

ROLL CALL

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

Michael Lautzenheiser, Jr., Secretary

President, Jerry Petzel called the September 24, 2013 meeting for the Board of Zoning Appeals to order at 7:00 p.m. Five members answered roll call.

James Schwarzkopf made a motion to approve the minutes from the August 27, 2013 meeting. Keith Masterson seconded the motion and the minutes were approved by a 5-0 vote.

NEW ITEMS:

B13-09-18 JACKSON TWP., NE/4 02-25N-10E Clayton P. Holcomb requests a variance to reduce the setback for a pond from 50ft to the water’s edge to 18ft. The property is located at 7464 W 625 S, Warren, IN 46792. Property is zoned A-1.

Clayton Holcomb stated that he found a video on YouTube that showed how to use the liner of an above ground pool to make an in ground pool. He explained that he underestimated the size of the liner needed and that once the pool was being filled the liner went to the bottom of the pool/pond. He stated that the swimming pond is approximately 5-6ft deep. He then explained where the pool/pond was located at on the property and the fact that he was able to locate one of his survey markers are. He stated that the pool/pond was filled by water from his well and by a gutter running from his downspout. He advised that it was just a swimming pond and that there would be no fish in it. He stated that there was a fountain in it to keep the water circulating and he uses the chemical, Aqua-shade to keep the water blue.

Michael Lautzenheiser, Jr. explained that the pond is not any bigger than the pool that was permitted. The pool is a couple of feet off the setback; however it was measured from the corn field. He did not locate the survey stakes. He explained that the lot size is small and that the current location is the only location that any structure could go on the property.

The board then questioned and discussed the difference in the setbacks for pools and ponds. They also talked about the distance farmers need to stay away from open water sources when they spray their fields. Then they went on to discuss if this structure would qualify as a pool or a pond due to the liner.

Conditions: Install a 6ft tall solid privacy fence that extends 6ft beyond the pond’s edges on both the south and east side

Motion to Approve: James Schwarzkopf

Second: Rose Ann Barrick

Vote: 5-0

B13-09-19 JEFFERSON TWP., NW/4 15-28N-12E Lukus S. Hurt requests an expansion or change of a legal non-conforming use to expand an existing residence in a B-1 zoning. The property is located at 206 N. Jefferson St., Ossian, IN 46777. Property is zoned B-1.

Lukus Hurt explained that there was an existing porch and carport on the south side of the house that has been removed, except the concrete pad. He would like to place another porch like structure and carport there for shade and easy access for a wheelchair ramp to get inside the house from the carport. There is also an existing concrete pad on the east side of the house that he would like to put a lean-to on for a sitting porch. He stated that he would like to remove the existing garage structure and put up another steel garage structure on that concrete pad. The new garage would be the same size as the existing. He explained that the front of the garage would be facing the house and that they do not park their car in the garage. It is mainly used for storage. The car will be parked in the carport. He explained that the front of the garage would be facing the house and that they do not park their car in the garage. It is mainly used for storage. The car will be parked in the carport.

Michael Lautzenheiser, Jr. explained the zoning of the property and the setbacks. He stated that he was out at the property with the owners and thinks that there will be plenty of room between the proposed construction and property line.

Conditions:

Motion to Approve: James Schwarzkopf

Second: Rose Ann Barrick

Vote: 5-0

B13-09-20 HARRISON TWP., NE/4 04-26N-12E Brandon & Natasha Mechling request a variance to reduce the secondary front yard setback from 20ft to 6ft. The property is located at 503 W. Washington St., Bluffton, IN 46714. Property is zoned R-2.

Natasha Mechling stated that she would like to leave her shed where it currently is located at.

Jerry Petzel explained that the shed was in violation and that the appeal for the violation was hear the previous month.

Michael Lautzenheiser, Jr. stated that the fence is a couple of feet from the house and that the trees are on the inside of the fence but are growing out of it. The shed is not any closer to the street than what the house is. He stated that there is no issue with the sight triangle.

Conditions:

Motion to Approve: James Schwarzkopf

Second: Keith Masterson

Vote: 5-0

DISCUSSION:

Michael Lautzenheiser, Jr updated the board on the comprehensive plan. On Thursday September 27, 2013 at 7:30pm is the comprehensive plan open house. He explained what would occur that the open house. The official public hearing for the plan will be at the APC meeting on October 3, 2013. He also explained that the steering committee will be meeting on an annual basis to check and see where progress is being made in the county as it correlates to the comprehensive plan.

ADVISORY:

Keith Masterson made a motion to adjourn the meeting. James Schwarzkopf seconded the motion and the motion passed with a vote of 5-0. The September 24, 2013, meeting of the Board of Zoning Appeals adjourned at 7:45pm.

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

Jerry Petzel
Jerry Petzel, President