

STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

MINUTES

January 17th, 2013

Don White opened the meeting at 6:30 pm.

I Pledge of Allegiance- led by Don White.

II Roll Call- Don White, Denise Marks **absent**, Bob Troike, EJ Rodgers, Nathan Marcum, Martin Bedrock, Bruce Williams (Planning Commission Administrator), and Savannah Simpson (BZA Recording Secretary)

III New Business- Organization of officers for 2013.

- ◆ Bob Troike made a motion to nominate Don White as Chairperson of the Board of Zoning Appeals for 2013. With no further nominations made EJ Rodgers seconded that motion. Motion carried 4-0.
- ◆ Bob Troike made a motion to nominate Denise Marks as Vice-Chairperson of the Board of Zoning Appeals for 2013. With no further nominations made Nathan Marcum seconded that motion. Motion carried 4-0.
- ◆ EJ Rodgers made a motion to nominate Bob Troike as Executive Secretary of the Board of Zoning Appeals for 2013. With no further nominations made Nathan Marcum seconded that motion. Motion carried 4-0.
- ◆ Bob Troike made a motion to nominate Martin Bedrock as Legal Counsel for the Board of Zoning Appeals for 2013. With no further nominations made EJ Rodgers seconded that motion. Motion carried 4-0.
- ◆ EJ Rodgers made a motion to nominate Savannah Simpson as Recording Secretary for the Board of Zoning Appeals for 2013. With no further nominations made Bob Troike seconded that motion. Motion carried 4-0.

IV Review of the meeting minutes for September 20th, 2012- Executive Secretary Troike made a motion to approve the minutes as written. Member Rodgers seconded that motion. Motion carried 4-0.

V Public hearing to consider a conditional use request by Jashavant and Rama Patel, to expand their motel business by adding a 24 space RV park, which is a special exception according to Table B of the Starke County Ordinance, on property owned by Jashavant and Rama Patel and described as follows: Pt. W ½ Sw N of US 30 5.88 acres, Parcel number 75-02-16-300-006.200-015 located at 2340 E. US 30 Hamlet, IN 46532.

- ◆ Chairperson White read the request listed above.
- ◆ All notification were not in order.
 - Daniel & Kay Toth
 - Robert Obrecht

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- ◆ Chairperson White explained to the applicant his options and Mr. Patel chose to proceed.
- ◆ Mr. Williams explained why the applicant was before the board.
 - According to Table B of the County Ordinance a RV Park is a conditional use in an Agricultural zoned area.
- ◆ Attorney Bedrock read the special exception ordinance.
- ◆ Applicant Jashavant Patel was present.
- ◆ Mr. Patel explained his intent.
 - He wants to add an RV Park to his property.
 - He also presented the Board with a list of reasons why he believes the RV Park would be a good addition to his business. He read #1-9 off the paper.
- ◆ Audience in favor of request:
 - Jashavant Patel
 - Mahendra Shukla
- ◆ Audience opposed to request:
 - Stan Bochnowski
 - Cornelia Bochnowski
 - Karen Hammonds
 - Betty Hammonds
 - Betty Dotlich
 - George Dotlich
 - Kay Toth
 - Dan Toth
 - Joe Kraszczyk
 - Doug Marsh
 - Jeff Berg
- ◆ Those opposed to the request stated why.
 - Mr. Bochnowski stated that he is concerned because of the drug and trespassing issues that have been a problem from the existing motel. He stated that he has had trouble with motel customers coming on to his property and fishing in his pond and discarding drug paraphernalia. Also he stated that he does not believe that the current owners of the property have the capital to properly take care of the current business or a new business. He is also concerned about the sewage and the floodplain as well as traffic and location.
 - Karen Hammonds referred to arrest reports from the motel in past years, all of which have to do with drugs. She stated that she is opposed because of the drug and trespassing problems. She also stated that her house was robbed in the past by customers of the motel
 - Betty Hammonds stated that opposes for the same reasons as Karen Hammonds.
 - Mr. Dotlich referred to County RV Code 6-12-3-2-9 and pointed out that it states there must be a minimum of 5 acres for an RV park. He showed that there is

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already 2 ½ acres used for the motel and that there is not enough acreage left for the RV Park to meet this code.

- Mrs. Dotlich explained that she spoke with someone from the State Health Department and the rules that would have to be met in order for the RV Park to meet sanitation standards.
- Mr. Toth stated that there are already many other nearby RV Parks. Also he stated that there is an odor coming from the property.
- Mr. Kraszcyk stated that he is concerned about the puddle that is on the property and the bugs and health issues it creates.
- ◆ Mr. Patel explained that in previous years he had others running his motel but recently he moved here to run the motel himself. He also stated that there is no proof of who trespassed or robbed the neighbors' properties. He stated that the drug problem is not only at his motel but everywhere. He explained that the smell is from a bad septic that is being taken care of. He also stated that he keeps his property clean and that everything he has now works good.
- ◆ Board questions to the applicant.
 - Executive Secretary Troike stated that the drug problem is everywhere. He also asked the applicant if he feels that adding to his business will be profitable.
 - Mr. Patel explained that it will be because it will be both businesses under one management.
 - Chairperson White asked the applicant:
 - how long he has owned the property.
 - Mr. Patel answered that he has owned it for 9 years, since 2003.
 - How many times the police have been called out in those nine years.
 - Mr. Patel stated that he has no idea how many.
 - Who maintains the property for him.
 - Mr. Patel stated that now he takes care of it himself.
 - If the business has been closed down.
 - Mr. Patel stated that it was closed in 2011 and in 2012 for four months.
 - How many acres he has.
 - Mr. Patel said that it is either 5.88 or 6.2 acres.
 - How many acres are set aside for the motel
 - Mr. Patel stated that he is not sure but he thinks about 1 acre.
 - Mr. White pointed out that it shows that 2.5 acres are used as commercial now.
 - Mr. Rodgers stated that he is not sure if there is a 25' entryway.
- ◆ Mr. Bochnowski submitted sheriff reports to the Board.
- ◆ Executive Secretary Troike made a motion to close the public comment portion of the hearing. Member Rodgers seconded that motion. Motion carried 4-0.
- ◆ Board discussion.

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- ◆ Member Rodgers made a motion to deny the request. Member Marcum seconded that motion. Motion carried 4-0.

VI Old Business-

- ◆ The 2012 End of the Year report was reviewed.

VII With no further business to come before the board Executive Secretary Troike made a motion to adjourn, seconded by Member Rodgers. Motion carried 4-0. The January 17th, 2013 meeting adjourned at 7:15 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 February 21st, 2013 at 6:30 p.m. local time, in the Starke County Government Building, located in Knox, IN.