

STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

MINUTES

May 10, 2023

Chairperson Troike opened the meeting at 6:30 p.m.

I Pledge of Allegiance- led by Chairperson Troike.

II Roll Call- Bob Troike (Chairperson), Mark Allen (Vice-Chairperson), Denise Cultice (Executive Secretary), Gwen Rentz (Member), Jason Downs (Member), Justin Schramm (Attorney), Wallace Williams (Boz) (Building Commissioner), Tina Holley, BZA Secretary

Tina Holley, Recording Secretary informed the Board that there are tabs placed in their binders to assist in locating the items being discussed at tonight's meeting. Also, location has been noted in blue ink on the agenda to help with this.

III Review of the meeting minutes for – April 12, 2023. After review, Jason Downs motioned to approve minutes as presented; seconded by Mark Allen. Voting was 4-0.

IV Tina Holley, Recording Secretary introduced the first item of business for tonight's meeting. Josh Linhart, Special Exception to place a single wide manufactured home on property which was tabled from April meeting needing additional information. Public Hearing was posted in The Leader. Josh Linhart stated he had a contractor out and needs electricity and water in order to test the septic. He stated he needs to get an electric permit in order to do this; which also means he needs the Special Exception approved in order to move forward. The Special Exception is to place a single wide manufactured home in an R-2 zoned area with stipulations. If he cannot get an approval from the health department for the septic then he will need to address updating the septic prior to placing his single wide there. Discussion ensued amongst the Board. Boz stated he and Mary Beever discussed this and the issue is placing a single wide in an R-2 zoned area. Jason Downs motioned that the Board approve the Special Exception to place a single wide manufactured home with the stipulations that he obtain his electric permit and then obtain approval from the Health Department for a septic. He has 6 months from tonight to come into the Planning Commission office and obtain the electric permit. Mark Allen seconded the motion. Voting was 4-0.

Tina Holley, Recording Secretary introduced the next public hearing that had been tabled from the April 12th meeting. Joseph Glaub is requesting a variance to install a deck on the front of home that is 40 feet from the center of the road. (requirement states 75 feet). Discussion ensued amongst the Board members and Boz. Jason Downs

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asked him how far his home sits back off the road. Mr. Glaub stated it sits 80 feet and the steps to the deck is off to the side of the home – not going toward the front. Gwen Rentz asked if he planned to put up a fence and Mr. Glaub stated he plans to do that in the future. Jason Downs motioned that the Board approve the AREA Variance with the stipulation that the deck must not be more than 20 feet off the house. Mr. Glaub must obtain the deck permit within 90 days from tonight's meeting. Mark Allen seconded the motion. Voting 4-0.

The next item of business was introduced: Public hearing to consider an AREA Variance request by Gregory Cozma, to place a pole barn in a flood zone without a house with less than the required 10 acres on property owned by John Shorosh/Land Contract to Gregory Cozma described as follows: Pt W ½ Se Sw S16 T33 R1 3 acres, Zoned R-2.

Parcel number 75-07-16-300-042.100-012, located at 8355 E 25 N, Knox, IN 46534.

All notifications were in order as noted by Tina Holley, Recording Secretary. Tina explained that the ordinance was in their binder with a tab to refer to – as well as the elevation certificate for the property. Mr. Cozma was not in attendance at the Public hearing. The Board referred to Justin Schramm as to how to proceed. Mr. Schramm stated that the Board can continue and a decision can be made without the applicant. Bob Troike, President, stated that he had been to the property and spoke to a neighbor. The neighbor stated he had come to a BZA meeting to place a double wide on this property and was denied some years ago due to the flood plane. The neighbor was also opposed due to the flood plain and the fact there is not the 10-acre requirement for a pole barn without a home. The property owner has obtained an elevation certificate which states that the barn must be at least two feet above. The Board discussed the variance and the fact that Mr. Cozma was not in attendance. Denise Cultice motioned that the Board deny the requested AREA variance due to not being 10 acres; no house currently on the property. Jason Downs seconded the motion. Voting was 4-0.

Public Hearing to consider an Incidental USE Variance request by Curtis Mordus to utilize a current shooting range at Gun Town on property owned (prior to 3-31-2023) by Dack Blower Manufacturing, Inc described as follows: Pt W ½ Ne N of Rr S26 T34 R1 1.62 acres, zoned general business. Parcel number: 75-03-26-200-035.000-009, located at 10660 E US 30, Grovertown, IN 46531. All of the notifications are in order.

Tina Holley, Recording Secretary, reported that this property had originally obtained a variance for the shooting range in 2019; however, Curtis Mordus just purchased the property and the variance is not transferrable.

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Bob Troike, President, asked for Mr. Mordus to take the floor and explain his request. Mr. Mordus stated he purchased the property in order to offer an area for gun owners to practice shooting and understood that he needed an Incidental Use Variance to do that. He and his wife are veteran marines, experienced in the gun world, and have purchased the property in order to sell guns, targets, ammunition along with an area for teaching and shooting practice. The plan is to open to the public June 1st, 2023. The previous owner decided to retire and the location has been shut down for approximately 4 years prior to being sold. Bob Troike asked for anyone in the audience that is in favor to stand, state their name and address. Ted and Amy Rotering, 10600 E US Hwy 30, Grovertown, IN 46531, stood and stated they are in favor. David Sinn, 7878 N Tecumseh Road, Walkerton, IN 46574; Amy Horecky 11927 E 750 N., Walkerton, IN 46574; Sarah White, 11129 Pottawatomie Trail, Walkerton, IN 46574 also stated they're in favor of the Gun Town and shooting range variance.

Gwen Rentz motioned to open the Public Hearing; Denise Cultice seconded – Voting 4-0. Jason Downs asked if Mr. Murdos had an FFL for Guntown. He stated that he does not need that for the gun range but yes, he has applied for that and it should be in effect by the date they are opening – June 1st, 2023. The business has always gotten along well with the neighbors – hours will be set upon conversation with them. Gun Town wants to be an asset to the area – not a nuisance. No further discussion by the Board. Denise Cultice motioned we close the public discussion – seconded by Mark Allen. The Board discussed amongst themselves the issue. Gwen Rentz motioned the Board approve the Incidental Use Variance being requested; Mark Allen seconded the motion. Voting 4-0.

OLD/NEW BUSINESS:

Bob Troike spoke to a woman sitting in the public area if she was here for a reason. She stated that she wanted to know what has been happening from a variance that went through the BZA last November, 2022. – Klinedinst. Justin Schramm responded that the property is under litigation currently and he cannot speak in reference to it. The case has subsequently been moved to Porter County. Justin stated this will take several months – date has been extended to June for the summary judgment to be heard. If that is denied then it will just keep getting put out later on the calendar. It's a tough case.

2024 Estimated Proposed Budget: - Tina Holley, Recording Secretary stated the 2024 Estimated Budget is in the binder under old/new business. Mark Allen asked why the Planning Commission Secretary had a 10% raise noted but not the BZA Secretary. Tina stated that the amount proposed is for a full-time position; currently the Secretary position is part-time. Boz stated that it was under the assumption that the current BZA

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Secretary would be a full-time position for 2024. This was stated to Mary Beever per the County Council in 2022. Bob Troike believed that it was going to be looked into – not a definite proposal. Boz stated the Council was stating that this was for Mary Beever if she was still in the position of the Recording Secretary. Boz stated that this was nothing against Tina, the current Secretary, but the entire Planning Commission office fell apart when Mary quit from their denial of the full-time job in 2022 which subsequently resulted in Pam leaving the Planning Commission office. Pam is currently still employed with the County in the Clerk's office and is riding out her service hours in order to retire – per Boz Williams. Mark Allen asked Tina if she wants a full-time job. Tina responded that no, she was originally hired as the Recording Secretary in the part-time position and she was surprised to see the 2024 Estimated Budget showing a Full-time position. Further discussion ensued as to the job duties and Tina responded that she felt part-time hours was enough to do the job; however, there may have been additional duties being done by Mary that constituted the full-time request. It was agreed to submit the estimated budget as presented- it was also asked to Justin Schramm if he was comfortable with his current rate. He responded he was being paid adequately.

Mark Allen motioned to accept the 2024 Estimated Budget as presented; Denise Cultice seconded the motion. Voting was 4-0.

With no further business, Mark Allen motioned to adjourn the meeting; seconded by Gwen Rentz. Voting 4-0.

Meeting was adjourned at 7:30 pm
Respectfully submitted,

Tina Holley
BZA Secretary

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 June 14, 2023 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.