

ROLL CALL

Rose Ann Barrick
Harry Baumgartner, Jr.
Keith Masterson
Jerry Petzel, President
Jim Schwarzkopf

Michael Lautzenheiser, Jr., Secretary

The Board of Zoning Appeals meeting, October 27, 2015 was called to order by Board President, Jerry Petzel at 7:00 p.m. Roll call was answered by all five members.

APPROVAL OF MINUTES:

Rose Ann Barrick offered a motion to approve the minutes from the September 22, 2015 meeting and Jim Schwarzkopf seconded the motion, minutes were approved 5-0.

OLD ITEMS:

NEW ITEM:

B15-10-21 Zanesville Allen Co. Josh Sheley requests a special exception to allow owners' living quarters in an improved business development. The property is located at 17727 Indianapolis Rd., Zanesville, IN 46714. Property is zoned B-2.

Carla Sheley explained how they want to live at the property so that are able to put money into the property to continue improving the property before building a home. Michael Lautzenheiser, Jr. explained how the special exception was added a couple years ago to the ordinance for BZA approval. Rose Ann Barrick asked if this was an approved in that zoning district. Jerry Petzel asked where the living quarters would be located. Mr. Lautzenheiser, Jr. explained that it would be allowed if the board voted for the special exception. Mrs. Sheley explained that the living quarters is in the middle of the building but that it would be hidden from the public. She went on to tell the board that there use to be a living quarters in the building. Mr. Petzel asked if there were any additional board or public questions or concerns. There were none.

Conditions:

Motion to Approve: Rose Ann Barrick

Second: Jim Schwarzkopf

Vote: 5-0

B15-10-22 UNION TWP., SW/4 34-28N-11E Noel V. & Mary Ann Henschen requests a variance to reduce the side yard setback from 20' to 12'11" for an attached garage. The property is located at 6371 N 300 W, Uniondale, IN 46791. Property is zoned A-1.

Noel Henschen explained the need for a larger utility room and the attached garage. He said that since he is in a motorized chair he is trying to get help with a loan and how he needs to meet the company's requirements as well. He explained how it would be helpful to have the garage attached so he is able to leave the van and go into the home instead of exiting into the bad weather and then into the home. Jerry Petzel asked the reasoning behind why the garage needed to be in that location vs closer to the driveway.

Mr. Henschen said that it was the way the roof lined up. Michael Lautzenheiser, Jr. asked for more information about the roof system. Rose Ann Barrick asked if it was an enclosed breezeway. Shawn Striker, contractor, explained that the garage needs to be in that location for the ramp to meet up with the house and how there was a ramp already existing would be on the outside of the house that goes towards the garage as well. Mr. Lautzenheiser, Jr. asked if it was the existing ramp that is causing the garage to be in the proposed location. Mr. Henschen said that the ramp was the reason because he is supposed to have 2 exits from the house. Mrs. Barrick explained that was a good practical difficulty vs just the roof line matching up so it looked right. She asked if there were any concerns from neighbors. Mr. Lautzenheiser, Jr. said that the office hadn't heard anything.

Conditions:

Motion to Approve with change to answer #3: James Schwarzkopf

Second: Keith Masterson

Vote: 5-0

B15-10-23 HARRISON TWP., NE/4 4-26N-12E L M & H Investments, Inc. request a variance to reduce front yard setback from 0' to encroach 5.3' into the public right-of-way for a new bladed sign. The property is located at 116 S. Main St., Bluffton, IN 46714. Property is zoned B-1.

The Board discussed continuing this item since there wasn't anyone present to represent the petition.

Conditions:

Motion to Continue to November 24, 2015 Meeting: James Schwarzkopf

Second: Rose Ann Barrick

Vote: 5-0

B15-10-24 JEFFERSON TWP., NW/4 16-28N-12E Raymond Phil & Kathy J. Teeple requests a variance to reduce the front yard setback from 25' to 23'6" for a front porch. The property is located at 504 Morton Ln., Ossian, IN 46777. Property is zoned R-1.

Raymond (Phil) Teeple addressed the board asking for a continuation for his petition. He stated that the contractors poured an additional 1ft of concrete than what he had planned. Rose Ann Barrick asked about a restrictive covenant. Michael Lautzenheiser, Jr. said that if it was recorded, that the office would be able to locate it. Mrs. Barrick mentioned all the houses being in line when turning the corner. Mr. Teeple another lot that had a front porch as well. Mr. Lautzenheiser, Jr. said that the petition would need to be advertised in the paper again since the change is reducing the setback more than originally stated. Mrs. Barrick stated that the board can't overturn a restrictive covenant but that they are able to reduce the setback. Mr. Lautzenheiser, Jr. asked Mr. Teeple to check his closing papers for and covenant restrictions.

Conditions:

Motion to Continue to November 24, 2015 Meeting: Keith Masterson

Second: Rose Ann Barrick

Vote: 5-0

OTHER BUSINESS:

Rose Ann Barrick asked where the violation for Ryan Cox and the pool located within easement stood. Michael Lautzenheiser, Jr. informed the board that it was located too close to the overhead power line and that Ted Smith, Building Inspector for the City of Bluffton, issued them a letter stating how far it needed to move.

ADVISORY:

DIRECTOR COMMENTS:

Michael Lautzenheiser, Jr. discussed the multiple violation letters that were sent out in regards to semi-body trailers being used as accessory structures and what that meant for the board and future meetings. He also talked about how the board will be approving the 2016 calendar at the next meeting.

Rose Ann Barrick made a motion to adjourn the meeting. Keith Masterson seconded the motion and the motion passed with a vote of 5-0. The October 27, 2015 meeting of the Board of Zoning Appeals adjourned at 7:43 pm.



Jerry Petzel, President *VICE PRESIDENT*

ATTEST: 

Michael Lautzenheiser, Jr.