

# STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

## MINUTES

June 8, 2020

Chairperson Troike opened the meeting at 6:31 p.m.

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

**II Roll Call-** Bob Troike (Chairperson), Zac Binkley (Vice-Chairperson), Mark Allen(Executive Secretary), Denise Cultice (Member), Don Binkley (Member), Martin Bedrock (Attorney), Terry Stephenson (Planning Commission Administrator), and Mary Beever (BZA Recording Secretary).

**III Review of the meeting minutes for February 10, 2020** – Member Cultice made a motion to approve the minutes as written. Member D. Binkley seconded that motion. Motion carried 5-0.

**IV New Business- 2021 Budget Estimate**

- ◆ Vice-Chairperson Z. Binkley made a motion to approve the budget estimate. Member Cultice seconded that motion. Motion carried 5-0.

**V Old Business-**

- ◆ **Cherry's review of stipulations placed** - to consider a conditional variance request by Phillip & Susan Cherry, to be able to keep a storage container on their property zoned R-2, on property owned by Phillip & Susan Cherry and described as follows: Scovilles Lots 32-33 S24/T32/R1, 1.0 acres, Parcel number 75-10-24-301-040.000-002, located at 6918 S. SR. 10 Knox, IN 46534.
  - Plan. Comm. Admin. Stephenson informed the board of the status of the variance obtained in the public hearing that they passed back in October of 2019 for Phil and Sue Cherry, that the stipulations were not being followed and the time limit for them to place a roof on the storage container had expired.
  - Board discussion on ideas of what to do.
  - Vice-Chairperson Z. Binkley made a motion to send a certified letter to the Cherry's asking them to attend the next meeting to explain why they weren't following the stipulations, or for them to supply us with a written explanation before the next meeting. Executive Secretary Allen seconded that motion. Motion carried 5-0.
- ◆ **Muelemans Continuation of public hearing from February 10, 2020** - to consider an area variance request by Edward Meulemans, to place a pole structure accessory structure on an R-2 zoned property less than ten acres, on property owned by Edward Meulemans and described as follows: Pt W. ½ NW (Hubeny's Sub L 2) S20/T32/R3, 6.50 acres, Parcel number 75-09-20-100-019.000-013, located on a parcel between 6340 & 6440 S. 500 W. North Judson, IN 46366.
  - Applicant Muelemans was not present
  - Board discussion
  - Vice-Chairperson Z. Binkley made a motion to deny the request. Member Cultice seconded that motion. Motion carried 5-0.

Chairperson Troike recused himself from the following public hearing due to a conflict of interest.

**VI Public hearing** - to consider a use variance request by Roland Houin of Fourway.net, to place a 175 foot tall internet tower, on property owned by Zachary & Chrystal Ingram and described as follows: Pt NE SE S26/T33/R3, 15.76 acres, Parcel number 75-05-26-400-015.200-007, located at 1517 S. 100 W. Knox, IN 46534.

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- ◆ Vice-Chairperson Z. Binkley read the request listed above.
- ◆ All notifications were in order.
- ◆ Attorney Bedrock read the use variance ordinance.
- ◆ Applicant Houin was not present.
- ◆ Vice-Chairperson Z. Binkley asked where the location of the tower is at.
  - Audience member Bob Troike assisted in showing the board on the screen the placement of the tower on the map. He went on to state his concerns with placement on the property with proximity to the road.
- ◆ Audience member Karen Kurzeja also stated her concerns with placement of the tower and how close it is to her property.
- ◆ Attorney Bedrock asked Plan. Comm. Admin. Stephenson how close to the road the tower is.
  - Plan. Comm. Admin. Stephenson went on to state that if it's a fenced in area that it has to be twenty (20) feet off the road, and forty-five (45) from the center of the road with structure, and fifteen (15) foot from the side property lines.
  - Audience member Kurzeja asked if that included the guide wires.
  - Plan. Comm. Admin. Stephenson replied that it would include anything to do with that structure.
  - Member Cultice asked Audience member Kurzeja if the guide wires are less than fifteen (15) feet from the property line.
  - Audience member Kurzeja stated that she was unsure but thinks its less than twenty.
- ◆ Board/Audience discussion.
- ◆ Vice-Chairperson Z. Binkley made a motion to continue the hearing till the July 13, 2020 meeting and a certified letter be sent to Fourway.net and the Ingrams stating we need to know the exact location of the tower and for them all to be present at the next meeting. Executive Secretary Allen seconded that motion. Motion carried 4-0.
- ◆ Executive Secretary Allen made a motion to close the public comment. Member Cultice Seconded that motion. Motion carried 4-0.

## **VII New Business – Motocross/Dirt Bike Track**

- Member Cultice brought up the discussion of a dirt bike track located just outside of North Judson on 350 W. She asked the board to possibly do some research on the situation and to try and come up with possibilities of what could be done.

**VIII** With no further business to come before the board Member Cultice made a motion to adjourn, seconded by Member D. Binkley. Motion carried 5-0. The June 8, 2020 meeting adjourned at 7:34p.m. local time. This meeting was recorded and will be on file in the zoning office. The next meeting of the Starke County Board of Zoning Appeals is scheduled for July 13, 2020 the latter of 6:30 p.m. or the conclusion of the Planning Commission Meeting, in the Starke County Government Building, located in Knox, IN.