

STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

MINUTES

July 12, 2021

Chairperson Troike opened the meeting at 6:47 p.m.

Hearing was postponed until 3rd member arrived to reach a quorum

I Pledge of Allegiance- led by Chairperson Troike.

II Roll Call- Bob Troike (Chairperson), Zac Binkley (Vice-Chairperson)(Absent), Mark Allen(Executive Secretary), Denise Cultice (Member), Martin Bedrock (Attorney),Wallace Williams (Boz) (Building Commissioner), and Mary Beever (BZA Recording Secretary).

III Review of the meeting minutes for June 14, 2021 – Executive Secretary Allen made a motion to approve the minutes as written. Member Cultice seconded that motion. Motion carried 3-0.

IV Public hearing - to consider an area variance request by Eileen & David Brongiel, to replace an existing garage & shed structure and add a new pole type accessory structure 29.8’x 29 feet, three feet from the rear property line and three feet from the dwelling in an R-3 zoned area, on property owned by Eileen & David Brongiel and described as follows: Boa Shores Lots 1 & 2 Blk 8 S6/T32/R1, 0.11 acres, Parcel number 75-11-06-304-149.000-008, located at 3966 S. Hillcrest Rd. Knox, IN 46534.

- ◆ Attorney Bedrock read the request listed above.
- ◆ All notifications were not in order.
 - Secretary Beever stated that she had not received the following notices back;
 - John L. Fletcher of 1795 Robert Ct. Bourbonnais, IL 60914
 - Aeja C. Dik of 11527 E. Beck Ln. Scottsdale, AZ 85255
 - Michael Lyman of 138 Travel Park Dr. Lot#44 Spring Hill, FL 34607
 - Chairperson explained to the applicant their options on proceeding or not with the hearing.
 - Applicant David Brongiel chose to proceed with the hearing.
- ◆ Secretary Beever explained that the applicant is wanting to demo an existing garage and shed and build a new pole type accessory building. She went on to explain that according to the county GIS mapping system the current shed that they are wanting to take down looks like it is on the adjoining neighbor’s property and she and Boz are suggesting to the board that a survey is needing to be done prior to any decision from the board.
- ◆ Applicant David Brongiel was present.
- ◆ Applicant Brongiel explained that his property starts where his fence is on the property. He went on to discuss what he was told from when he bought the home, in regards to where his understand of his property lines are.
- ◆ Attorney Bedrock asked if they placed the shed on the property.
 - Applicant Brongiel stated there was a fence line there between the two properties.
 - Attorney Bedrock asked again if he placed the shed there.
 - Applicant Brongiel stated it is a steel shed and that it was there when the purchased the property. He went on to state that the neighbor Hubbard had got a variance for his

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shed about 4 years ago and that they went off of the fence line between the two properties.

- ◆ Executive Secretary Allen made a motion to open for public comment. Member Cultice seconded that motion. Motion carried 3-0.
- ◆ Chairperson Troike asked how long the fence has been there.
 - Applicant Brongiel responded that it has been there at least 17 years.
- ◆ Board discussion.
- ◆ Applicant Brongiel asked about the GIS, about an easement.
 - Secretary Beever stated that the GIS mapping system pictures are shot from an aerial view and can be skewed. She went on to state that the only way to exactly know what you have when it comes to property is to have a legal survey done. She went on to say that also depending on who surveys the property and the survey can be contested in court depending on who is hired to survey a property.
 - Applicant Brongiel went on to explain the fence line is what all of the neighbors go by in that area.
- ◆ Attorney Bedrock stated that he would need to get a survey.
 - Secretary Beever stated that the issue is that they want to be 6 feet from the property line and that they are unsure where the line is exactly
 - Applicant Brongiel interjected and stated he actually wants to be 3 feet off the property line and that there would be 6 feet between his barn and the neighbors barn. He went on to state that he was wanting to go with an all steel building for extra added fire protection.
 - Bldg. Insp. Boz added that by what we have to go by he'd already be over that line, so that is why the survey is needed. He went on to say that if he does get a survey he would ask that they get some metal stakes out there and not wooden posts.
- ◆ Board discussion regarding the property position from the road.
- ◆ Attorney Bedrock stated that he will need to get a survey or look and see if he has markers out there.
 - Applicant Brongiel stated he looked and didn't see anything.
 - Chairperson Troike stated that just looking at the mapping system it looks like there is a lot more area before the 100 foot. So it would depend on what the survey determines where the boundaries will be.
- ◆ Executive Secretary Allen made a motion to close the public comment portion of the hearing. Member Cultice seconded that motion. Motion carried 3-0.
- ◆ Board discussion.
- ◆ Member Cultice made a motion to table the request until a legal survey has been obtained and staked out. and that the applicant should try and complete this within the next six months of the request. Executive Secretary Allen seconded that motion. Motion carried 3-0.

- V Public hearing** - to consider a special use request by J3LS Holdings, LLC, to add an additional 26 RV campsites in an R-3 zoned area on a current campground, on property owned by J3LS Holdings LLC and described as follows: E Pt Nw Ne S7/T32/R1, 10.46

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acres, Parcel number parcel 75-11-07-201-00.000-008, located at 4257 S. 675 E. Knox, IN 46534.

- ◆ Attorney Bedrock read the request listed above.
- ◆ All notifications were not in order.
 - Secretary Beever stated that Ryan C. Glinski of 913 N. 400 E. Chesterton, IN 46304 had not been returned yet
 - Chairperson Troike and Attorney Bedrock explained their options on to proceed with the hearing or not.
 - Applicant Dan Sellers of Territorial Engineering responded that they wish to continue.
- ◆ Executive Secretary Allen made a motion to open the public comment portion of the hearing. Member Cultice seconded that motion. Motion carried 3-0.
- ◆ Applicant Dan Sellers of Territorial Engineering explained that he has the owner of J3LS Holdings Mark Miller with him, and that they are proposing to add an additional 26 RV campsites to the current campground. He went on to explain that they would be full service campsites with a 50ft long pad for the RV of probably gravel with a 40x60 foot grass area with a picnic table, area to camp, sewer hook-up, water hook-up, electric hook-up, along with an access road for the RV's. He went on to discuss this with the map he provided to the board members.
- ◆ Attorney Bedrock asked if the access road is from 675 or CR. 210.
 - Applicant Sellers & Miller explained that the RV access road will be within the existing campground and that the entrance to the campground will be the same.
 - Chairperson Troike stated that there will be no separate entrance.
 - Applicant Miller agreed with this statement.
- ◆ Applicant Sellers explained that his understanding is that any changes to the campground have to be approved by the board with a special exception.
 - Secretary Beever agreed and explained that according to chart 4 any changes to a campground need to be approved by the BZA in Starke County.
- ◆ Bldg. Insp. Boz asked Applicant Sellers if they had talked with Doug Williamson yet.
 - He responded no he had not.
 - Bldg. Insp. Boz stated that he works with the state and handles all the campground stuff through the state.
 - Applicant Miller stated that Mr. Williamson was there and stopped in and talked with Andy a couple weeks ago and left his card and said once they get through the BZA process to give him a call. He went on to state that they have retained Territorial too depending on how far they get with the BZA here. He said as long as they advance here tonight that they have been hired to take them through the whole state process as well.
- ◆ Chairperson Troike stated that since this is a proposed expansion, he asked if there is already sites there for RV's
 - Applicant Sellers answered Yes there is and explained where the current sites are on the map.

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- ◆ Member Cultice asked if those sites are seasonal.
 - Applicant Sellers responded that they are seasonal.
 - Executive Secretary Allen asked if anyone lives there permanently.
 - Applicant Miller answered no and stated that the season is from April 1 – October 31 and the water and electric are then shut off, and the gates get locked.
- ◆ Audience in favor of request:
 - Mark Miller
 - Stan Geisler
 - Dan Sellers
- ◆ Executive Member Allen asked if anyone was opposed.
 - Audience members Christine Nawara & Gertrude Nawara asked for some clarification on where the new RV spots were going. Neither of them had opposition to them adding the campsites. Christine Nawara asked if campers would be on the property closest to her home.
 - Applicant Miller stated that area would be for tents only and clarified where the access road for the RV sites would be.
- ◆ Member Cultice asked if he was losing tent sites
 - Applicant Miller stated that essentially they are trading some of their tent sites for RV sites.
- ◆ Executive Secretary Allen made a motion to close the public comment portion of the hearing. Member Cultice seconded that motion. Motion carried 3-0.
- ◆ Attorney Bedrock read the use ordinance.
- ◆ Board discussion.
- ◆ Member Cultice made a motion to grant the request as presented of adding 26 additional RV campsites. Executive Secretary Allen seconded that motion. Motion carried 3-0.

VI Old/New Business-

- ◆ Secretary Beever informed the board of two hearings that had been canceled due to the applicants not wanting to proceed as planned anymore.

VII With no further business to come before the board Member Cultice made a motion to adjourn, seconded by Executive Secretary Allen. Motion carried 3-0. The July 12, 2021 meeting adjourned at 7:26 p.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 August 9, 2021 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.