

# STARKE COUNTY BOARD OF ZONING APPEALS

COUNTY GOVERNMENT BUILDING

KNOX, IN 46534

PHONE: 574-772-9176

## MINUTES

May 17, 2012

Chairperson Bartoli opened the meeting at 6:30 pm.

**I Pledge of Allegiance-** led by Chairperson Bartoli.

**II Roll Call-** Sheri Bartoli (Chairperson), Don White (Vice-Chairperson), Denise Marks (Executive Secretary), Bob Troike (Member) arrived at 6:37 pm, EJ Rodgers (Member), Steve Dodge (Attorney), Bruce Williams (Planning Commission Administrator), and Savannah Simpson (BZA Recording Secretary)

**III Review of the meeting minutes for April 19, 2012-** Executive Secretary Marks made a motion to approve the minutes as written. Member Rodgers seconded that motion. Motion carried 4-0.

**IV Public hearing to consider a use variance request by Koontz Lake Fire Dept. Inc, to use two semi trailers for storage and to bring in temporary mobile homes and cars for use in fire trainings, on property owned by Koontz Lake Fire Dept. Inc and described as follows: Pt. E. ½ Se. S11 T34 R1, 10 acres, Parcel number 75-03-11-400-043.000-009, located at 1100 East.**

- ◆ Chairperson Bartoli read the request listed above.
- ◆ All notification were not in order.
  - Louise Bennett
  - John and Kimberly Kane
- ◆ Pat Kranenburg and Butch Lawrence were present to represent Koontz Lake Fire Department Inc.
- ◆ Chairperson Bartoli explained the options to the applicant.
- ◆ The applicant chose to proceed.
- ◆ Mr. Williams explained why the applicant was before the board.
  - According to Article 6-12-3-2, semi trailers used for storage and single wide mobile homes are not allowed in R-2 zoned areas.
    - Applicants stated that they do not have any semi trailers on the property, they have storage containers.
    - Mr. Williams referenced Article 6-12-3-5 which states that storage containers are not permitted either.
- ◆ Attorney Dodge read the use variance ordinance.
- ◆ Mr. Kranenburg explained intent:
  - They want to use the property as a training ground for fire departments in the county and surrounding areas.
- ◆ Mr. Lawrence added that there is no other way to do hands on training.
- ◆ Attorney Dodge asked what the mobile units are used for.
  - Mr. Lawrence replied that they are used for storage of props.
- ◆ Audience in favor of request:

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- Mark Allen
- Regg Williams:
  - Stated that he would be in favor of this under the conditions that a privacy fence and better sign be put up, and that a “buffer zone” be established that runs west to east on the property.
- ◆ Audience opposed to request:
  - Janice Palkovich:
    - Stated that she feels that it is an eye sore, the existing sign is not very big, and she does not want to see it go back farther on the property to the south.
    - Presented a map to the board of surrounding properties including a nearby subdivision.
    - Stated her concern of contaminants being released from the vehicles and going into the ground water.
  - ◆ Mr. Kranenburg explained that the vehicles they get are from Howard Coffin and that he is in compliance with EPA as he drains all fluids from the vehicles before they are brought to the property.
  - ◆ Mr. Allen presented the property record card to the board and pointed out that it shows the property as being commercial.
    - Mr. Williams explained that the property record card stating commercial is simply the use of the property for taxation purposes not the zoning.
  - ◆ Mr. Lawrence stated that they did put a sign up stated that the property is a training facility and that they do their best to keep the property clean and environmentally friendly.
  - ◆ Board questions to the applicant.
    - Member Troike:
      - Asked if there was a possibility of putting in trees to help conceal the training area.
        - Mr. Lawrence replied that it would be possible to put in trees but that there is a gated entrance that would still be visible.
    - Executive Secretary Marks:
      - Asked if the department is strictly volunteer.
        - Mr. Kranenburg replied that they are.
      - Asked how many volunteers they have.
        - Mr. Lawrence replied that there are currently 15.
      - Asked if they were to build a new fire station, how it would not go back further into the property.
        - Mr. Lawrence replied that they intend to leave the back area wooded.
        - Mr. Kranenburg stated that there are woods to the south, west, and north.
      - Asked if it would be possible to put up a different kind of sign.
        - Mr. Lawrence replied that it would be possible.
    - Vice Chairperson White:

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- Asked if it would be possible to move the training area farther back on the property so that it is not so close to and visible from the road.
  - Mr. Lawrence explained that they want to keep it away from the trees.
  - Mr. Kranenburg explained that it would still be visible from the road even if it were moved back.
  - Mrs. Palkovich stated that she would prefer it to stay where it is rather than be placed farther back on the property by removing trees.
- Chairperson Bartoli:
  - Asked what hours trainings will be held.
    - Mr. Lawrence replied that normal trainings are held the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday evenings and two Saturday mornings a month.
    - Mr. Kranenburg stated that the evening training are only for two hours.
- Attorney Dodge:
  - Asked how long the KLFD has owned the property.
    - Mr. Kranenburg replied that they have owned it since 1990.
  - Asked if they have been doing these type of trainings since 1990.
    - Mr. Kranenburg replied that they have just started doing so in the last two years.
- Vice Chairperson White:
  - Asked if they plan to use more than one mobile home.
    - Mr. Lawrence stated that the homes are used for smoking not burning but they still do not last so they will use more than one but not at the same time.
  - Asked if pine trees would work for them for privacy along 1100 instead of fence.
    - Mr. Lawrence replied that it would and that John Hensler would probably donate them.
- ◆ Vice Chairperson White made a motion to close the public comment portion of the hearing. Executive Secretary Marks seconded that motion. Motion carried 5-0.
- ◆ Board discussion.
  - Member Rodgers suggested changing the driveway so that the view from the road will be obstructed.
- ◆ Vice Chairperson White made a motion to grant the request with the following stipulations:
  - Privacy trees must be planted along 1100 East and must block the view from the driveway entrance.
  - Better signage must be in place
  - The wooded area on the property must stay the way it is.
- ◆ Member Rodgers seconded that motion. Motion carried 5-0.

## V Old Business-

- ◆ Chairperson Bartoli suggested the board invite some attorneys to come in to prepare for Attorney Dodge's retirement.

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- ◆ Attorney Dodge explained that the Planning Commission Tech Committee will have a meeting to come up with prospective attorneys and that both boards should coordinate and acquire the same attorney.
- ◆ Members discussed the Dotlich appeal and Attorney Dodge explained the appeal process.

**VI New Business-** none at this time.

**VII** With no further business to come before the board Executive Secretary Marks made a motion to adjourn, seconded by Member Troike. Motion carried 5-0. The May 17, 2012 meeting adjourned at 7:14 pm local time. This meeting was recorded for file in the zoning office. The next meeting of the Starke County Board of Zoning Appeals is scheduled for June 21, 2012 at 6:30 p.m. local time, in the Starke County Government Building, located in Knox, IN.