

# STARKE COUNTY BOARD OF ZONING APPEALS

53 EAST MOUND STREET

KNOX, IN 46534

PHONE: 574-772-9176

## MINUTES

July 12, 2023

Chairperson Troike opened the meeting at 6:32 p.m.

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

**II Roll Call-** Bob Troike (Chairperson), Mark Allen (Vice-Chairperson), Denise Cultice (Executive Secretary)(Absent), Gwen Rentz (Member), Jason Downs (Member), Justin Schramm (Attorney), Wallace Williams (Boz) (Building Commissioner), and Mary Beever (PC Admin Beever).

**III Review of the meeting minutes for June 14, 2023** – Member Rentz made a motion to approve the minutes as written. Vice-Chairperson Allen seconded that motion. Motion carried 3-0.

### **IV PUBLIC HEARING- Steven HARTLE**

Public hearing to consider an AREA variance request by Steven Hartle, to place an 810 sq ft home on lot size of 12,500 sq ft (requirement is 15k sq ft) owned by Steven Hartle described as follows Monterey Resorts Lots 38 thru 41 Blk H. **Parcel number 75-11-35-304-031.000-008**, located at 8777 S. Ash Street, Monterey, IN 46960.

- ◆ PC Admin Beever read the request listed above.
- ◆ All notifications were not in order.
  - PC Admin Beever stated that Pokrajac Ronald Ryan & Merriman Kristen located at 2910 Facel Vega Drive Joliet, IL 60435 did not receive notice.
  - Chairperson Troike advised applicant Hartle of his options of proceeding with the hearing.
  - Applicant Hartle chose to proceed with the hearing.
- ◆ PC Admin Beever explained why the applicant was before the board. She went on to state that the applicant has an undersized lot and in order to build a home in an R2 zoned area, and without public sewer the minimum lot size is 15,000 sq ft, she went on to say that he only has 12,500 sq ft of land.
- ◆ Attorney Schramm read the area variance ordinance.
- ◆ Applicant Hartle was present.
- ◆ Applicant Hartle explained his intent.
  - He responded that he would like to build a small pole type frame structure in the back corner furthest from the road as possible and remove the existing mobile home and move the structure behind to the small existing shed where the mobile home is located. He mentioned that the lot is unique because of the septic being in the front.
- ◆ Member Downs made a motion to open the hearing to the public. Member Rentz seconded the motion. Motion carried 3-0.
- ◆ Audience in favor of request:
  - Forest Shawn & Amber

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- Dayna Davis
- Henry Whitaker
- ◆ No one in the audience was opposed to the request.
- ◆ Board questions to the applicant.
  - Member Rentz asked if he had the septic inspected that if the current home has two bedrooms. She also asked how many bedrooms will new building will have.
    - Applicant Hartle stated that he had the septic over 9 years. He also stated that the current home has two bedrooms and the new building will have one bedroom.
      - Member Downs asked how far is the septic from the neighbors and if the well is deep well or shallow.
        - Applicant Hartle stated that his well 50 ft and that it is shallow well.
- ◆ Vice Chairman Allen made a motion to close the public comment portion of the hearing. Member Rentz seconded that motion. Motion carried 3-0.
- ◆ Board discussion.
- ◆ Member Downs made a motion to grant the request. Vice Chairman Allen seconded that motion. Motion carried 3-0.

## V PUBLIC HEARING- Emilio/Natalie GALICIA

Public hearing to consider an AREA Variance to add master bedroom that will put the house at 69 '10" off from the center of the road. (Required 75 ft setback) owned by Emilio & Natalie Galicia described as follows Pt Se Se S19 T32 R3 1.50 acres.

**Parcel No. 75-09-19-400-034.000-013**, located at 5220 W 700 S, N. Judson, IN 46366.

- ◆ PC Admin Beever read the request listed above.
- ◆ All notifications were all in order.
- ◆ PC Admin Beever explained why the applicant was before the board. She went on to state the addition they wanted to add onto the home was too close to the road. The setback requirement is 75 ft from the center of the road.
- ◆ Applicant Galicia was present.
- ◆ Applicant Galicia explained his intent.
  - He responded that he wanted to add an addition onto the front of the house. He mentioned that he couldn't put it on the back side of his house because of the leech bed, air conditioning units, and well. He also stated that his septic field is on the east side of his house.
- ◆ Member Rentz made a motion to open the hearing to the public. Member Downs seconded the motion. Motion carried 3-0.
- ◆ Audience in favor of request:
  - Lange Viola M
- ◆ No one in the audience was opposed to the request:
- ◆ Board questions to the applicant.
  - Member Downs mentioned about how the applicant wanted one of the existing bedrooms to be a bathroom.
  - Applicant Galicia stated that the health dept. approved of making one of the existing bedrooms to be a bathroom. He also stated that it will still be a three-bedroom home

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but will just have another bathroom in their current bedroom. He also mentioned that the septic was done in 2005.

- ◆ Member Downs a motion to close the public comment portion of the hearing. Member Rentz seconded that motion. Motion carried 3-0.
- ◆ Board discussion.
- ◆ Member Downs made a motion to grant the request. Member Rentz seconded that motion. Motion carried 3-0.

**VI PUBLIC HEARING – Gregory COZMA – Re-hearing granted**

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.

- ◆ PC Admin Beever read the request listed above.
- ◆ All notifications were not all in order.
  - PC Admin Beever stated that Laura Hilt L. located at 307 S., Apt 4, Knox, IN 46534 did not receive notice.
  - Chairperson Troike advised applicant Cozma of his options of proceeding with the hearing.
    - Applicant Cozma chose to proceed with the hearing.
- ◆ Vice Chairman Allen made a motion to open the hearing to the public. Member Rentz seconded the motion. Motion carried 3-0.
- ◆ PC Admin Beever explained why the applicant was before the board. She went on to state that the pole barn they wanted to build is in a flood zone area without house less than required 10 acres of property.
- ◆ PC Admin Beever read the area variance ordinance.
- ◆ Applicant Cozma was present.
- ◆ Applicant explained his intent.
  - He responded that he wanted to build a pole barn that is 800 sqft.
- ◆ No one in the audience was in favor of the request or opposed to the request.
- ◆ Board questions to the applicant.
  - Member Downs asked the applicant if he is still buying under land contract.
    - Applicant Cozma stated that he did land contract for the payment of the property.
    - Member Rentz asked the applicant what will the building be used for, after 5 years when you've been retired.
    - Applicant Cozma stated no. He said that it will not be a living place, no plumbing or bathroom.
- ◆ Vice Chairman Allen made a motion to close the public comment portion of the hearing. Member Rentz seconded that motion. Motion carried 3-0.
- ◆ Board discussion.
- ◆ Vice Chairman Allen made a motion to deny the request. Member Rentz seconded that motion. Motion carried 3-0.

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## **VII Old Business-**

- ◆ None at this time.

## **VIII New Business-**

- ◆ None at this time.

**IX** With no further business to come before the board Member Rentz made a motion to adjourn, seconded by Member Downs. Motion carried 3-0. The July 12, 2023 meeting adjourned at 7:14 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, 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.