

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, September 23, 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 August 26, 2014 meeting and Keith Masterson seconded the motion, minutes were approved 5-0.

**NEW ITEM:**

**B14-09-26 JEFFERSON TWP., NE/4 15-28N-12E Harry T. & Lois A. Gerber request a variance to reduce the front yard setback from 30ft to 21ft . The property is located on Hillcrest Dr., Ossian, IN 46777. Property is zoned B-3.**

Harry Gerber stated that they are requesting the variance to reduce the front yard setback because when the buildings were constructed they were put in line with the existing u-store structures so that there could be a bigger drive, but the road curves and that wasn't taken into account. He explained that he is requesting this variance for the rest of the structures that are part of his last development plan so that they can all stay in line.

Michael Lautzenheiser Jr explained to the board that this request is to correct the current problem and to allow the variance for the future development of three (3) more buildings, which is what is left on his development plan.

Conditions:

Motion to Approve: Harry Baumgartner Jr.

Second: James Schwarzkopf

Vote: 5-0

**B14-09-27 LANCASTER TWP., NE/4 05-27N-12E Reinhard LLP requests a variance to reduce the rear yard setback from 20ft to 16ft . The property is located at 1630 E US 224, Ossian, IN 46777. Property is zoned A-1.**

Kevin Reinhard provided the board with revised drawings. He stated that they believe that the property line is the fence line, however Mr. Lautzenheiser pointed out that the property line might be closer than they think. He explained on the drawing that the garage will be torn down and build the new structure at that location. His calculation show that the structure should be 35 feet from the line, but according to what the survey might state it could fall less than the 20 feet setback that's required. Mr. Reinhard stated that they don't intend to get a survey, but if it is needed then they will do it. He explained that the property has been with in the family for a long time.

Mr. Lautzenheiser stated that the existing garage is about three (3) feet off of the south property line. He explained how it was calculated. He advised that without a survey they can't know for sure where the property line is, but with the previous deed descriptions and surrounding surveys it was determined

where the property line would roughly be. He explained that with the revision, it would move the building further away from where the existing garage is and he feels more comfortable with this request than the initial.

Conditions:

Motion to Approve: Rose Ann Barrick

Second: Harry Baumgartner Jr.

Vote: 5-0

**B14-09-28 ROCKCREEK TWP., SW/4 29-27N-11E Richard Deane & Diana Lynn Shaw request a variance to reduce the front yard setback from 40ft to 17ft. The property is located at 4572 W 100 N, Bluffton, IN 46714. Property is zoned A-1.**

Russ Covey, representative for his aunt, stated that he was fixing her basement and her concrete slab was pushing back into the house and bowing the basement wall. He explained that the variance is needed because of the distance from the new porch that they are constructing to the road, which will not get any closer than the existing concrete slab. He explained that there was a three and a half (3.5) inch drop of the concrete slab into the foundation. He stated that they removed the concrete slab and then the new porch would have a roof extension to have the rain water flow away from the porch. Mr. Covey believes that by moving the water away from the porch and house, it would help save the integrity of the basement. He stated that the gutters and downspouts will be replaced and will drain towards the side of the house and down the sloped hill.

Mr. Lautzenheiser advised the board that the house doesn't meet the front yard setback. He stated that the road is curved and the house is on a hill away from the flood plain.

Conditions:

Motion to Approve: James Schwarzkopf

Second: Keith Masterson

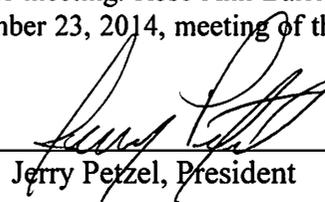
Vote: 5-0

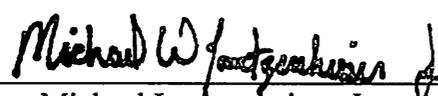
**Director's Comments:**

Mr. Lautzenheiser updated the board on the ordinance revisions and that Vera Cruz, Zanesville, and Ossian have signed. He explained that the DNR contacted the office due to the need for the office to pick up the Town of Markle that is in Wells County for the Flood Hazard Area. He stated that he contacted the Huntington County director about the flood area and if there were to be projects. Mr. Lautzenheiser explained that it will currently have the exact same language as the rest of Wells County because Huntington County is about six to eight (6-8) months behind in their flood ordinance.

**ADVISORY:**

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 September 23, 2014, meeting of the Board of Zoning Appeals adjourned at 7:32pm.

  
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Jerry Petzel, President

ATTEST:   
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Michael Lautzenheiser, Jr.