

BZA MINUTES

JANUARY 27, 2003

Members present: James Trautman, Charles Addington, Mike Blankley, Bill Davis, Jeff Prescott, Dale Clevenger.

Members absent: Mike Thurston.

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

Legal Representation: Robert C. Oliver.

Others present: Robert Speiser.

The meeting was called to order by Chairman, Charles Addington at 7:00 P.M.

Chr. Addington: We need to approve the minutes from the November 25th meeting, or change. Do I hear a motion?

J. Prescott: So moved.

B. Davis: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). The minutes from the November 25, 2002 meeting have been approved as written. Let me read part of this for the petition Mr. Speiser. The petitioner will be allowed to present the facts and arguments in support of his or her case without interruption by any other person. The board members will then be allowed to ask questions of the petitioner. I think that is all I need to read. You can come up Mr. Speiser, if you would please.

BZA 2003-1-V (Robert Speiser, Winchester)

Chr. Addington: This is a recorded meeting. This will be BZA 2003-1-V. It is for Robert Speiser. His address is 4389 E. Greenville Pike, Winchester, Indiana. Tell us what you would like to do Mr. Speiser.

R. Speiser: Can I start in the beginning?

Chr. Addington: Sure. That is fine.

R. Speiser: Then I don't get all mixed up.

Chr. Addington: One thing I do need to ask you, did you receive a Conduct of Hearing when you applied for this from the Planning Commission?

R. Speiser: I am not sure? What is that?

Chr. Addington: It is an Article V, Conduct of Hearing.

R. Speiser: Yes, she says I have it.

Chr. Addington: Did you notify the surrounding property owner? I think you just had one surrounding property owner.

R. Speiser: No I did not.

Chr. Addington: You did not?

BZA Minutes 1/27/03

R. Speiser: I did not know that, his property meets my property in the middle of Greenville Pike in the corner. But she did.

C. Flatter: We did right? We did it for him because we overlooked that property owner and so I had at the very last minute and she was notified in plenty of time. Angie Auker owns kind of canter-cornered south of you so we sent the letter out to her.

Chr. Addington: Did we get the receipt back?

J. Stump: Yes.

Chr. Addington: Was it published in a timely manner Jamie?

J. Stump: Yes.

Chr. Addington: Now you can tell us what you want to do Mr. Speiser.

R. Speiser: Well of course I didn't know anything about what was legal or not so I went to the Planning Board and they told me what I had to do and I did that. I followed all the directions and everything and I thought I had done everything properly and then I went back to put up a mailbox and found out that they hadn't given me a form or something. What was it that I didn't get or fill out?

C. Flatter: Well, actually I am not trying to but in, but you said Planning Commission and it was actually Building Commission, okay. That makes it look like I did something that I shouldn't have done. He came to the Building Commission, that was sometime last year, wasn't it? Sometime in 2002?

R. Speiser: Before I started everything yes.

C. Flatter: He needed a permit for plumbing and electrical, is that what you were doing?

R. Speiser: I told you that I was putting in a house trailer and that I wanted a permit to do all the things that I had and you told me to go see the other gentleman in the office and he gave me permits to do all these things.

C. Flatter: Somehow there was some confusion. We understood him to need permits for plumbing and electrical and Mr. Bogard thought that the mobile home had been there and he was just redoing some things and so we did not issue an Improvement Location Permit. Mr. Speiser came in and needed an address for the mobile home because it hadn't set there before and I said that I was not aware that the mobile home hadn't been sitting there. He said that he thought he had done everything that he was supposed to do and somehow interpretation and understanding, things were mixed up. I told Mr. Speiser because of the size of the mobile home he had to go to the Board of Zoning Appeals before I could issue an Improvement Location Permit or assign an address to this piece of property.

R. Speiser: That is right. Anyhow, I went ahead and done all the things and then came out and done it and everybody said they thought I was doing right too, I mean all these men. I really didn't know anything about it until I went in for the address that she is talking about, the mailbox and she said that whatever this was that I was supposed to fill out, that I hadn't. So that is basically why I am here. She said I couldn't have my niece or anyone move into it or do anything with it or couldn't move into it myself because basically from what I understand, it is too small. Isn't that what you said?

C. Flatter: That is exactly right. You are required to have 950 square feet of living area and this mobile home has 645, I believe that is what we finally figured.

BZA Minutes 1/27/03

R. Speiser: If I had known that I was going to have to build whatever size this room is on, I would have just sold the darn thing instead of going ahead with all the work and especially the money.

Chr. Addington: How old is the trailer?

R. Speiser: It is a 1965, I think.

C. Flatter: Now I have been out by there and I do have to say that Mr. Speiser has fixed it up and it looks a lot nicer than a lot of the mobile homes we have throughout the county.

Chr. Addington: It sits back the lane where you live?

R. Speiser: No, it is on the far side of the road.

Chr. Addington: It is on the north side of the road? I didn't see it there. I looked.

R. Speiser: It sits back, I think he said 80 feet or so from the road.

C. Flatter: It sits in a little kind of a wooded area.

Chr. Addington: I guess I didn't look far enough north. On to the east of your lane?

C. Flatter: Yes, east of your lane, isn't it?

Chr. Addington: East and then north?

C. Flatter: Toward Greenville.

R. Speiser: Yes.

Chr. Addington: I didn't look in the right place.

R. Speiser: It is east. If you were to look across from my lane, it would be the last trailer going that way before you got to houses.

Chr. Addington: I know where it is now. I was looking in the wrong place. What else do you need to tell us?

R. Speiser: Basically I think that is all that I know about.

Chr. Addington: Board members do you have any questions?

D. Clevenger: Are you going to live in this or rent it or what?

R. Speiser: Well my niece is going to, I am getting to be a kind of old geezer, and my niece has said that she would like to come down, she is in Grand Rapids, Michigan, and move in to where she is close to me, but as yet, they haven't done that. Well of course they couldn't move into it anyway.

D. Clevenger: Just one person?

R. Speiser: Her and her husband. It is just a small trailer. Well it actually has two bedrooms. It has one big bedroom that you could put a king size bed in it and it has a fairly good sized living room and a small dining area and a small bedroom that is big enough for bunk beds. Of course the kitchen and bath.

Chr. Addington: Any other questions?

C. Flatter: Did you have to put in a new septic system?

R. Speiser: Yes.

C. Flatter: That is another thing that I wanted to add, he did go through a lot of expense and it was a matter of confusion, this whole thing. He would have been here last year had we understood each other when he came into the office, before he ever set it.

R. Speiser: I never would have done it otherwise. I put in about \$20,000.00 worth of stuff there.

BZA Minutes 1/27/03

Chr. Addington: Any other questions?

R. Speiser: I don't know how much of it has froze up now. I hope none of it. I did put kerosene in the toilet and in the traps and I hope I got all the water out of the lines but of course you never know until Spring hits and I couldn't afford to heat the thing. I am lucky I can afford to heat my house now.

C. Flatter: In this weather.

Chr. Addington: Any other questions from the board? If not we are ready to take action on BZA 2003-1-V.

J. Prescott: So moved.

B. Davis: Second.

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

J. Trautman: So moved.

M. Blankley: 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: James Trautman, yes; Mike Thurston, absent; Jeff Prescott, yes; Bill Davis, yes; Dale Clevenger, yes; Mike Blankley, yes; Charles Addington, yes.

Chr. Addington: Your petition has been granted Mr. Speiser.

R. Speiser: So I can get a mailbox?

C. Flatter: I can give you an address now. I could do that tomorrow.

R. Speiser: That is all right, no big rush. I am not going to be in there until it warms up to see what is going on.

C. Flatter: I could send it to you in the mail as the tenant unknown, I could do it that way. I send it to the post office and 911 and then that way whenever your niece decides to move in she already has her address and all she has to do is go to the Post Office.

R. Speiser: I can go ahead and put up a mailbox and you will know what number the mailbox will be?

C. Flatter: Yes.

R. Speiser: Where would I get those green cards you put out on the street?

C. Flatter: Cook & Shannon sells them.

R. Speiser: Thank you. I appreciate this.

C. Flatter: Thank you.

R. Speiser: Thanks for your help.

J. Stump: Your welcome.

Chr. Addington: Next on the agenda is election of a chairman, vice chairman and attorney for the Board of Zoning Appeals for the year 2003.

D. Clevenger: I make a motion that we keep the ones we had.

J. Trautman: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none).

BZA Minutes 1/27/03

Chr. Addington: Anything else before the board this evening?

C. Flatter: I have nothing.

J. Trautman: How is the Ordinance coming?

C. Flatter: It is dead again. We are starting all over from scratch.

The meeting adjourned at 7:15 P.M.

THE NEXT REGULARLY SCHEDULED MEETING IS FEBRUARY 24, 2003 AT 7:00 P.M. IN THE CONFERENCE ROOM (IN THE BASEMENT) OF THE RANDOLPH COUNTY COURTHOUSE, WINCHESTER, INDIANA.



Charles Addington, Chairman

Mike Blankley, Vice Chairman



Jamie Stump, Recording Secretary