

# STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

## MINUTES

September 17<sup>th</sup>, 2014

Chairperson Troike opened the meeting at 7:08p.m.

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

**II Roll Call-** Bob Troike (Chairperson), Nathan Marcum (Vice-Chairperson), EJ Rodgers (Executive Secretary), Chad Rushing (Member), Rita Berger (Member), Martin Bedrock (Attorney), Terry Stephenson (Planning Commission Administrator), and Mary Beever (BZA Recording Secretary) .

**III Old Business-**

- ◆ Attorney Bedrock explained purpose of the meeting regarding the Ford/Dotlich matter. He explained that the new Judge presiding over the matter had requested more formal orders to be signed
- ◆ Attorney Bedrock explained the orders.
- ◆ Board reviewed and discussed copies of the orders.
- ◆ Attorney Bedrock asked that a motion be made to approve Chairperson Troike to sign the orders on behalf of the board.
- ◆ Vice-Chairperson Marcum made a motion for Chairperson Troike to be authorized to sign the orders on behalf of the board. Executive Secretary Rodgers seconded the motion. Motion carried 5-0.

**IV Review of the meeting minutes for August 20<sup>th</sup>, 2014-** Executive Secretary Rodgers made a motion to approve the minutes as written. Vice-Chairperson Marcum seconded that motion. Motion carried 5-0.

**V Old Business-**

- ◆ Member Rushing explained that at Sportyz restaurant the following: at the variance appeal the applicant asked for outdoor seating and a fence. He added that the applicant has now put a roof on as well. He added that going forward from here on out that when building is involved that we ask for a detailed drawing and plans from the applicant. He explained that with the Sportyz restaurant we only had boundaries.
  - Secretary Beever asked about an upcoming variance for a garage structure and how detailed of drawings he was wanting.
  - Member Rushing responded yes and explained that a floor plan isn't always entirely sufficient. He added that we need more detailed plans as to what exactly the applicant is planning on doing.
  - Member Berger asked if he was in violation because he added on to the structure of the building with out a permit.
  - Member Rushing stated that he wasn't sure.
  - Planning Commission Admin. Stephenson added that he got a permit.
  - Member Berger asked if the permit was for the roof. She added that the board approved the wrought iron fence.
  - Member Rushing added that the board didn't approve anything in particular.
  - Executive Secretary Rodgers added that it was more a variance about the street curb.
  - Chairperson Troike added the board was more concerned about the water flow and that we sent the Highway Department Superintendent to check it out. He went on to say that now we are getting a four way stop there.
  - Attorney Bedrock stated that there isn't a four way stop there.
  - Vice-Chairperson Marcum responded to Attorney Bedrock that there is going to be after the festival.
  - Planning Commission Admin. Stephenson added that there are certain cases where detailed drawings are fine, but that isn't going to work for everyone who comes in asking for a building permit.

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- Member Rushing stated that he was talking about B.Z.A. hearings.
- Planning Commission Admin. Stephenson stated that he would have loved to have detailed drawings.
- Member Rushing added that this is something that we need to be more forceful with.
- Planning Commission Admin. Stephenson stated that we will get more detailed drawings.
- Member Rushing stated that it's harder when it gets to the hearing to say ya or nay. He went on to add that he asked at the hearing if this drawing was a final plan and all that was given was the dimensions. He added that he was asking for more at that point but the applicant didn't really give it. He went on to say that going forward that this is something we need to do.
- Executive Secretary Rodgers stated that he thought the variance wasn't for a covered roof. He added that he thought it was for the street, the curb, and the watershed. He went on to say that he didn't think they needed a variance for the roof.
- Member Rushing added that the watershed changed with the addition of a roof, and that the applicant didn't discuss anything about a roof in the meeting. He added that this changed the dynamics of what was discussed at the meeting.
- Executive Secretary Rodgers stated that it's going to be the same amount of watershed in the area because the roof comes to the curb.
- Member Rushing stated that roof puts the watershed outside of the curb. Before with it not being covered it put it inside the curb.
- Executive Secretary Rodgers added that is why he thought they asked for a variance, so they could put a curb in so it diverted the water.
- Vice-Chairperson Marcum added that the curb was so it didn't flood inside.
- Member Rushing stated that the variance ended up being different than what was described initially.
- Planning Commission Admin. Stephenson stated that he was surprised that the plans made it through the alcohol and beverage commission review.
- Attorney Bedrock added that he was out there and was surprised that there was still room for cars to park out front.
- Chairperson Troike stated that last time he was out that way there were motorcycles parked out front. He went on to say that the applicant had stated that there wasn't going to be parking anymore out front and that the patrons would have to park in the rear of the building.
- Attorney Bedrock added that it is not in use yet and when it becomes used that is probably when the patrons will have to start parking out back. He went on to say that he thinks that the project cost the applicant a lot more than what he was initially planning.
- Chairperson Troike agreed.
- Vice-Chairperson Marcum added that it looks nice.
- Attorney Bedrock agreed and added that there has always been a water problem there and years ago Purdue was supposed to fix it and never did.
- Member Rushing added that Purdue is invested in that property now. He went on to say that they are looking at making that a usable space again and hopefully that they'll be a better partner moving forward now. He also added that all the buildings are renovated now.

With no further business to come before the board Vice-Chairperson Marcum made a motion to adjourn, seconded by Member Berger. Motion carried 5-0. The September 17<sup>th</sup>, 2014 meeting adjourned at 7:24p.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 15<sup>th</sup>, 2014 at 7:00 p.m. local time, in the Starke County Government Building, located in Knox, IN.