

BZA MINUTES

OCTOBER 19, 2009

Members present: Charles Addington, Christy Starbuck, Bill Davis, James Trautman, Lee DeGuise, Larry Amspaugh.

Members absent: Dale Clevenger.

Staff present: Cathy Flatter, Executive Director; Jamie Stump, Recording Secretary.

Others present: Jody Miller and Mark Ingle.

The meeting was called to order by Chairman, Bill Davis at 7:00 PM.

Chr. Davis: October 19, 2009. For the folks presented out there, once you come up here please introduce yourself and speak in the microphone right there. This is a recorded meeting. You can come on up but there are a few things I need to check first. First of all I would like a motion to approve the minutes as presented.

C. Starbuck: So moved.

L. DeGuise: Second.

Chr. Davis: All in favor of the motion signify by saying aye. "Ayes". (Opposed). Minutes are approved as presented to us.

BZA 2009-17-V (Jody & Jama Miller, Parker City)

Chr. Davis: Our first case is Jody and Jama Miller. A variance on a fence height requirement and I need to ask you if you received an Article V?

M. Ingle: Yes.

Chr. Davis: Jamie was everything properly published?

J. Stump: Yes.

Chr. Davis: Please state your name and your purpose.

M. Ingle: I am Mark Ingle, Ingle Home Improvement and Repair and I am representing Jody Miller for this fence variance between her property and the Family Dollar. The required height is 4 feet and we are wanting to go to a 6 foot fence and we would be starting the 25 foot setback from the highway, which is more than ample and it would run all the way back past her house for privacy. A few years ago we put in a lot of concrete work. We built a patio and everything and then Family Dollar came along and just kind of made a commercial property within 15 foot of her house and unfortunately they put a dumpster and the driveway for the deliveries on her side of the house rather than the opposite side of Family Dollar. So from her bedroom window, her living room window and her patio she gets all the traffic and all the banging and clanging and headlights and people staring so we are just asking to go, 4 foot wouldn't do a whole lot for her so 6 foot maybe will take care of 80 or 90% of some of the privacy that she would like to have.

Chr. Davis: It just won't take care of the noise will it?
M. Ingle: It will probably block out some of the harsh noise but privacy is going to be the main thing. Now I do have some pictures I can pass around that kind of shows...
Chr. Davis: If you do present those they will be for our records. You will not get those back.
M. Ingle: Oh well I don't want to turn them in then.
C. Addington: Going to be a wooden fence sir?
M. Ingle: It will be a solid vinyl fence. She will have a fence company doing the work but I will be overseeing it to make sure that it is deep enough and concreted into the ground because out in that area with the highway and everything she will be getting a lot of wind. She wouldn't want to go to that expense and have a fence leaning in 6 months.
C. Addington: Okay.
C. Flatter: Just to refresh the board's memory on fences. In a residential zone when you come out in front of the front line of the house out to the street right-of-way the requirement is that it can be no higher than 4 feet. It is from the front line back to the rear property line is where it is allowed to be 6 feet so that is why they having to apply for the variance tonight.
M. Ingle: And unfortunately she has about over 100 foot of frontage, which is kind of different than most houses sitting along the highway.
Chr. Davis: Any other questions from the board? Any one in the audience like to speak for or against this? Hearing none. Anything else you would like to add?
M. Ingle: That is all that I know to ask for right now.
Chr. Davis: Okay. I would entertain a motion for a roll call vote.
L. DeGuise: So moved.
C. Addington: Second.
Chr Davis: All in favor of the motion signify by saying aye. "Ayes". Opposed (none). Jamie.
C. Flatter: A motion to take action first.
Chr. Davis: Okay, sorry. A motion to take action.
L. DeGuise: So moved.
C. Starbuck: Second.
Chr. Davis: Jamie you are up.

A roll call vote was taken: Lee DeGuise, yes; Larry Amspaugh, yes; James Trautman, yes; Christy Starbuck, yes; Charles Addington, yes; Bill Davis, yes and Dale Clevenger, absent.

C. Flatter: No problem. It has been approved.
M. Ingle: Thank you very much. I appreciate it. Now will there be necessary paper work that we will have to pick up later and bring back?
C. Flatter: No. If anybody questions it they can call in and we can let them know the variance has been approved and you don't have to obtain a permit for a fence. You are good to go.

M. Ingle: Good okay. I appreciate it. I want to thank the board. Hopefully before too long you will be able to see a fence when you go down 32.

C. Flatter: I don't blame her for wanting it.

M. Ingle: Thank you very much.

Chr. Davis: I would entertain this meeting to adjourn.

L. Amspaugh: So moved.

C. Starbuck: Second.

The meeting adjourned at 7:08 P.M.

THE NEXT REGULARLY SCHEDULED MEETING IS NOVEMBER 16, 2009 AT 7 PM IN THE COMMISSIONERS CONFERENCE ROOM OF THE RANDOLPH CENTER FOR FAMILY OPPORTUNITY, WINCHESTER, INDIANA.

Chairman, Bill Davis

Vice Chairman, Christy Starbuck

Recording Secretary, Jamie Stump