

STARKE COUNTY BOARD OF ZONING APPEALS

COUNTY GOVERNMENT BUILDING

KNOX, IN 46534

PHONE: 574-772-9176

MINUTES

September 15, 2011

Chairman Bartoli opened the meeting at 6:35 p.m.

I. Pledge of Allegiance was lead by Chairman Bartoli

II. ROLL CALL –Sheri Bartoli(Chairman), Don White(Vice-Chairman), Bob Troike(Executive Secretary), Denise Marks(Member), EJ Rodgers(Member) Steve Dodge(Attorney), Bruce Williams(Planning Commission Administrator), and Savannah Simpson(BZA Recording Secretary)

III. Review of the meeting minutes for August 18, 2011– Vice-Chairman White made a motion to approve the minutes as written, seconded by Member Marks. Motion carried 5-0.

IV. . Public hearing to consider an area variance request by DAN KAJER/DENISE WENNERSTROM, to build an attached garage, exceeding allowable lot coverage and not meeting setbacks, on property owned by **ROBERT & DENISE WENNERSTROM** and described as follows: Shoups Lot 32 0.19 acres, Parcel number 75-11-07-203-048.000-008, located at 3459 S CR 210 Knox, IN 46534.

- Chairman Bartoli read the request listed above
- All notifications were not in order
 - The notification for the Ukrainian Orthodox Church did not come back and they were not present at the meeting.
- Chairman Bartoli explained the options.
- The applicant chose to proceed.
- Planning Commission Administrator Williams stated why the applicant was before the board.
 - According to Chart 1 in the Starke County Ordinance a 50’ setback should be maintained from the center of the road and lot coverage should not exceed 30%. The lot coverage will be 43% if the garage is built
- Attorney Dodge read the area variance ordinance.
- Applicant Denise Wennerstrom and property owner Robert Wennerstrom were present.
- Applicant Wennerstrom explained her intent.
 - She asked the variance request be approved so that they may build their garage to store their boat and car in.
- Audience members in favor of this request included:
 - Steven Tobey
- No one in the audience opposed this request.
- Board members questions to the applicant:
 - Executive Secretary Troike asked which way the garage will be entered.

- The property owner answered that the garage will be entered from the road.
- Executive Secretary Troike also asked if the house will be entered through the garage.
 - The applicant stated that yes it will be.
- Vice-Chairman White asked how far the existing house is from the edge of the road.
 - The property owner replied that it is 42 feet.
- Vice-Chairman White also asked how far the completed garage will be from the edge of the road.
 - The property owner replied that it will be 17 feet.
- Vice-Chairman White also if there are any other properties there that are that close to the road.
 - There is a house next door that it 37'.
- Member Marks asked how many acres there are total.
 - They replied 8 acres.
- Chairman Bartoli asked what size garage they intend to build.
 - The applicant replied that it will be a 2 car garage.
- Chairman Bartoli also asked if the existing shed will be physically moved off of the property.
 - The applicant stated that yes it will be.
- Chairman Bartoli closed the public comment portion of the hearing.
- Board discussion
- Vice-Chairman White made a motion to **approve** the request.
- Member Rodgers seconded that motion. Motion carried 5-0.

V. Public hearing to consider a use variance request by **TODD WALLSMITH**, to construct and use a shooting range on property owned by **DACK BLOWER MANUFACTURING INC** and described as follows: Pt. W ½ Ne N of Rr S26 T34 R1 1.62 acres, Parcel number 75-03-26-200-035.000-009, located at 10660 E Us 30, Grovertown, IN 46531.

- Chairman Bartoli read the request listed above.
- All notifications were not in order
 - The notification for Gheorghe and Ana Varga did not come back and they were not present at the meeting.
- Chairman Bartoli explained the options.
- Applicant chose to proceed.
- Planning Commission Administrator Williams explained why the applicant was before the board.
 - The applicant requests a use variance to put a gun range in.
- Attorney Steve Dodge read the use variance ordinance.
- Applicant Todd Wallsmith was present to represent the owners who were also present.
- Mr. Wallsmith explained their intent to the board.
 - They wish to improve and expand their business by putting in a shooting range.
- Mr. Wallsmith presented to the board drawings that illustrate the steps that have been taken to ensure safety.
- Audience members in favor of the request included:

- Ross Divine
- Chris Divine
- No one in the audience opposed the request.
- Board questions to the applicant:
 - Member Rodgers asked if they plan to operate on a Saturday and if so what hours.
 - The applicant replied that yes they will be open on Saturdays and no earlier than 10 and close at 5.
 - Mr. Wallsmith also explained that the range is designed to minimize sound leaving the range.
 - Executive Secretary Troike asked if the shooting pit will be totally enclosed by the roof to keep rain water out.
 - The applicant replied it will be enclosed by roof and there will also be a drain.
 - Executive Secretary Troike also discussed the travel of different ammunitions that will be used with Mr. Ross Divine.
 - Member Marks asked if moving the berms in will minimize the size of the range.
 - The applicant replied that it will not minimize the original plans.
 - Mr. Wallsmith explained that their plans are in excess of the NRA requirements.
 - Member Marks also asked if all shooting will be to the North.
 - The applicant replied that yes it will and that the store will be to the South of the range.
 - Vice-Chairman White asked if the leech field will be covered.
 - The applicant replied that it will not be because it is to the west of the proposed range.
 - Chairman Bartoli asked how many bays there will be.
 - The applicant states that there will be 10.
 - Chairman Bartoli also asked if there will be any sign on the highway that states that the location will be a shooting range.
 - The applicant stated that there will not be any permanent sign put up.
 - Chairman Bartoli also asked the applicant how many feet the side berms will be moved in relation to the well and septic.
 - The applicant stated that it will be at least 12 feet from the well and approximately 4 to 5 feet from the septic.
 - Chairman Bartoli also asked if there will be steel plating in the side berms as well as the back.
 - The applicant replied that only the back berms will have the steel plating.
 - Chairman Bartoli also asked if they plan to be open all 4 seasons.
 - The applicant replied that yes they will be.
 - Chairman Bartoli also asked if there are any restrooms.
 - The applicant replied that there is one restroom.
 - Chairman Bartoli also asked how many people would be expected to be on the premises at one time.
 - The applicant replied that there will be one person per bay and during busy times there will be a one hour time limit so there may be people waiting.
 - Chairman Bartoli also asked if there are people waiting will they be asked to leave the premises when they are done shooting.
 - The applicant replied that they will only be asked to leave the bay.

- Member Marks asked if the applicant has thought about expanding the business to include paint guns in the future.
 - The applicant replied that they have not.
- Chairman Bartoli asked if there will be any safety rules and where they will be posted
 - The applicant replied that the safety rules will be posted at every station.
- Chairman Bartoli closed the public comment portion of the hearing.
- Board discussion
- Member Rodgers made a motion to **approve** the request with the following stipulations:
 - Hours of operation be within 10am-5pm.
 - Safety signs must be posted at every station.
 - An insurance policy must be in place.
- Motion was seconded by Vice-Chairman White. Motion carried 5-0.

VI. Old Business –

Public hearing to consider an application re-newel for a use variance by **TODD WALLSMITH** to place a cell tower in area zoned agriculture on property owned by **TERRY HARRIS** and described as follows: Section: 14, Township: 34-1, Parcels: 010-02656-00, 010-03036-00, Part: NW and located in the northwest quarter of section 14 and south of 700 N.

- Mr. Wallsmith explained that the steel has been purchased but the tower has not yet been put up because Tower King is waiting for the “go ahead” from a cellular company.
- Board discussed the original hearing with Mr. Wallsmith.
- Board discussed the stipulations.
- Vice-Chairman White made a motion to approve the renewal with the following stipulation added:
 - The tower space provided for the EMS and Amateur radio must be in a place on the tower that will provide for effective use.
- Motion was seconded by Member Marks. Motion carried 5-0.

VII. New Business – Chairman Bartoli stated that she looked through previous minutes back to 2004 and found that a motion is not required to close public comment.

VIII. With no further business to come before the board Vice-Chairman White made a motion to adjourn, seconded by Member Marks. Motion carried 5-0. The September 15, 2011 meeting adjourned at 7:35 p.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 October 20, 2011 at 6:30 p.m. local time, in the Starke County Government Building, located in Knox, IN.