

ROLL CALL

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

Michael Lautzenheiser, Jr., Secretary

The Board of Zoning Appeals meeting, July 22, 2014 was called to order by Board President, Jerry Petzel at 7:00 p.m. Roll call was answered by five members.

APPROVAL OF MINUTES:

Rose Ann Barrick offered a motion to approve the minutes from the June 24, 2014 meeting and James Schwarzkopf seconded the motion, minutes were approved 4-0-1 with Jerry Petzel abstaining.

OLD ITEM:

NEW ITEM:

B14-07-16 LANCASTER TWP., NW/4 23-27N-12E Jerry D. & Sharlon Rose Moser request a variance to reduce the side and rear yard setback to 10ft. The property is located at 4020 E 300 N, Bluffton, IN 46714. Property is zoned A-1.

Jerry Moser stated that they would like to construct a 30ft x 60ft garage. He advised that there is an existing shed on the property, which does not allow for enough room to maintain the 20ft setback. He told the board that the shed is in good shape and they just put an addition on it, therefore they do not want to remove it. He stated that he would like two garage doors on the end, which is why the building is 30ft wide. He explained that both of the garage doors will be on the same side that faces the driveway. He advised the board that the 10ft would be enough distance from the property line to maintain the building. Mr. Moser stated that he hasn't had any contact from the neighbors about this petition.

Conditions:

Motion to Approve: James Schwarzkopf

Second: Rose Ann Barrick

Vote: 5-0

B14-07-17 HARRISON TWP., NE/4 16-26N-12E Ronald M. & Janet L. Ramseyer request a variance to reduce the side yard setback to 10ft. The property is located at 2150 S. State Road 1, Bluffton, IN 46714. Property is zoned A-1.

Ron Ramseyer stated that he would like to add 20ft to the north side of his barn. He explained the location of the survey markers and advised that there are two markers on the northwest corner. He stated that the fence row on the west side is about 5ft into his property. He commented that the utilities to the building and a tile from the building are on the south side, plus there is an existing porch on the structure.

Terry Kaehr, 2100 S. State Road 1, stated that he does not want this build that close to his property. He advised that this could devalue his property and addressed concerns on when he would try to sell it. He explained that there is an existing barn to the north of his property that is 25.5ft from the property line

and that he recently placed a gazebo on his property 40ft from the north line. He commented about the size of his property and wanting the open space and not to be close to the neighbors' buildings.

Michael Lautzenheiser advised the board that the existing barn is currently between 33ft and 35ft from the north property line. Therefore in order to meet the 20ft setback the addition could only be 13ft to 15ft.

Conditions:

Motion to Approve: Rose Ann Barrick

Second: Harry Baumgartner Jr.

Vote: 4-0-1 (Jerry Petzel abstained)

B14-07-18 ROCKCREEK TWP., NE/4 02-27N-11E Gregory L. & Tamara S. Baller request a variance to reduce the rear and side yard setback to 0ft and to reduce the overhead doors setback to 0ft. The property is located at 1057 W. Hancock St., Uniondale, IN 46791. Property is zoned R-1.

Greg Baller stated that they would like to build a pole barn on the northwest corner of the property. The size of the barn is 32ft x 72ft. He explained there would be about 6.5ft from the north side of the house to the south side of the barn. He stated that the neighbor to the north is a utility company. The phone company has a building on the lot north of the Ballers, and accesses their building from the alley on the east. He advised the board that they have tried to contact the phone company about purchasing the property and have heard nothing from them. He stated that he does maintain the yard. Mr. Baller explained that there is a well house with a basement behind the house, which limits where the new barn could be located at. He also advised the board on the location of his sewer connection clean out location.

Mr. Lautzenheiser advised the board that the street to the west, where the 0ft setback is being asked, is Sugar Street which has a 40ft right-of-way.

The board discussed the owner of the property to the north and the potential of an access easement being granted. They also talked about the location of the sewer lines and where the existing garage is on the property.

Mr. Baller explained to the board what the building would be used for. He stated that the overhead garage doors would be accessed off of Sugar Street. He advised the board that the well house would be removed to accommodate for the new structure, but the basement would remain. The new barn will be going over the basement to help prevent the pipes from freezing in the winter.

Conditions:

Motion to Approve: James Schwarzkopf

Second: Jerry Petzel

Vote: 4-1 (Rose Ann Barrick)

B14-07-19 JEFFERSON TWP., SE/4 17-28N-12E Lorin D. Johnson requests a variance to reduce the side yard setback to 13ft. The property is located at 1708 E 950 N, Ossian, IN 46777. Property is zoned A-1.

Lorin Johnson stated that he wants to build a small building behind the existing garage for storage and possibly chickens in the future. He explained that there would be a door on the north side and one on the west side. He stated that the septic system and an established orchard are hindering the location of the structure. He owns neighboring property; however they are not deeded together. Mr. Johnson put up a 6.5ft privacy fence so that the neighbors would not have to view the new structure.

Mr. Lautzenheiser advised the board that the property line runs against the existing garage.

Conditions:

Motion to Approve: James Schwarzkopf

Second: Keith Masterson

Vote: 5-0

B14-07-20 JACKSON TWP., SW/4 01-25N-10E Joni E. Alstoft requests a variance to reduce the front yard setback to 15ft. The property is located at 6869 S 700 W, Warren, IN 46792. Property is zoned A-1.

Joni Alstoft stated that they would like to add a front porch to the house. The house is currently about 50' from the road. It is up higher than the road. She stated that the road has very little travel on it.

Mr. Lautzenheiser explained that there is about a 5ft difference in height from the road to the base of the house. He stated that the addition of the porch would not put the structure in the road right-of-way.

Conditions:

Motion to Approve: Rose Ann Barrick

Second: James Schwarzkopf

Vote: 5-0

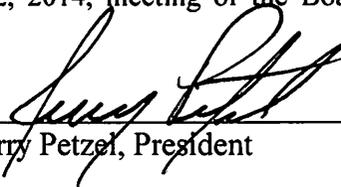
OTHER BUSINESS:

ADVISORY:

Mr. Lautzenheiser discussed with the board on possible ordinance amendments to the language for variances and non-conforming items, which could consist of not requiring a variance for signs being as close as 5ft to the property line. He updated them on the floodplain ordinance, which needs to be implemented by October. He advised because of this, other ordinance amendments may not be updated until next year.

James Schwarzkopf advised the board on a mobile home for sale on a property south of Travisville, which he thought was placed on the property as a special exception. The board discussed if it would be a violation and what needed to be done with the property. They talked about a couple of properties that are vacant and overgrown with weeds, and what the board could do about the properties. Finally, the board discussed the Berlin property and when the violation of the residence needed to be removed.

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 July 22, 2014, meeting of the Board of Zoning Appeals adjourned at 8:19pm.



Jerry Petzel, President

ATTEST: 

Michael Lautzenheiser, Jr.