

BZA SPECIAL MEETING

DECEMBER 3, 2007

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

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

Legal representation: Robert C. Oliver

Others present: Donald & Linda Aberle & Tim Tarter with Key Engineering.

The meeting was called to order by Chairman, Mike Blankley at 7:00 PM.

Chr. Blankley: Good evening ladies and gentlemen. We have no minutes to approve tonight. We have two items on the agenda.

BZA 2007-37-V Donald & Linda Aberle (Union City)

Chr. Blankley: This first one is BZA 2007-37 a variance. That is Donald & Linda Aberle from Union City. Would you please come forward. Now all the notices were carried over weren't they?

C. Flatter: No the office sent out re-notification and re-publicized it because we continued it for our February meeting. Once we found out that Union City didn't go ahead and finish up the proper paperwork for not including the variance in their ordinance, I found out that right away. I contacted Aberle's and they said tonight would be good for them so the office took care of re-notifying and re-publicizing.

Chr. Blankley: So did they all come back?

J. Stump: Yes.

Chr. Blankley: And we know that it was published in a timely manner.

J. Stump: Yes.

Chr. Blankley: Okay. First of all did they receive an Article V, when you applied for your variance? On how the meeting was conducted.

L. Aberle: Yes.

Chr. Blankley: I think I explained it the last meeting. You tell us what you want to do and then commission members will ask questions and then if anybody in the audience wants to ask questions they can do so. Then we will keep going back and forth until everybody has had a turn to speak or say what they want. Linda are you going to be the spokesman or Don?

D. Aberle: She knows more about it than I do.

Chr. Blankley: Okay. Linda will you please tell us what you want to do.

L. Aberle: We would like to build a garage for our personal use on our property which are empty lots that abut our property. I believe they are, it is 32' x 24.

D. Aberle: The garage.

L. Aberle: Yes the garage.

BZA Minutes 12/3/07

Chr. Blankley: Do you live along lot 10 Linda?

L. Aberle: No. 8, 9 and 10 are next to our property at 505 W. Lynn Street. I am not sure what the number of our lots are.

C. Addington: Number 9 isn't it?

C. Flatter: Actually this is lot 8, 9 and 10 here and those are the ones that are empty and they are going to build the garage right, the dwelling is over here, which would be to the west of the empty lots.

L. Aberle: Right.

Chr. Blankley: I had my page turned around.

C. Flatter: Right. The garage is actually going to be built on what looks like, between lots 8 and 9.

D. Aberle: Yes, that makes it even with our house.

C. Flatter: Looks like your planning on just kind of centering up right there on the lot.

D. Aberle: Yes. We have a right-of-way for the electric down there and I'd rather find out all that and it will probably pretty much be right in the center.

C. Flatter: Just to refresh your memory in a residential zone the ordinance is still written that the garage has to set on the same lot that the primary structure is located on and until we get that amended in the ordinance, anybody that has the empty residential lots even though it is abutting their lots where they are wanting to locate it, they have to request a variance.

Chr. Blankley: Any commission members have any questions of them? You are sitting back there shaking your head no. Okay if there are no questions I would entertain a motion that we take action.

D. Clevenger: So moved.

C. Starbuck: Second.

Chr. Blankley: It has been moved and second that we take action on BZA 2007-37-V. All in favor say aye. "Ayes". Opposed (none). I would entertain a motion that we take a roll call vote.

B. Davis: So moved.

G. Moore: Second.

Chr. Blankley: It has been moved and second that we have a roll call vote. 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; Dale Clevenger, yes; Bill Davis, yes; Gary Moore, yes; Christy Starbuck, yes; James Trautman, yes.

C. Flatter: It is unanimously approved. All you have to do now is just come back into the office and apply for your Improvement Location Permit and Building Permit when you are ready to get started.

L. Aberle: Okay, thank you all very much.

C. Flatter: Your welcome.

D. Aberle: Thank you.

L. Aberle: Glad you all got to see us again.

BZA Minutes 12/3/07

C. Flatter: Glad we didn't have to wait until February.

L. Aberle: I am too. I appreciate all of your help and Mr. Oliver for checking into that for us. Thank you.

Chr. Blankley: Next on the agenda is the Town of Modoc. BZA 2007-38-Conditional Use. Will you please state your name and what you want to do.

T. Tarter: My name is Tim Tarter and I am with Key Engineering or presenting the Town of Modoc. What we would like to do is propose to build a Waste Water Treatment Plant directly next to the existing plant that is located behind Union School.

Chr. Blankley: It abuts right up next to the school.

T. Tarter: If you look at drawing number one, it is within 27 feet of the storage building of the existing Waste Water Treatment Plant and I think drawing number two shows that it is actually 414 feet from the closest point of the school building itself.

C. Addington: That utility building is that the main building on drawing one? or is that part of the school? I see the storage building now down below.

T. Tarter: The storage building is that little small square down there. Then you can see the existing Waste Water Treatment Plant for the school right now is 75 feet away. It actually sits on the same piece of property that the town acquired from the school to build it.

C. Flatter: Union School has had this Waste Water Treatment Plant since it has been in existence I am assuming?

T. Tarter: Yes.

C. Flatter: So it is just an extension so that the Town of Modoc can hook into it.

T. Tarter: Yes right now the School Corporation themselves has a package plant to take care of their own waste and now the Town of Modoc has installed a new collection system and so this will treat the school as well as the rest of the town.

C. Flatter: It is my understanding that Culy Construction has already installed the lines, everything has been done in the Town of Modoc.

T. Tarter: Yes. The collection system is complete and the Waste Water Treatment Plant is about 85% complete now.

C. Flatter: So if everything goes well tonight then when is this going to be happening?

T. Tarter: Should be mid to end of January is when they should have everything completed.

C. Addington: What did Modoc do before they had this?

T. Tarter: They had septic.

C. Flatter: Personal septic.

T. Tarter: It was all septic.

C. Flatter: Which has been a real problem for Modoc.

Chr. Blankley: Is this part of the school ground? Is this the track?

BZA Minutes 12/3/07

T. Tarter: Yes that is the track. This new treatment plant is completely enclosed inside of a building. The whole thing is enclosed and then over where the existing plant is and the pond is that will be demolished and leveled and the pond will be filled in as well.

Chr. Blankley: How many people is this going to service? How big is Modoc?

T. Tarter: About 111 I think is what it is.

D. Clevenger: Counting cats and dogs.

T. Tarter: Laterals that we put in.

C. Flatter: There might be more now that they have a Waste Water Treatment Plant. They could actually, you know before nobody could build anything new because there was no room

for any septic system on the properties. My father still lives in Modoc and so this is going to be a blessing to his house because he has had nothing but problems with his septic. I think a majority of them drain into a county ditch somewhere outside of town.

Chr. Blankley: That is what he thinks but wait until it starts going up because of all the expenses that have to be done.

C. Flatter: I think they have already been warned about the expense.

Chr. Blankley: The State is going to say, "Hey you have to do this now", so up it goes and ten years from now they will have to build a new one.

C. Addington: Is that mandatory that they all hook into this?

T. Tarter: Yes.

C. Flatter: Don't rain on their parade right now. Let them be happy for awhile.

B. Oliver: Pioneers to Modoc.

T. Tarter: Yes.

Chr. Blankley: Okay is there any committee members that have any questions for him? Hearing none I'd entertain a motion to take action.

D. Clevenger: So moved.

G. Moore: Second.

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

B. Davis: So moved.

C. Starbuck: Second.

Chr. Blankley: All in favor of the motion signify by saying aye. "Ayes". Opposed (none). Jamie we are ready.

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

C. Flatter: There you go.

Chr. Blankley: You are in business to build a sewage plant.

C. Flatter: You can finish now.

T. Tarter: We will finish up now.

C. Addington: Then you couldn't have gotten it done before cold weather.

T. Tarter: They did finally get all the concrete in. Got done right before all the cold weather got here. We can get that pole barn built now. Thank you.

BZA Minutes 12/3/07

J. Trautman: If everyone had a septic system, where did they get their water from?

C. Flatter: I don't know if you heard me but I said I think a majority of them flow to a county ditch outside of town somewhere. They do have city water. It is treated.

The meeting adjourned at 7:20 PM.

THE NEXT REGULARLY SCHEDULED MEETING IS JANUARY 28, 2008 AT 7:00 PM IN THE COMMISSIONERS CONFERENCE ROOM OF THE RANDOLPH CENTER FOR FAMILY OPPORTUNITY, WINCHESTER, INDIANA.

Mike Blankley, Chairman

Dale Clevenger, Vice Chairman

Jamie Stump, Recording Secretary