

ROLL CALL

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

Michael Lautzenheiser, Jr., Secretary

President, Jerry Petzel called the April 23, 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 March 19, 2013 meeting. James Schwarzkopf seconded the motion and the minutes were approved by a 5-0 vote.

NEW ITEMS:

B13-04-09 UNION TWP., NW/4 07-28N-11E Zane P. & Jaime L. Pine request a variance to reduce the side yard setback from 20ft to 2ft. The property is located at 10767 N 600 W, Markle, IN 46770. Property is zoned A-1.

Zane Pine stated that he would like to put a pole barn closer to the property line so that it would not be directly behind their proposed house. He explained that they would be using the already established drive way and that the property that it would be closest too on the south side is owned by his father.

The board commented on that there would not be enough room to do maintenance on that side of the barn without being on neighboring property. They also questioned what might occur if either property were to be sold.

Patrick Pine, Zane's father, stated that the land will go to his son in his will. He has no issues if his son wants to put the structure on his property since it will eventually go to his son any way.

Rebecca Pine, Zane's mother, said that she and her husband were just waiting until the house was built before deeding the land over to Zane. Zane stated that they would like to get the house built as soon as possible, but they need the barn to be built first in order to keep supplies in.

Michael Lautzenheiser, Jr. clarified that even if the same person owned both properties, it still does not revoke the side yard setback. He stated that it would be easier if there was an addition to done from the farm land to Zane Pine's property to where the 20ft setback was maintained. The board also commented that the parcel that the house was on could be combined with the farm ground. Mr. Lautzenheiser also explained the possibility of the bank wanting the property to be a smaller size for the mortgage, and suggested that the petitioner talk with his bank about that.

The board talked about the possibility of moving the building in 8ft further, for a total setback of 10ft, which would give more room to maintain the barn. If this option were done, then a maintenance agreement would also be needed between the two properties. They discussed other possible options that could be done, either with the barn or with the surrounding property. They advised the petitioners about the long term effect of their decisions and how they could impact the community.

Conditions:

Motion to Continue to May's meeting: Rose Ann Barrick

Second: Harry Baumgartner, Jr.

Vote: 5-0

Discussion

Michael Lautzenheiser, Jr. advised the board on issues that Ossian has been having with some of the LED signs and them being too bright at night. The board commented that there should be a program with the signs to dim the lights. Mr. Lautzenheiser stated that under the current ordinance there is nothing that the office could do. This is more of a town and land owner issue currently. The board discussed that something could be placed in the sign ordinance in the future. Mr. Lautzenheiser advised that the rules then could only be in forced on new signs and couldn't be done for ones that were already in existence. He also advised the board on the flood damage in Zanesville mobile home park and the investigation of damages done.

ADVISORY:

James Schwarzkopf made a motion to adjourn the meeting. Keith Masterson seconded the motion and the motion passed with a vote of 5-0. The April 23, 2013, meeting of the Board of Zoning Appeals adjourned at 7:30pm.

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

Jerry Petzel
Jerry Petzel, President