

BZA MINUTES**NOVEMBER 21, 2005**

Members present: Bill Davis, Charles Addington, Mike Blankley, Dale Clevenger, James Trautman, Christy Starbuck.

Members absent: Gary Moore.

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

Legal representation: Robert C. Oliver.

Others present: Jeffery Hill.

The meeting was called to order by Chairman Charles Addington at 7:00 PM.

Chr. Addington: The first thing we need to do is approve the minutes of the last meeting, which was when Cathy?

C. Flatter: October 17th.

Chr. Addington: October 17th. Can I get approval for those minutes?

B. Davis: So moved.

C. Starbuck: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Those minutes have been approved as written. On the agenda tonight is, docket number, for some reason there is no docket number.

C. Flatter: It didn't get put on the top of the application. It is BZA 2005-21-V & SP.

Chr. Addington: 2005-21-V & SP both? Okay.

BZA 2005-21-V & SP (Jeffery Hill, Ridgeville, IN)

Chr. Addington: This is for a variance and a special exception, for Jeff Hill. Would you come up to the speaker here. This is a recorded meeting. If you would state your name for the record, please.

J. Hill: You want me to come up here?

Chr. Addington: Yes please.

J. Hill: My name is Jeffery Hill.

Chr. Addington: Jeff lives at 202 E. Main St., Ridgeville, Indiana. The premises affected is, I can't read that for sure, but it looks like lot number 1 and then maybe there is a half a lot or something.

C. Flatter: I forget just exactly what it is. I am having a hard time understanding that too. I think it is half of lot number 1 in Arthur McKew's 4th Addition.

Chr. Addington: Okay, half of lot 1. Mr. Hill you can tell us what you want to do.

BZA Minutes 11-21-05

J. Hill: Well I am kind of unsure at the moment, I hate to say this but I had originally had an opportunity to purchase a 14' x 70' mobile home so I wanted to attach the two of them. Of course he basically needed it moved pretty soon and now I am not even sure it is available. The guy that pulls them, Tim Acton, was going to try to pull it to his property until I had this hearing to see if I was going to be able to get a permit to do it.

Chr. Addington: Tim lives out there on 28?

J. Hill: Yes. I haven't been able to talk with him. I saw then on Saturday when I was coming down 32 that it had been moved but I am not sure if he moved it or not. He has been pretty busy. But either way, if I am granted the permit, I am sure I can still find something similar or if I don't have that opportunity I was wondering if there could be a possibility of maybe just being able to build that size. I was informed at the office by Chuck that I would have to put a foundation under what I have and at least wise, I am sure distance wise on the one side of my existing trailer to support the weight, tie them together.

Chr. Addington: I would have to let Cathy answer that. Would he have to reapply if he did that?

C. Flatter: Well, Jeff if you are going to build a structure that would be equivalent to this 14' x 70', the only reason that you are having to have the special exception is because it is a single-wide mobile home but if you add on to your existing home something that is actually stick built with a permanent foundation around it, it wouldn't even have to be this size. You would just have to meet the setback requirements and as long as the entire unit, with the old and the new, you would have at least 950 square feet of living area then you can do that. You are still going to have to ask for these variances. Yes, you could, but that is all pending whether or not you can meet building code requirements.

J. Hill: Yes.

C. Flatter: But as far as the Area Planning Department is concerned, that wouldn't be a problem. I mean, it wouldn't have to be 70 feet long.

J. Hill: Like I said, that was just kind of an opportunity.....

C. Flatter: You can't make it too much wider though, because right now it is only going to be 6 ½ feet from

Chr. Addington: George Street.

C. Flatter: Yeah. So you could. You definitely could if you can meet the foundation requirements and everything you could do it.

J. Hill: That would be 6 ½ feet from the property line actually.

C. Flatter: Right.

Chr. Addington: I need to ask you Mr. Hill, did you receive an article V, Conduct of Hearing when you applied for the hearing?

J. Hill: Kind of, I haven't been able to read through all of it.

Chr. Addington: Oh that is okay. I just wondered if you received it. You notified all the surrounding property owners?

J. Hill: Yes.

Chr. Addington: And we got receipts back on those Jamie?

J. Stump: Yes.

BZA Minutes 11/21/05

Chr. Addington: This hearing was published in a timely manner?

J. Stump: Yes.

Chr. Addington: Okay thank you. Go ahead then Mr. Hill.

J. Hill: Well all I was going to say was that I know the way it is with mobile homes in a lot of places, a lot of times there are a lot available and I was able to speak with Tim's wife and she said that they run across them a lot and people mainly just need them moved and he would especially be willing to work with me on the financial side to make this affordable so I didn't go into a real large debt. He basically just wanted what it takes to pull it. Just to help me get more space. I am just needing more space. I wouldn't necessarily care to be 70 feet long but as far as 14' wide even with the length I have, if I went 14' that way, it would make it more livable instead of pretty crowded.

Chr. Addington: Is the building you have there now, is it in pretty good shape?

J. Hill: Yeah it is good and solid. I have been kind of redoing it from the inside out. It is all new wiring and I am working on plumbing underneath now. I completed all the walls, drywall wise. I had what they call a Florida trailer. It had 1 ½ walls with hardly any insulation at all and it has been sitting there since it was new so like I say other than a small leak in a vent pipe over the years, all the floorings were soured and rotted and stuff like that.

C. Flatter: How long have you lived there Jeff?

J. Hill: I started buying it in 1991.

C. Flatter: Did you put a permanent foundation under this one that is there now? I mean is there block?

J. Hill: Yes, it is on a slab.

C. Flatter: It is already on a slab but does it have block along.....

J. Hill: It has blocks every six feet or so.

C. Flatter: But isn't that just, is that skirting that is on the outside on the bottom? Or do you have a block foundation?

J. Hill: No, it is skirting.

C. Flatter: Okay.

J. Hill: The tongue has been removed and it has block in the front end of it, in the angle that they have on.....

C. Flatter: Well I thought I saw blocks when I was over there that is why....

J. Hill: Yes, just on that front end, the angle for the clearance, that wall has been brought straight down and it is sitting on blocks.

Chr. Addington: Do you have anything else to add?

J. Hill: I don't believe so.

Chr. Addington: Okay, board members do you have questions for Mr. Hill?

C. Flatter: Let me just explain also, you see there are two applications attached, one for the variance and one for the special exception and looking at your site plan, well I guess, first of all, looking at the aerial you can see that the streets in Ridgeville, the right-of-ways are actually extremely wide. They are 66 feet, each of them and almost all of the streets in Ridgeville are that way, so you can see along George Street how much of that grassed area that Jeff maintains as his yard is actually in the street right-of-way.

BZA Minutes 11/21/05

C. Flatter: So when he says 6 ½ feet from George Street, that doesn't mean from the street because he still has all that area. It is actually from that red line there. Then on the north side which is Main Street, it is the same way. He would be otherwise required to be 25 feet off of George Street and 25 feet off of Main Street and if he did that he would have no room to work or do anything on his property.

Chr. Addington: Does that come back to the size of the lot?

C. Flatter: Yes.

Chr. Addington: What percent of...

C. Flatter: Yes, I mean the size of the lot versus the size of the right-of-ways of the streets.

Chr. Addington: Yes but I forgot what the percent was on that.

C. Flatter: No, not on these because it is a double frontage lot and that is 25 and 25 foot setback requirement.

J. Hill: There is one thing that I guess I could add, at one point there were 3 trailers on that property. I don't know exactly when the other two were moved but all but one of the pads the one that set parallel with the west side, I dug it up and planted maple trees through there when I first moved there. All those were still in the ground and then the other one set east and west at the south end of the one I live in. I imagine they covered quite a bit of the whole property then.

Chr. Addington: Who had that property, Jeff?

J. Hill: It was, I can't think of his name, Albert Cheeseman.

Chr. Addington: Oh Albert.

J. Hill: Wait a minute, no, I can't think of it.

C. Flatter: I am going to look at your deed.

M. Blankley: Is Main Street 28?

Chr. Addington: No, Main Street is there at the Post Office, that goes east and west.

J. Hill: Yes, between the Post Office and the Pak-a-Sak.

Chr. Addington: Yes. Mr. Hill's place is east of the Post Office on the south side.

C. Flatter: I don't know who owned it prior to this but Christ Cox and Erik Mills is who the deed is from.

J. Hill: I bought it on contract from them when I was moving into town.

Chr. Addington: I understand. From these people they are speaking of.

J. Hill: Yes.

Chr. Addington: Is there anything else?

C. Flatter: Well, I just want to, if the board would make a motion to take action on this, you want to keep in mind even though he is not sure that he is going to be getting the mobile home that he was talking about and has to get a different one, there needs to be a stipulation that it is at least a 14' x 70' because he can't set anything smaller than that.

Chr. Addington: But if you were to go ahead and build then you could make it smaller than that, is that right?

C. Flatter: Right. Stick built there is not.

J. Hill: I might not go that way with just that width.

BZA Minutes 11/21/05

Chr. Addington: Right but if you go with another, if they don't have that mobile home that you were talking about and you go look around and try to find another one, it has to be at least 14' x 70'.

J. Hill: If any more than I would have to reapply for extra footage?

C. Flatter: Well it is just any mobile home that is set in the county has to have the 950 square feet or you had to request a variance on the size of it, which at the time of it when you filed for the variance on setbacks, you know you were looking at a 14' x 70' mobile home, so there was no need for that.

J. Hill: There was no need for the variance?

C. Flatter: No, there was no need for the variance on the mobile home when you applied for the variance on the setback requirements because that mobile home met the square footage requirements. That is why I am saying they need to make a stipulation, if you are not positive that this is the one that you are going to get, whatever you end up buying has to be at least a 14' x 70'. Or you stick build something onto the existing mobile home.

J. Hill: If I was to end up doing that and I wanted to be smaller would I, I am sure I would still have to reapply for a permit.....

C. Flatter: If you go with a smaller mobile home you would have to reapply for a variance.

J. Hill: No, not that, if I end building.....

C. Flatter: If you stick build something on there, that means if you build it from scratch it doesn't have to be a 14' x 70'.

J. Hill: Okay.

Chr. Addington: Would he have to reapply?

C. Flatter: He would just have to get a permit. But you still have to abide by these setback requirements that you have filed on your application here. You couldn't go any closer to those streets then what has been filed here.

C. Starbuck: So would there be a minimum square footage for him total if he stick builds onto that?

C. Flatter: Total it would have to be 950 square feet, with his existing and.....

C. Starbuck: Plus the new construction.

C. Flatter: Adding onto it.

Chr. Addington: Okay if there are not any more questions and you don't have anything to add, we will, now do I need to make this two separate, a variance and a special exception, or we can do it all at one time?

C. Flatter: We can do it all at once.

B. Oliver: You might want to do it separate to condition.

C. Flatter: Oh well, that is true. Yes if you are going to condition the special exception that would need to be different.

Chr. Addington: We'd better do it that way. We need to take action on BZA 2005-21-SP. This will be the special exception part of this. Do I hear a motion and a condition on that?

D. Clevenger: So moved.

C. Flatter: Is that with the condition?

BZA Minutes 11/21/05

Chr. Addington: You will need to make a condition on that.

D. Clevenger: If he sets a mobile home it has to be a 14' x 70' mobile home.

Chr. Addington: Okay, do I hear a second?

B. Davis: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Now I need a motion for a roll call vote.

C. Starbuck: So moved.

B. Davis: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Jamie we are ready for a roll call vote.

A roll call vote was taken: Charles Addington, yes; Mike Blankley, yes; Bill Davis, yes; Dale Clevenger, yes; Gary Moore, absent; Christy Starbuck, yes; James Trautman, yes.

Chr. Addington: Your petition has been granted on the special exception. Now we will go to the variance. Do I hear a motion to take action on BZA 2005-21-V?

C. Starbuck: So moved.

B. Davis: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Now I am ready for a motion for a roll call vote.

B. Davis: So moved.

D. Clevenger: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Jamie we are ready for a roll call vote on BZA 2005-21-V.

A roll call vote was taken: Dale Clevenger, yes; Bill Davis, yes; Gary Moore, absent; Christy Starbuck, yes; James Trautman, yes; Charles Addington, yes; Mike Blankley, yes.

C. Flatter: Jeff you have been approved so once you decide for sure what you want to do, then you will have to come back into the office, if you are going to go with another single wide mobile home, then you will have to obtain the permit from the Area Planning Department. If you are going to connect the two, then you are also going to have to have a building permit from the Building Commission. If you decide to build something onto your existing mobile home, you are going to have to do the same also. Just come in and give us plenty of time to get the permits issued.

J. Hill: Yes, I had a couple quick questions. Since this is granted, how long do I have before I apply for the permit and how long is one good for after I get it?

C. Flatter: The variance is indefinite. The special exception, you have 12 months.

J. Hill: And then after I apply for them, I pay for them and.....

C. Flatter: If you think that you are not going to have anything done and it is getting close to the 12 month time frame, you can come into the office and we can sit down and talk, you explain to me why you haven't been able to do it.

BZA Minutes 11/21/05

C. Flatter: I can grant a 6 month extension to that and then if it is going to take longer than that you will just have to reapply to the Board of Zoning Appeals again, but not for the variance.

J. Hill: To start the permits.....

C. Flatter: If you get everything taken care of and you know that you can get in and get the permit, you can have the permit within a few days. That is not going to take any time at all.

J. Hill: And the cost of it is?

C. Flatter: Ten dollars for the Improvement Location Permit and the Building Permit is based on the cost of the project so, you know, I just couldn't tell you right now.

J. Hill: All right.

C. Flatter: But you can come in and get a fee schedule any time that you want to. You can have that and you can figure out what your cost is going to be.

J. Hill: Yeah, I need to get some idea on those codes and stuff.....

C. Flatter: You need to come in and talk to Chuck.

J. Hill: And other than that, thank you all.

Chr. Addington: Okay thank you.

C. Flatter: Thank you.

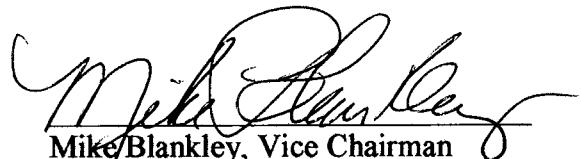
Chr. Addington: Is there any thing else to come before the board this evening?

C. Flatter: No. I have nothing.

The meeting adjourned at 7:25 PM.

THE NEXT REGULARLY SCHEDULED MEETING IS JANUARY 23, 2006 AT 7:00 PM IN THE COMMISSIONERS CONFERENCE ROOM OF THE RANDOLPH CENTER FOR FAMILY OPPORTUNITY, WINCHESTER, INDIANA.

Charles Addington, Chairman



Mike Blankley, Vice Chairman



Jamie Stump, Recording Secretary