

STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

MINUTES April 17, 2019

Chairperson Troike opened the meeting at 6:30 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 March 17, 2019 – Member D. Binkley made a motion to approve the minutes as written. Member Z. Binkley seconded that motion. Motion carried 5-0.

IV Appointment of Vice-Chairperson –

- ◆ Chairperson Troike asked if there were any nominations for Vice-Chairperson.
- ◆ Member D. Binkley made a nomination of Z. Binkley to be Vice-Chairperson. Executive Secretary Allen Seconded that motion.
- ◆ Chairperson Troike asked if there was any other nominations.
- ◆ Member Cultice made a motion to close nominations. Member D. Binkley seconded that motion.
- ◆ Motion carried 5-0. Zac Binkley is the new Vice-Chairperson.

V Public hearing to consider use variance requested by Dean McIntosh, to build a storage unit facility, on agriculture zoned property owned by Clarence R. & Betty McIntosh and described as follows: Pt. N ½ Ne Se, 10.12 acres, Parcel number 75-03-10-400-022.000-009, located at 750 N. & SR. 23 Walkerton, IN 46574.

- ◆ Attorney Bedrock read the request listed above.
- ◆ All notifications were not in order
 - Secretary Beever explained that the notice sent to Eurrat L. Jr. & Laura Ann Saylor was not signed for and was not returned to sender.
 - Chairperson Troike explained the options to proceed or not to proceed with the hearing to the applicant.
 - The applicant asked the board questions regarding the notification that was not signed for.
 - Secretary Beever advised the board that the Saylor notification has not been signed for or returned either time that it was sent out, and it was sent once for the February hearing and once for the April hearing.
 - The applicant apologized to the board for not being able to attend the first meeting and having to postpone in March.
 - The applicant Dean McIntosh choose to proceed.
- ◆ Member D. Binkley asked the applicant what size he was planning on building.
- ◆ Applicant McIntosh was present and explained his intent. He explained he was planning on building a 20x150 structure with 50 doors on it. He went on to explain that it is a ten acre parcel of farm land he's planning to build on.
 - Mark Combs (an audience member) stated his concern with his property value and other concerns associated with a storage facility.
 - Member Cultice asked how many acres Mr. Combs has.
 - Combs replied that he has one acre.
 - Bill Martin (an audience member) stated his concerns also with the storage facility being placed on a property adjoining his property.
 - Applicant McIntosh went on to explain his intentions with the storage unit facility he is wanting to construct.
- ◆ Member D. Binkley discussed different possible placements on the property with applicant McIntosh.

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- Vice-Chairperson Z. Binkley added to this discussion and asked if the structure was going to be 75 feet off the road and then went on to ask if the fencing would include a key code entry into the facility.
 - Mr. McIntosh stated he planned to be 75 feet from the road and planned on having fencing on three sides of the facility and had not looked into a key code entry.
 - Vice-Chairperson Z. Binkley then asked about out door storage of campers and RV's.
 - Mr. McIntosh stated that may be a possibility in the future, but as of right now he is just wanting to get the storage units built.
 - ◆ Board discussion with the audience members that attended the meeting about their concerns.
 - Plan. Comm. Admin. explained to the board where he thought the placement of the facility would be best and that evergreen trees should line it for the privacy concerns of the neighbors. He went on to explain that the board can place stipulations on the variance if granted to ease their concerns.
 - Discussion with the audience's concerns continued.
 - ◆ Attorney Bedrock discussed the notifications with the board.
 - Secretary Beever stated that the first notice for Mr. Combs property went to an Anjanette Mannette back in February. She went on to state that Ms. Mannette contacted her upon receipt of the public notice and informed her that the property had been sold a week prior to Mr. Combs. Secretary Beever stated at that point she sent Mr. Combs a certified public notice on February 15, 2019. She went on to say that the hearing was then tabled and postponed until April and that Mr. Combs was notified again of this by certified mail for the April public hearing meeting.
 - ◆ Attorney Bedrock read the use variance ordinance.
 - ◆ Member Cultice made a motion to close the public comment portion of the hearing. Vice-Chairperson Z. Binkley seconded that motion. Motion carried 5-0.
 - ◆ Board discussion
 - ◆ Board questions to the applicant and to the audience members.
 - ◆ Board discussion.
 - ◆ Attorney Bedrock asked if any of the ordinance needed to be reread.
 - ◆ Vice-Chairperson Z. Binkley made a motion to grant the request with the following stipulations:
 - a)Corner of structure is to be at least 320 feet south of center of County road 750 north.
 - b)Building is to be at least 100 feet off of center of State Road 23.
 - c)There is to be at least a 6 foot fence on four sides of the facility.
 - d)There is to be a secured entry at the facility.
 - e)There is to be arborvitaes around the North, West, & South side of the facility.
- Member D. Binkley seconded that motion. Motion carried 5-0.

VI Old/New Business-

- ◆ Attorney Bedrock advised the board that he thinks a finding of facts should be prepared on the McIntosh hearing in the event an appeal of the decision is made.
 - The board discussed the findings of fact with Attorney Bedrock. Attorney Bedrock stated that he would compose the findings of facts and then have President Troike sign them. The findings of fact Attorney Bedrock prepared are on file in the zoning appeals office.

VII With no further business to come before the board Executive Secretary Allen made a motion to adjourn, seconded by Member Cultice. Motion carried 5.0. The April 17, 2019 meeting adjourned at 7:38 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 May 15, 2019 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.