

ROLL CALL

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

Michael Lautzenheiser, Jr., Secretary

President, Jerry Petzel called the August 27, 2013 meeting for the Board of Zoning Appeals to order at 7:00 p.m. Five members answered roll call.

Rose Ann Barrick made a motion to approve the minutes from the July 23, 2013 meeting. Harry Baumgartner, Jr. seconded the motion and the minutes were approved by a 5-0 vote.

**NEW ITEMS:**

**B13-08-14 HARRISON TWP., NE/4 04-26N-12E Brandon & Natasha Mechling appeal of violation V2013-011 in regards a setback violation.**

Natasha Mechling stated that where she put her shed was in accordance with the county ordinance. She would like to keep her shed at its current location, where there is a 6ft privacy fence that hides it from the street. She stated that after she got the permit that she didn't like the location and had requested a refund. Therefore, they just decided to place it where it would fit for them.

The board discussed where the shed currently is and where the shed was supposed to go based on the drawing for the building permit. Michael Lautzenheiser, Jr. explained that the shed would have to be moved to either meet the average front yard setback along that street of 11.25ft or 20ft to meet the secondary side yard setback. It is currently 6ft from the right of way. For the shed to remain where it is would require a variance approval.

Conditions:

Motion to Deny: Rose Ann Barrick

Second: Harry Baumgartner, Jr.

Vote: 5-0

**B13-08-15 NOTTINGHAM TWP., SW/4 27-25N-12E John E. & Toni VanGordon request an expansion or change of a legal non-conforming structure to remove and rebuild a front porch. The property is located at 10255 S. State Road 1, Keystone, IN 46759. Property is zoned A-1.**

John VanGordon explained that there is an existing porch on his house and he would like to remodel it. He stated that the size was not changing. It is just going to be removed and rebuilt. The house is just too close to the road to do this without going before the board.

Conditions:

Motion to Approve: Rose Ann Barrick

Second: James Schwarzkopf

Vote: 5-0

**B13-08-16 LIBERTY TWP., NW/4 19-26N-11E Boehmer United Methodist Church requests a variance to reduce the front yard setback for a new sign. The property is located at 3467 S 600 W, Liberty Center, IN 46766. Property is zoned A-1.**

Denise Heiniger stated that there is an existing sign on the property that is weathered and they would like to replace it with a new lighted sign. It will be close to the church building.

Karen Hunnicutt explained that the new sign would be the same size as the old one. The sign will not be in the line of site for people coming or leaving the church.

Conditions:

Motion to Approve: James Schwarzkopf

Second: Keith Masterson

Vote: 5-0

**B13-08-17 LANCASTER TWP., NE/4 28-27N-12E National Oil & Gas requests an expansion or change of a legal non-conforming structure to add a new panel to an existing sign. The property is located at 1730 N. Main St., Bluffton, IN 46714. Property is zoned B-3.**

Trout Moser explained that when National Oil & Gas purchased the property there was a three product conventional sign and there was a separate sign for the car wash underneath. Then the price sign was updated to a one sign LED with an extra panel. Now Low Bob's has gone in and they want to change out that extra panel to have a sign advertised for Low Bob and add an additional panel.

Todd Lehman, with SignTech, explained that there will be a new sign panel under the Clark sign and then the will reface the bottom sign panel.

Mr. Lautzenheiser explained how previous petitions for going over the 100sqft sign face has worked, where increasing on one sign means removal of other signs. He stated that the site has several temporary style signs. He explained the reason for the 100sqft sign face maximum.

Mr. Lehman stated that all of Low Bob's temporary yard signs will go away once this sign goes up.

Conditions: Remove all temporary signs from the property within 5 business days of the new signs being up

Motion to Approve: Rose Ann Barrick

Second: James Schwarzkopf

Vote: 5-0

**DISCUSSION:**

Michael Lautzenheiser, Jr updated the board on the AWS legal suit. He explained that AWS's attorneys have agreed to drop the suit for \$7,500. He stated that the insurance would cost the county \$2,500 for the deductible. Then he explained that the Steering Committee has one final meeting on September 4<sup>th</sup> for the Comprehensive Plan, where they will be voting on moving the plan along the two step process of the open house for public review and then send the plan to the APC for their review at the public hearing in October.

**ADVISORY:**

James Schwarzkopf made a motion to adjourn the meeting. Rose Ann Barrick seconded the motion and the motion passed with a vote of 5-0. The August 27, 2013, meeting of the Board of Zoning Appeals adjourned at 7:35pm.

ATTEST: Michael W. Lautzenheiser, Jr.  
Michael Lautzenheiser, Jr., Secretary

Jerry Petzel  
Jerry Petzel, President