Academy's Eagle Award.

Stewart's home for sale at \$6.7 million

BEVERLY HILLS, Calif. (AP) — The longtime home of the late Jimmy Stewart has been put on the market for \$6.7 million.

The 6,300-square-foot home owned by Stewart for nearly 50 years has five bedrooms, staff quarters and a three-bedroom guest house.

Stewart, star of such films as "It's a Wonderful Life" and "Mr. Smith Goes to Washington," was 89 when he died July 2.

for Christiane Amanpour.

"It was frustrating at first. I didn't know the system. I had one foot in one pond and another in another pond," Amanpour says in the Oct. 4 TV Guide. "There were early hiccups, but now I feel like I've been burped."

Last year, the 39-year-old CNN foreign correspondent signed an unprecedented \$2 million deal to be a special correspondent for CBS' "60 Minutes" while continuing to work for the cable channel.

The independence she allowed at CNN didn't prepare her for a major network.

"Nobody has ever tried to tell me to dress a certain way, look a certain way, think a certain way or talk a certain way," Amanpour said. "'60 Minutes' has been an adjustment, but it's one I'm willing to try and make."

Actress leaves show

LOS ANGELES (AP) — Bulletin: Khandi Alexander is leaving "NewsRadio."

"I have thoroughly enjoyed playing the role of Catherine Duke over the last three seasons," Alexander said Friday. "But, at this point in my career, I feel it is an appropriate time to move on and explore other opportunities."

The actress who also had a recurring role on "ER" will be