

ROLL CALL  
Tyson Brooks  
Bill Dowty  
Tracy Gentis  
Jerry Petzel  
Tim Rohr

Michael Lautzenheiser, Jr., Secretary

The Board of Zoning Appeals meeting, September 24, 2024, was called to order by Board President Tyson Brooks at 7:00 p.m. Roll call was answered by four members. Jerry Petzel was absent for roll call and arrived during the special exception petition discussion.

**APPROVAL OF MINUTES:**

Tim Rohr offered a motion to approve the minutes from the August 27, 2024, meeting and Tracy Gentis seconded the motion, minutes were approved 4-0.

**OLD ITEMS:**

There were no old items to discuss.

**NEW ITEM:**

**B24-09-11 JEFFERSON TWP. SE/4 9-28N-12E Jason & Casandra Meyer request a special exception to allow 2 apartments to be located within the existing structure. The property is located at 10350 N SR 1, Ossian, IN 46777. Property is zoned B-3.**

Jason Meyer was at the meeting to present his special exception request to allow 2 apartments to be located in the business building. He asked the board to allow 2 residential units to allow any of the following options: property manager, business/project manager, and/or temporary use of one for their clients during construction at their home. There was discussion on the ordinance and that temporary use for clients wouldn't be allowed and only a current employee in either property caretaker position or office/project manager position. Tyson Brooks asked Mr. Meyer if he has received the state design release yet. Mr. Meyer said it was turned in. Mr. Brooks gave a brief recap of Area Plan Commission (APC) meetings previously heard prior to this board discussion. There was a discussion on state versus county and the requirements needing to be met. Mr. Meyer mentioned other properties thinking it would help give examples of other businesses that have residences in them, however, a few were noted that they would be violations is turned in. There was a discussion on the items the APC required be completed and the status of those items.

Tyson Brooks asked if there was any public comment. Mike Fancher said that the whole process has been a mess from the start. He said that items brought before plan commission have not been upheld and voiced his concern for the proposed special exception. There was discussion on the open ditch and how due to maintenance it's difficult to place a fence to block views. Mr. Fancher shared his concern for fire protection on the property and the danger of people living there without a sprinkler system. Megan Dunham asked if there was something besides a fence that would be placed as a border along the north and west property lines. Michael Lautzenheiser explained how an easement worked, and that vegetation screening wouldn't be a positive due to the root systems and the open ditch.

There was a discussion with Jason Meyer on the building layout and outdoor use near the building for the employees living there. Tyson Brooks asked Michael Lautzenheiser to review the options the board had regarding a motion. Mr. Lautzenheiser reviewed what a recorded commitment would look like and items the board could include in the document.

Commitment: A Recorded Commitment stating that only the property manager (caretaker) and/or a business/project manager of an business located in the building could reside in the apartments and must be currently active on payroll at all times.

Motion to Approve with Commitment: Tracy Gentis

Second: Bill Dowty

Vote: 5-0

**OTHER BUSINESS:**

No other business was discussed.

**ADVISORY:**

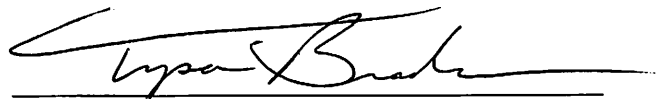
The October 15, 2024, meeting was confirmed.

**DIRECTOR COMMENTS:**

Michael Lautzenheiser didn't have anything else to add for board information or discussion.

**ADJORN:**

Tim Rohr made a motion to adjourn the meeting. Jerry Petzel seconded the motion and the motion passed with a vote of 5-0. The September 24, 2024, meeting of the Board of Zoning Appeals adjourned at 7:50 pm.



Tyson Brooks, President

ATTEST:

  
Michael Lautzenheiser, Jr.