

BZA MINUTES

November 16, 2015

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

Members absent: Charles Addington, Lee DeGuise

Legal representation: Jason Welch

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

Others present: Lester & Dana Nunn, Jeremiah D. Ferguson, Denver Boyd, Jackie Stephan, Rose Whitesel, Scott & Joann Stuckey, and Sandy Henry.

Vice-Chairman Bill Davis opened the meeting of the Randolph County Board of Zoning Appeals on November 16, 2015 at 7pm.

The first item on the agenda is to approve the minutes of October 19, 2015. Vice-Chairman Davis asked for a motion. A motion was made and seconded to approve the minutes as presented. The motion was approved to accept the October 19, 2015 minutes as written.

The first item of new business is variance BZA2015-4-V for Denver Boyd, (on contract with Zane Shawver) located at 839 W Elm Street, Union City, Indiana to resume construction on a storage building within the 5 foot rear setback. Construction has begun but has been halted at this time. Mr. Boyd stated his name and address for the recording, and explained why he needed a variance. While in the process of building the barn, there was an issue with the setback in the alley. The barn is built straight with the house and begins at the 5 foot setback, but the alley is crooked, putting the far end of the building 3.5' into the setback. Vice-Chairman Davis asked if construction had been halted at this time until a variance could be obtained and Debra Johnting answered yes. Phil DeHaven commented that Union City does not have any straight alleys, and Jim Hufford added that the streets and even property lines are not straight. Jim also asked the board members to take into consideration that many of the structures—that have been there for years—are as close to the alley as this building, maybe even into the alley, up and down the alley from this structure. Vice-Chairman Davis asked if there were other comments from the board. Vice-Chairman Davis asked if there were any comments from the audience. Let the record show there were no further comments from the board or the audience. Vice-Chairman Davis asked for a motion to go forward with a roll call vote to approve the variance. Motion was made and seconded to take a roll call vote. Motion was approved. Roll call vote was read, all were in favor, and the variance for Denver Boyd was approved by the board 5 votes to 0.

The second item on the agenda is variance BZA2015-5-V for Poplar Run United Baptist Church located at 1859 W 100 N, Farmland, Indiana, to build an addition on to the church. Jeremiah Ferguson was there to represent the church. Mr. Ferguson stated his name and address for the recording, and explained why he needed a variance. Mr. Ferguson stated that the church would like to add 4 additional bathrooms and an all-purpose room to be a classroom/nursery in to the U shape open area of the current structure. Vice-Chairman Davis asked if there were any questions or comments from the board. Jim Hufford asked why a

variance is required for this structure, and Debra Johnting explained that if a new church was being built today in an Ag Limited Zoning there would be a five acre requirement making them a non-conforming structure in an Ag Limited Zone. A church in Ag Limited is also a Conditional Use. Any changes to a non-conforming structure require a variance. Debra also explained the current building does meet all setback requirements and will continue to do so as they are building within the U shape area of the church. Vice-Chairman Davis asked if there were any more comments from the board. Vice-Chairman Davis asked if there was anyone in the audience who wished to speak for or against the variance. Let the record show there were no further comments from the board or the audience. Vice-Chairman Davis asked for a motion to go forward with a roll call vote to approve the variance. A motion was made and seconded to take a roll call vote. Motion was approved. Roll call vote was read, all were in favor, and the variance for Poplar Run Baptist Church was approved by the board 5 votes to 0.

Third item on the agenda is BZA2015-6-V for Lester Nunn, located at 211 Jackson Street, Parker City, Indiana, to build a porch on the front of his home which is located within the required 50 foot setback on SR32 (Jackson Street). Mr. Nunn stated his name and address for the recording, and explained why he needed a variance. Mr. Nunn stated that he wanted to build a porch on to the front length of his home and 8' to the north and add a roof to the home and porch. Phil DeHaven asked for clarification if the porch was going to sit 8' into the front setback and Randy Abel explained that the home sits 25' into the front setback and the porch would sit 17' from the right of way. Mr. Nunn explained that the neighbor's house to the west sets closer to the road than his new porch will be located. There was some discussion about where the right of way begins on Mr. Nunn's property. The new porch will be 17' away from the right of way. Vice-Chairman Davis asked for further discussion from the board. Vice-Chairman Davis asked if anyone in the audience wanted to speak for or against the variance. Let the record show there were no further comments from the board or the audience. Vice-Chairman Davis asked for a motion to go forward with a roll call vote to approve the variance. Motion was made and seconded to take a roll call vote. Motion was approved. Roll call vote was read, all were in favor, and the variance for Lester Nunn was approved by the board 5 votes to 0.

Fourth item on the agenda is BZA2015-7-V for Scott Stuckey, located at 7271 E Greenville Pike, Union City, Indiana, to build an addition on to an existing storage building in the required side setback of 15 feet. Mr. Stuckey stated his name and address for the recording, and explained why he needed a variance. Mr. Stuckey explained that he has a 30' x 60' tool shed that he would like to extend to the north another 32' so it will be 9'-10' within the required 15 foot setback. Debra Johnting explained that the side setback in Ag Intensive is 15'. The building is a non-conforming structure as it is already within the 15' side setback at this time. It does not run straight with the property line and the addition will be a little closer to the property line than the original building is now. The result will put the north edge of the building 9'-10' feet away from the property line. Vice-Chairman Davis asked for further discussion from the board. Vice-Chairman Davis asked if anyone in the audience wanted to speak for or against the variance. Let the record show there were no further comments from the board or the audience. Vice-Chairman Davis asked for a motion to go forward with a roll call vote to approve the variance. Motion was made and seconded to take a roll call vote.

Motion was approved. Roll call vote was read, all were in favor, and the variance for Scott Stuckey was approved by the board 5 votes to 0.

The fifth and final item on the agenda is BZA2015-7 for Jacklyn Stephan, located at 401 N Main Street, Lynn, Indiana to build a porch on to her business in the required 50 foot setback. Mrs. Stephan stated her name and address for the recording, and explained why she needed a variance. Mrs. Stephan explained that she wanted to build out 8' across the entire length of her building and join the porch with the existing porch on the side for a face-lift of her business. Vice-Chairman Davis said it was nice that she was able to do that and it would enhance her business and the neighborhood and the board agreed. Her business does not sit as close to the road as does the home of her neighbor to the north even with the porch. Vice-Chairman Davis asked for further discussion from the board. Vice-Chairman Davis asked if anyone in the audience wanted to speak for or against the variance. Let the record show there were no further comments from the board or the audience. Vice-Chairman Davis asked for a motion to go forward with a roll call vote to approve the variance. Motion was made and seconded to take a roll call vote. Motion was approved. Roll call vote was read, all were in favor, and the variance for Jacklyn Stephan was approved by the board 5 votes to 0.

Vice-Chairman Davis asked for a motion to close the meeting. Motion was made and seconded to close the meeting. All were in favor and the meeting was adjourned at 7:17 pm.

THE NEXT REGULARLY SCHEDULED MEETING IS JANUARY 18, 2016 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