

ROLL CALL

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

Michael Lautzenheiser, Jr., Secretary

The Board of Zoning Appeals meeting, March 25, 2014 was called to order by Board Vice President, Rose Ann Barrick at 7:00 p.m. Roll call was answered by four members. Jerry Petzel was absent.

APPROVAL OF MINUTES:

James Schwarzkopf offered a motion to approve the minutes from the February 25, 2014 meeting and Keith Masterson seconded the motion, minutes were approved 4-0.

OLD ITEM:

NEW ITEM:

B14-03-02 HARRISON TWP., SE/4 17-26N-13E Judith E. Mikesell requests a variance to reduce the side yard setback from 8ft to 7ft. The property is located at 2905 S.E. Wabash -VC, Bluffton, IN 46714. Property is zoned R-2.

Judith Mikesell explained that she needed to reduce the side yard setback by 1 foot. The lot that is next to her property is owned by the Town of Vera Cruz and was purchased due to the flood buy-out. She advised that the west side was the only place to add on to her house. She stated that it is 10 inches into the setback.

Harry Baumgartner, Jr. questioned the size of the roads on the survey that Ms. Mikesell provided. He compared it to a platted map of Vera Cruz that he had and advised the board of the inconsistencies. He explained where some of the survey markers are located at in Vera Cruz.

Michael Lautzenheiser, Jr. stated that the only way to clear up the discrepancy would be to look up what the original plat recording shows in the recorder's office. He advised that the variance would have no negative effect on the neighboring property since it is owned by the town and is just an open space due to flooding. He stated that the permit was issued to square off the back of the structure and there was not supposed to be the 4 foot bump out.

Conditions: The survey must match the recorded plat.

Motion to Approve: James Schwarzkopf

Second: Keith Masterson

Vote: 4-0

B14-03-03 LANCASTER TWP., NE/4 28-27N-12E National Oil & Gas, Inc. requests to expand their legal non-conforming structure by adding 72sqft of sign face to an existing sign. The property is located at 1730 N. Main St., Bluffton, IN 46714. Property is zoned B-3.

Bob Manginelli, representative for Trout Moser, explained that they want to move all of the signs up on the existing post so that they are butted up to one another and then add a new sign panel for Oooh La La Pet Spa. He questioned why their property can't have temporary signs when it seems like a majority of the businesses downtown are able to have the additional signs.

Mr. Lautzenheiser explained the pervious sign approval with the condition of having the temporary signs removed from the property. He advised Mr. Manginelli that the reason for just having one sign is to comply with the ordinance and that the BZA looks at trying to consolidate the signage on properties whenever a petition comes through about additional sign face on a site.

Conditions: Same condition as the last sign face that they added. (Written commitment for no temporary signs on property)

Motion to Approve: James Schwarzkopf

Second: Harry Baumgartner, Jr.

Vote: 4-0

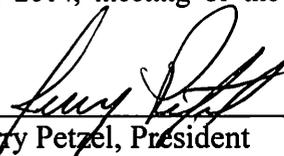
OTHER BUSINESS:

Mr. Lautzenheiser provided the board with updates on violations. He stated that the Hofstetter violation is being prepped to go through the court system due to the APC granting approval to do so that the last meeting. The Town of Ossian's Welcome to Ossian sign violation is in the process of being corrected because they filed a variance and will be on next month's agenda. The Farm Credit sign, which the BZA approved the variance, is not finalized because the acceptance paperwork has not been delivered to the City of Bluffton due to the sign being in the right of way. The office will be in contact with them soon to try and get this resolved. Finally, Mr. Lautzenheiser advised the board that Brandon Weiss will be filing another variance request since his first petition was voided due to non-completion within the two years required. He restated what Mr. Weiss' violation was.

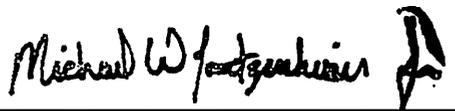
ADVISORY:

Mr. Lautzenheiser stated that throughout the year there will be discussion on potential changes to the ordinance. He said one area could be to legal non-conforming signs, and would the board think that it would be permissible to have the sign be expanded or changed without going before the BZA. He explained that currently the ordinance states that a legal non-conforming structure could be expanded as long as the addition doesn't get any closer to the property line. He further commented on ordinance changes and how grandfathering rules would change too.

James Schwarzkopf made a motion to adjourn the meeting. Keith Masterson seconded the motion and the motion passed with a vote of 4-0. The March 25, 2014, meeting of the Board of Zoning Appeals adjourned at 7:33pm.



Jerry Petzel, President

ATTEST: 

Michael Lautzenheiser, Jr.