

STARKE COUNTY BOARD OF ZONING APPEALS

COUNTY GOVERNMENT BUILDING

KNOX, IN 46534

PHONE: 574-772-9176

MINUTES FEBRUARY 19, 2009

Chairman Nagai opened the meeting at 6:34 p.m.

I. Pledge of Allegiance was lead by Vice Chairman Hudgens

II. ROLL CALL – Lee Nagai-Chairman, Jack Hudgens-Vice Chairman, Sheri Bartoli-Member (Absent), Don White-Member, Roger Chaffins-Member, Steve Dodge-Attorney (Arrived at 6:36), Bruce Williams-Planning Commission Administrator and Emily N. Ferch-BZA Recording Secretary

III. New Business-

➤ *BZA organization of officers for the 2009 year*

- **Chairman:** Vice chairman Hudgens nominated Lee Nagai for chairman. Member White seconded that motion.
No other nominations for president were named.
Chairman Nagai requested a motion for closing of the nominations
Member White motioned to close the nominations. Vice chairman Hudgens seconded that motion.
Motion carried 3-0
Lee Nagai was voted Chairman of the Board of Zoning Appeals for the year 2009.
- **Vice Chairman:** Member Chaffins nominated Jack Hudgens for Vice Chairman.
Member White seconded that motion.
No other nominations for Vice Chairman were named.
Chairman Nagai requested a motion for closing of the nominations
Member Chaffins motioned to close the nominations. Member White seconded that motion.
Motion carried 3-0
Jack Hudgens was voted Vice-Chairman of the Board of Zoning Appeals for the year 2009.
- **Executive Secretary:** Member White nominated Sheri Bartoli for executive secretary.
Vice Chairman Hudgens seconded that motion.
No other nominations for executive secretary were named.
Chairman Nagai requested a motion for closing of the nominations
Member Chaffins motioned to close the nominations. Vice Chairman Hudgens seconded that motion.
Motion carried 4-0
Sheri Bartoli was voted the Executive Secretary for the Board of Zoning Appeals for the year 2009.
- **Recording Secretary:** Member Chaffins made a motion to retain Emily Ferch as Recording Secretary. Member White seconded that motion.
No other nominations for Recording Secretary were named.
Chairman Nagai requested a motion for closing of the nominations

Member Chaffins motioned to close the nominations. Member White seconded that motion.

Motion carried 4-0

Emily Ferch was voted Recording Secretary for the Board of Zoning Appeals for the year 2009.

- **Legal Counsel:** Vice Chairman Hudgens nominated that Steve Dodge remains as the Legal Counsel for the board. Member White seconded that motion.

No other nominations for Legal Council were named.

Chairman Nagai requested a motion for closing of the nominations

Vice Chairman Hudgens motioned to close the nominations. Member White seconded that motion.

Motion carried 4-0

Steve Dodge was voted the Legal Counsel for the Board of Zoning Appeals for the year 2009.

IV. Old Business – PUALDING TOWERS LTD, JIM PHILLIPS to place a cell tower in area zoned Agriculture on property owned by **KEITH RISNER**, and described as follows: Section: 17, Township: 32-1, Parcel: 007-00656-00, Part: NW SW and located at 5620 S. 700 E. Knox, IN 46534.

Complaints by neighbors concerning the bright light on cell tower

- Chairman Nagai acknowledged the complaint letters from Mr. James Szymusiak aka Simmons.
- In the February 16, 2009 letter, Mr. Szymusiak aka Simmons noted that he had spoken with the manager of the tower and is requesting that the board allow Mr. Phillips additional time to complete the light change over.
- Chairman Nagai suggested that the board table this matter for a month or two and asked the board for a motion if they felt this as being appropriate
- Member Chaffins made a motion to table this matter for 60 days. Member White seconded that motion. Motion carried 4-0.
- This matter will be brought up again before the board at the April 16, 2009 meeting.

V. Public hearing to consider request for a variance by ALLEN & PAMELA BALCHUNAS to place a mobile home type II in area zoned R-2 on property owned by **JAMES & CHARLOTTE TOLSON**, and described as follows: Section: 35, Township: 32-1, Parcel: 007-02299-00, Johnsons Addition Block: Y Lots 81-85, Residential vacant platted lot located in Monterey, IN 46960.

- Chairman Nagai read the ordinance listed above.
- Notice requirements have not been met
- Missing the following 5 notifications:

BEARD, LARRY D. & ANN L.
Parcel: 007-01892-00
Pt: JOHNSONS LOTS 17 & 18 BLK

816 E. BROADWAY
KOKOMO, IN
46901

BROWN, JOHN H. & ELZETTA
Parcel: 007-01948-00
Pt: JOHNSONS LOTS 77-80 BLK Y

5040 E. 64TH ST.
INDIANAPOLIS, IN
46205

CARNEGIE, VICTOR SR.
Parcel: 007-02598-00
Pt: JOHNSONS LOTS 73-80 BLK X

219 E. JEFFERSON BLVD
MISHAWAKA, IN
46545

CARNEGIE, VICTOR S. SR.
Parcel: 007-02342-00
Pt: JOHNSONS LOTS 81-86 BLK X

398 PIN OAK CIRCLE
MISHAWAKA, IN
46545

WICKLIFFE, MATTIE G. ETAL C/O BRIDGET
Parcel: 007-02655-00
Pt: JOHNSONS LOTS 23-25 BLK Y

31047 WHITLOCK DR.
ZEPHYRHILLS, FL
33543

- Chairman Nagai explained the options that the applicant can pursue
- Applicants decided to table their matter until the March 19, 2009 meeting to try and obtain proper notice.
- Attorney, Steve Dodge made it known to the board that he is representing the applicants in a different matter with no correlation to this matter.
- Chairman Nagai asked the applicants to provide the detail information for the manufactured home to Zoning Administrator Bruce Williams
- Zoning Administrator Bruce Williams non-verbally requested to see the following documents before the next meeting:
 - Data Plate
 - Title
- Member Chaffins made a motion to table this matter for 30 days, seconded by Member White. Motion carried 4-0.
- This matter will be brought before the board again at the March 19, 2009 meeting.
- Chairman Nagai reviewed the board's decision with the applicants.

VI. Review of the meeting minutes for December 18, 2008 – Member Chaffins motioned to approve the meeting minutes as written, seconded by member White. Motion carried 4-0.

VII. With no further business to come before the board, member Chaffins made a motion to adjourn, seconded by member White. Motion carried 4-0. The February 19, 2009 meeting adjourned at 7:00 p.m. local time. This meeting was recorded on tape for file in the zoning office. The next meeting of the Starke County Board of Zoning Appeals is scheduled for March 19, 2009 at 6:30 p.m. local time, in the Starke County Government Building, located in Knox, IN.