

# STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

## MINUTES April 18, 2018

Chairperson Troike opened the meeting at 6:37 p.m.

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

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

**III Review of the meeting minutes for January 17, 2018** – Member Chaffins made a motion to approve the minutes as written. Vice-Chairperson White seconded that motion. Motion carried 4-0.

**IV Public Hearing** - to consider a conditional use requested by Tazco Redi-Mix Concrete Inc. Terry Zimmer president, to build a redi-mix concrete facility, on property owned by Lawrence Conroy subject to contract for sale to Tazco, Inc. and described as follows: A parcel of land located in the southeast quarter of section 25, Township 34 north, Range 1 west of the second principal meridian, Oregon township, Starke County, Indiana being more particularly described as follows: Commencing at the north east corner of the southeast quarter of Section 25 as evidenced by a Harrison monument, Thence south 00° 30' 55" west (Basis of Bearings) On the east line of the Southeast quarter of section 25, A distance of 189.35 feet to the Point of Beginning; Thence North 88° 53' 58" West, A distance of 493.7 feet, more or less, to the East line of a parcel of land conveyed to Robert J. and Linda L. Taylor in Deed Document # 2004467658; Thence South 00° 53' 09" West, on the East line of said Taylor parcel, A distance of 432.00 feet; Thence South 81° 54' 25" East, A distance of 223.9 feet, More or less; Thence South 00° 30' 55" West, Parallel to the East line of the Southeast quarter of Section 25, A distance of 60.00 feet; Thence South 81° 54' 25" A distance of 277.00 feet to the East line of the Southeast quarter of section 25; Thence North 00° 30' 55" East, on said East line, A distance of 553.00 feet to the Point of Beginning. 5.64 acres more or less, Part of Parcel number 75-03-25-400-023.000-009, located at 4315 N. 1200 E. Grovertown, IN 46531.

- ◆ Attorney Bedrock read the request listed above.
- ◆ Planning Comm. Admin Stephenson explained why the applicant was before the board for the conditional use variance.
- ◆ Vice-Chairperson White made a motion to open the public hearing. Member Chaffins seconded the motion. Motion carried 4-0.
- ◆ Applicant Terry Zimmer (Owner of Tazco Redi-Mix Concrete Inc.) was present.
- ◆ Attorney Wallsmith (representing Tazco Redi-Mix Concrete Inc.) explained the intent that the applicant was before the board seeking a variance to open a Redi-Mix Concrete business on the highway 30 corridor and explained the benefits of the parcel in question.
- ◆ All notifications were not in order.
  - Secretary Beever stated that a notification for a Lawrence W. Conroy Sr. Trustee had not been returned but he was present in the audience as a member.
  - Attorney Wallsmith (representing Tazco Redi-Mix Concrete Inc.) stated Mr. Conroy was present in the audience and is also the current trustee over the property on contract to sell to Tazco.

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- ◆ Attorney Bedrock read the conditional use ordinance.
- ◆ Audience in favor of request:
  - Lawrence Conroy
  - Derrick Bacewic
  - James Stone
  - Mike Faylor
  - Terry Zimmer
  - Susan Zimmer
  - Josh Binkley
  - David Flanners
  - Larry Wiechert
- ◆ No one in the audience was opposed to the request.
- ◆ Board questions to the applicant.
- ◆ Member Chaffins made a motion to close the public comment portion of the hearing. Vice-Chairperson White seconded that motion. Motion carried 4-0.
- ◆ Board discussion.
- ◆ Member Chaffins made a motion to grant the request as brought by the special exception.. Vice-Chairperson White seconded that motion. Motion carried 4-0.

## V Old Business-

- ◆ Property at 2125 N. US. Hwy. 35 Knox, IN 46534
  - Business owner Derrick Bacewic was present.
  - Board discussion with Mr. Bacewic concerning his variance that was granted September 20, 2017.
  - Vice-Chairperson White made a motion to give 60 additional days to comply with the stipulations from his variance on September 20, 2017. Member Chaffins seconded that motion. Motion carried 4-0.
- ◆ Property at 1000 E-1190 S of Division R. Knox, IN 46534
  - Planning Comm. Admin. Stephenson advised the board that it had been brought to his attention that a home was built on the above listed property. He went on to state that the board had denied the variance from June 22, 2015.
  - Board discussion about the property.
  - The Board decided to have Attorney Bedrock to write a letter stating that Mr. Dalton has thirty (30) days to tear the home down.

## VI New Business-

- ◆ None at this time.

**VII** With no further business to come before the board Member Chaffins made a motion to adjourn, seconded by Vice-Chairperson White. Motion carried 4-0. The April 18, 2018 meeting adjourned at 7:28p.m. 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 May 16, 2018 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.