

BZA MINUTES

October 19, 2015

Members present: Lee DeGuise, Bill Davis, Christy Starbuck, Phil DeHaven, Jim Hufford, Myron Cougill

Members absent: Charles Addington

Staff present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Legal representation: none, Jason Welch was out of town but available if needed by phone

Others present: Claudia Graham, Richard Downing, Dr. Allan McAllister, Jean Ann McAllister, Jenny McAllister, and Ed Thornburg

The meeting was called to order by Chairman Lee DeGuise at 7:00 PM.

Chairman DeGuise opened the meeting of the Randolph County Board of Zoning Appeals on October 19, 2015. The first item on the agenda is to approve the minutes of September 21, 2015. Chairman DeGuise asked for a motion. A motion was made and seconded to approve the minutes as presented. The motion was passed to accept the September 21, 2015 minutes as written.

The first item of new business is a Variance request BZA2015-1-C for the McAllister Family Farm located at 237 SR1, Farmland, Indiana. Chairman DeGuise asked the McAllisters to come to the table. Chairman DeGuise informed them that this was a recorded meeting, and asked if they had received Article 5 Conduct of Hearings. They said they had. Chairman DeGuise asked the McAllisters to give a brief summary of the nature of their Conditional Use request.

Jean Ann McAllister explained they would like to make the farm a wedding venue while keeping the integrity intact as a working farm. Chairman DeGuise asked how many weddings they anticipated having at the farm. She said perhaps 13 to 20, Mr. McAllister said he'd be happy to see 3 or 4. Chairman DeGuise said the application and plan seemed straightforward, and the board had been given aerial views of the property and surrounding area. A board member asked if there would be alcohol served at the weddings. Jean Ann said that they would not provide that with the venue, and they had not really considered that issue. He suggested they take that issue into consideration when creating the contract. There was discussion about the photo examples and the high cost of renting venues such as this. Chairman DeGuise thanked the McAllisters and asked them to be seated.

Chairman DeGuise asked if there was anyone in the audience who had anything to say for or against the request. Since no one spoke Chairman DeGuise asked for a motion for a roll call vote. A motion was made and seconded for a roll call vote. The roll call vote was taken with 6 votes yes, 1 absent. The Conditional Use Request for the McAllister Farm was approved and Chairman DeGuise wished them good luck.

The second item on the agenda is BZA2015-3-V, a request for a double variance by Mrs. Claudia Graham to build a garage in front of her house and also in the front setback on her property at 610 West High Street in Parker City, Indiana. Chairman DeGuise asked the Mrs. Graham to come up to the table. Chairman DeGuise informed her that this was a recorded meeting, and asked if she had

received Article 5 Conduct of Hearings. She said she did. He asked if she had brought anyone with her and her contractor Richard Downing came to the table as well.

Randy Abel directed everyone to their GIS photo. The streets in Parker City are 60 feet wide, which is pretty extreme compared to those in Winchester or other small towns. The old garage which had been torn down was about 1 ½' from the right of way. Chairman DeGuise asked if she was asking to build in the easement and Mrs. Graham said no, just to put the garage back where it was 1 ½ feet away from the right of way. Chairman DeGuise said that if the streets were 60 feet wide you would measure 30 feet from the center of the road and that was the amount of the right of way. Richard Downing explained that the original garage was about 20 feet from the center of the road. That would have put the old garage into the right of way, but Randy Abel said he thought that the original garage was not in the right of way but about 1 to 2 feet away from it.

At this time Mrs. Graham gave Chairman DeGuise a letter from the Parker City Town Council President Rex Amburn giving her permission to build into the right of way 9 to 10 feet in front of her house. (see letter attached).

Chairman DeGuise said that even with the letter the town would have to vacate the property to her for her to be allowed to build on it. There was discussion on the ability of the board to allow homeowners to build on their property only, and that the board did not have the ability to grant a variance to build on city property. It would not be a good idea for her to build on any property that she did not own.

Chairman DeGuise thanked Mrs. Graham and Mr. Downing and asked them to take their seat. He explained that the vote would be to allow Mrs. Graham to build within the setback up to the edge of the property line without going into the right of way, and to build in front of her home. The vote will be separate for the two issues. The first vote will be for the setback requirement, and a motion was made and seconded to have a roll call vote. Roll call vote was taken and the vote was 6 in favor, 0 against, and 1 absent. So the variance to build within the required setback was approved. The second vote would be to build a garage in front of the house, and a motion was made and seconded to have a roll call vote. Roll call vote was taken the vote was 6 for, 0 against, and 1 absent. Chairman DeGuise told Mrs. Graham that her variances had been approved within the restrictions described after the proper permits were taken out. Building further than her property line would have to be done as discussed with the town of Parker City.

Chairman DeGuise asked for a motion to close the meeting. Motion was made and seconded to close the meeting. All were in favor and Chairman DeGuise closed the meeting.

The meeting adjourned at 8:10 PM.

THE NEXT REGULARLY SCHEDULED MEETING IS NOVEMBER 16, 2015 AT 7:00 PM IN THE COMMISSIONERS CONFERENCE ROOM OF THE RANDOLPH CENTER FOR FAMILY OPPORTUNITY, WINCHESTER, INDIANA.

Lee DeGuise, Chairman

Bill Davis, Vice Chairman

Debra Johnting, Recording Secretary