

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, November 24, 2015 was called to order by Board Vice-President, Rose Ann Barrick at 7:05 p.m. Roll call was answered by four members. Jerry Petzel arrived late.

APPROVAL OF MINUTES:

Jim Schwarzkopf offered a motion to approve the minutes from the October 27, 2015 meeting and Harry Baumgartner, Jr. seconded the motion, minutes were approved 4-0.

OLD ITEMS:

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. Colin Andrews, LM&H shareholder, explained that the sign on the window cannot be seen from the road. He talked about how they are trying to increase foot traffic and establish more business. Mr. Andrews said that the sign is well designed. He also explained that Mr. Carnall has a letter waiting for the Mayor's signature saying that they are in agreement with the encroachment and that they are willing to provide that letter once it was signed. Rose Ann Barrick talked about how the sign will be located in the City's right-of-way and does the city have the right to remove it if needed for work. Michael Lautzenheiser, Jr. said that the letter would cover any of those issues. Mr. Andrews explained that the letter was typed and just waiting on a signature.

Conditions: Letter from City of Bluffton stating they were ok with the encroachment.

Motion to Approve: Keith Masterson

Second: Jim Schwarzkopf

Vote: 4-0 (Jerry Petzel was absent)

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 talked to the board about how the front porch has sunken down some. He explained that there was a lot of foot traffic and that they would like to be able to communicate with neighbors more on the front porch sitting area. Mr. Teeple said that the sidewalks have been redone to make them wider for future use and how they tie into the front porch. Rose Ann Barrick asked about a restrictive covenant and deeds. Michael Lautzenheiser, Jr. said that according to the document found the restrictions only apply to certain lots. Mrs. Barrick mentioned possibly needing a new answer for the 3rd question. Mr. Lautzenheiser, Jr. mentioned how only a few homes had a front porch. Mrs. Barrick asked there were any additional board or public questions or comments. There were none.

Conditions:

Motion to Approve: Jim Schwarzkopf

Second: Keith Masterson

Vote: 5-0 (Jerry Petzel arrived at the beginning of this petition)

NEW ITEM:

B15-11-25 LANCASTER TWP., NW/4 2-27N-12E David L. Burke requests a variance to reduce the side and rear yard setbacks from 20' to 10' for a Barn Addition. The property is located at 4478 E US 224, Ossian, IN 46777. The Property is zoned A-1.

David Burke explained to the board that he needs more space to expand the farming operation. He told the board that he has been farming for 3 years and has lived on the property for 30 years. Mr. Burke said that he approached neighbors about the option of buying land to avoid getting the variance but they aren't interested at selling land at this time. Jerry Petzel asked if the neighbors cared about the proposed building project. Mr. Burke said that he had Stooddy's come out to mark property lines. Rose Ann Barrick asked about the 2 separate parcels. Mr. Burke said that they were separate when he purchased it and that he thought they had to stay that way. Mr. Lautzenheiser, Jr. said that the 3rd question needed to have a better answer and asked why the building needed to be that size. Mr. Burke said that there is only one access to the building and that the 60' side is needed for the 30' door to allow machines in and out of the building. Mrs. Barrick asked if the office received any calls or letters from neighbors regarding this petition. Mr. Lautzenheiser, Jr. said that the office didn't receive anything. Mr. Burke said that the main reason for the pole barn is that he doesn't want to leave equipment outside.

Conditions:

Motion to Approve: Rose Ann Barrick

Second: Jim Schwarzkopf

Vote: 5-0

B15-11-26 LANCASTER TWP., SE/4 28-27N-12E S&S Motel LLC requests a special exception to allow Box Truck Trailer to be used as an accessory structure for storage. The property is located at 1090 N. Main St., Bluffton, IN 46714. Property is zoned B-3.

Arwind Patel, owner of S&S Motel LLC, explained to the board that the box trailer was on the property when he purchased the hotel and that it was used for storage. Michael Lautzenheiser, Jr. told that he talked to the City and they mentioned a fence screen for the box trailer so it wouldn't be as noticeable. He said that it would be something similar to what is around the dumpster currently. Jerry Petzel asked if it was a possibility to move it to a different location on the property. Rose Ann Barrick talked about extending the current fence. Mr. Patel said that he worried about the fence being knocked down. The board discussed fencing options. Mr. Patel offered to paint the box trailer to match the hotel. Mr. Lautzenheiser, Jr. said that it could be an option. Mr. Petzel said that it's been there for years. Mrs. Barrick asked for the colors of the hotel and current fence. Keith Masterson said that it would be the easiest option for the owner to paint it. Mrs. Barrick asked if this was due to a complaint. Mr. Lautzenheiser, Jr. said that it was turned in with a number of other items.

Conditions: Build "L" shaped fence to help block view from the road.

Motion to Approve: Rose Ann Barrick

Second: Jim Schwarzkopf

Vote: 5-0

B15-11-27 JEFFERSON TWP., SE/4 33-28N-12E Thomas & Anita Tracy requests a special exception to allow a semi-trailer container and an overseas container to be used as an accessory structure for storage. The property is located at 2941 E US 224, Ossian, IN 46777. Property is zoned B-3.

Kent Wagner, current manager of location, explained that the owners were out of state currently. He said that the overseas container was meant to be a fruit stand and that the semi-trailer is used for firework storage. Rose Ann Barrick asked if this was from a complaint. Michael Lautzenheiser, Jr. said that it was turned into the office. Mr. Wagner mentioned painting the rest of the building this upcoming summer. Jerry Petzel asked if they were movable. Mr. Wagner said that the semi-trailer is on an asphalt pad to avoid sinking. Mr. Petzel agreed that it needs to avoid sinking. Mr. Wagner offered to pain the trailer to match the buildings but felt that a fence would be a wind hazard there. Mr. Petzel asked about the north side of the property. Mr. Wagner explained that they are really trying to clean the area up. Mr. Lautzenheiser, Jr. suggested moving the overseas container in-line with the semi-trailer and maybe painting both. Mrs. Barrick said that she felt that moving and painting the trailers would help visually. Mr. Wagner talked about the utilities coming into the building and how they wouldn't be able to block them. Mr. Lautzenheiser, Jr. asked if they would be willing to move the one trailer. Mr. Wagner said that he was sure the owners could get something arranged. Mr. Lautzenheiser, Jr. asked about a timeline. Mr. Wagner and the board discussed a timeline for moving and painting.

Conditions: Move overseas trailer parallel by March 15, 2015 and paint both trailers before permit expires.

Motion to Approve: James Schwarzkopf

Second: Rose Ann Barrick

Vote: 5-0

B15-11-28 JEFFERSON TWP., NW/4 15-28N-12E Ron Holbrook requests a variance to increase age allowance from 15 years to 22 years for a Type III Manufactured home. The property is located at 709 Zuercher, Ossian, IN 46777. Property is zoned M-2.

Ron Holbrook explained how the old unit was animal infested and it needed a newer manufactured home on the property. Rose Ann Barrick asked where the home was being moved from. Mr. Holbrook said that it was on private land and a good improvement than what was there. Jerry Petzel asked about the length of the old and new. Mr. Holbrook said that the interior is the same floorplan and the measurements were exactly the same. Mr. Petzel asked about the deck in the photos. Mr. Holbrook stated that there would be a smaller deck and that he was also going to redo the stone on the property along with trim the maple trees around it. Michael Lautzenheiser, Jr. asked the reason for the variance needing to be the 20-25 year range instead of the required 15 year maximum age. Mr. Holbrook stated that the newer used are almost impossible unless they are brand new. He said that since it was a rental unit that it would be important to keep it maintained and that he screens all his tenants. Keith Masterson said that it is important to keep trailers up and upgraded. He also stated that mobile homes are hard to finance. Mr. Holbrook said that this mobile home was on private land and that it was kept up. He said that he is buying the best he can buy. Mrs. Barrick asked about the old mobile home and why it was in the condition it was in. Mr. Holbrook said that it sat empty for a long time. Mr. Lautzenheiser, Jr. stated that the variance is a good opportunity and that it seems to be doing good things for that neighborhood. Mr. Holbrook stated that he appreciated the board looking at this petition.

Conditions:

Motion to Approve: Rose Ann Barrick

Second: Jim Schwarzkopf

Vote: 5-0

OTHER BUSINESS:

Approval of 2016 BZA Calendar

Michael Lautzenheiser, Jr. explained that the only change to the calendar was for the month of December and how it was moved up to the 3rd Tuesday instead of the 4th Tuesday due to the holidays.

Conditions:

Motion to Approve: Jim Schwarzkopf

Second: Rose Ann Barrick

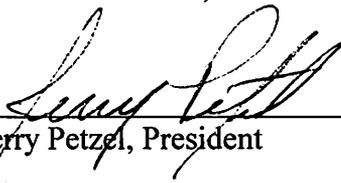
Vote: 5-0

ADVISORY:

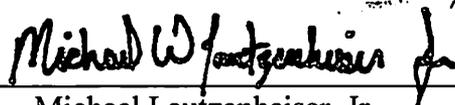
DIRECTOR COMMENTS:

Michael Lautzenheiser, Jr. discussed the possibility of having the Bluffton Building Department moving into the Area Plan Office to help with the residents that require permits from both offices.

Keith Masterson made a motion to adjourn the meeting. Rose Ann Barrick seconded the motion and the motion passed with a vote of 5-0. The November 24, 2015 meeting of the Board of Zoning Appeals adjourned at 8:20 pm.



Jerry Petzel, President

ATTEST: 

Michael Lautzenheiser, Jr.