

BZA MINUTES**JULY 21, 2003**

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

Members absent: Bill Davis.

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

Legal representation: Robert C. Oliver.

Others present: Eric Cross, Wanda Long, Randy Thorne.

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

Chr. Addington: The first thing on the agenda is the approval of the minutes of the June 16th meeting.

J. Trautman: So moved.

D. Clevenger: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Those minutes have been approved as written for the June 16th meeting. Next thing I will do is read this for the benefit of the people here. I won't read the whole thing, just part of it because there doesn't seem to be too much opposition here. The petitioner will be allowed to present the facts/arguments in support of his/her case without interruption by any other person. The board members will then be allowed to ask questions of the petitioner. Any interested person or parties sent a notice shall then be allowed to speak and present their facts and arguments un-interrupted. The board members may then ask questions of these interested parties.

BZA 2003-19-V (Randy Thorne, Winchester, IN)

Chr. Addington: The first one tonight is Randy Thorne. You can come on up. The first petition is BZA 2003-19-V. Randy Thorne lives at 3769 E. 100 North, Winchester, Indiana. The location is the same. He is asking for a variance on the lot size requirements. You might speak your name in the recorder there. This is a recorded meeting.

R. Thorne: My name is Randy Thorne.

Chr. Addington: Did you receive an Article V, Conduct of Hearing when you applied for this hearing?

R. Thorne: Yes I did.

Chr. Addington: Did you notify all the surrounding property owners?

R. Thorne: Yes I did.

Chr. Addington: Jamie did we get receipts back?

J. Stump: Yes.

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

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J. Stump: Yes.

Chr. Addington: Randy you can tell us what you would like to do.

R. Thorne: What the variance is for, right now I can't have, no one in Randolph County can have any livestock unless they have 5 acres of property. I am just shy of 1 acre and I am just wanting to raise small livestock, per say, chickens and maybe even a pygmy goat for my daughters. That is all I am asking for.

Chr. Addington: How many chickens are you thinking about?

R. Thorne: I am guessing about 15, sir. No more than what it takes to feed my family.

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

D. Clevenger: What else other than chickens?

R. Thorne: I wrote in there perhaps, real small animals, nothing, my daughter is wanting a pygmy goat. That is what she is wanting and right now I can't give it to her.

Chr. Addington: Any other questions from the board? Is there any surrounding property owner's that received a notice that wants to speak? Board members we are ready to take action on BZA 2003-19-V.

D. Clevenger: I have a question before we take action. Should we put restrictions on that as to what he puts on there?

M. Thurston: We probably should. I would think.

D. Clevenger: What he should put on there and how many? Mr. Oliver, what is your opinion?

B. Oliver: We should probably put on how many and of what animals. You could specify, 15 is what he said for chickens and one pygmy goat.

R. Thorne: Yes sir.

B. Oliver: You can live with that as far as the restrictions? In other words, you can't, the grant of the variance is going to be conditioned that you follow the rule.

R. Thorne: I understand.

B. Oliver: If not, then you are subject to the penal provisions under the Ordinance.

R. Thorne: I understand that.

B. Oliver: To be in compliance of what he has asked, it would be a limitation of 15 chickens and 1 pygmy goat. You specify if you want to go that far. It is whatever conditions you want to attach but given the fact that there is just one acre there, did you say just a little under one acre?

R. Thorne: Yes.

B. Oliver: Okay.

R. Thorne: It is 170' wide and 220' deep. It is just shy of one acre.

Chr. Addington: If I remember right, according to these drawings, that will be on the opposite side of...

R. Thorne: Of any residence.

Chr. Addington: Over on the west side on the corner?

R. Thorne: Southwest corner, my chicken coop is 10' x 16' and the pen itself is 15' x 35'. I haven't made any other arrangements but for the chickens.

Chr. Addington: Can you live with that if we go that way?

R. Thorne: Yes sir.

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Chr. Addington: One pygmy goat and 15 chickens?

R. Thorne: Yes sir.

Chr. Addington: No swine or calves?

R. Thorne: No. It is not big enough for calves.

B. Oliver: You built your building did you say?

R. Thorne: My building has already been there.

C. Flatter: It was there prior to his filing for the variance last fall.

Chr. Addington: Dale go ahead and elaborate on what you said there.

D. Clevenger: Well I think it ought to be if we take action on it, it ought to be in the motion to have a limit on the number of chickens.

C. Flatter: How many Dale?

D. Clevenger: I could live with the 15 chickens and 1 goat myself. I don't know what the rest of them think?

Chr. Addington: I have heard a motion do I hear a second?

M. Thurston: Yes second.

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

M. Blankley: So moved.

J. Trautman: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Jamie we are ready for a roll call vote on BZA 2003-19-V.

A roll call vote was taken: James Trautman, yes; Mike Thurston, yes; Jeff Prescott, yes; Bill Davis, absent; Dale Clevenger, yes; Mike Blankley, yes; Charles Addington, yes.

Chr. Addington: Your petition has been granted.

C. Flatter: Did you have a question Randy?

R. Thorne: It's done. Thank you.

BZA 2003-21(William & Wanda Long, Winchester, IN)

Chr. Addington: The applicant lives at 310 Kem Street. Would you identify yourself for the record.

W. Long: My name is Wanda Long.

Chr. Addington: Did you receive the conduct of hearing when you applied for this hearing?

W. Long: Yes we did.

Chr. Addington: Did you notify all the surrounding property owners?

W. Long: Yes we did.

Chr. Addington: Did you get receipts back Jamie?

J. Stump: Yes.

Chr. Addington: Was it published in the News Gazette in a timely manner?

J. Stump: Yes.

Chr. Addington: Wanda you can tell us what you would like to do.

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W. Long: We would like to put a manufactured home on the lot that we own in back of our home. Eventually we want to live in it. The other one is because we have no street frontage. Evidently we had to apply for that because it is just an alley. It will face the front of the alley.

C. Flatter: At the time that I started talking to Bill about setting the home, they haven't purchased a home, as of yet, needless to say, they didn't want to do that until they were given approval so Bill when he drew up the site plans, he put a 14' x 70' on there but that is not a definite. He knows that he has to have 950 square feet of living area.

W. Long: But we can go larger right? We have enough ground.

C. Flatter: Yes. You can go larger.

Chr. Addington: A 14' x 70' I didn't even figure that, it is larger enough isn't it?

C. Flatter: Yes.

J. Stump: That is 980 square feet.

Chr. Addington: When do you plan on doing this?

W. Long: We started looking a little but we didn't want to do anything until we made sure everything went through before we really pursued it.

Chr. Addington: Is it going to be new or used?

W. Long: We are looking at both. We want it to be nice. When we retire we want to live in it. Cathy knows, she came down and looked, we take good care of the lot and we keep it mowed and trimmed. We don't have any problems with it.

Chr. Addington: Any questions from board members?

M. Blankley: What will you do come down the alley to get in to your property?

W. Long: We haven't quite figured that out yet. We are going to leave it up to the people we purchase it from, on how to get it in. When we brought the other one in, we have a rental in back too, we brought it up around where the old golf course is and brought it in that way. But that was when? In 1980?

E. Cross: Fourteen years ago.

W. Long: It has been 14 years ago.

Chr. Addington: You own the property just north of that too don't you?

W. Long: Yes, we own all of it but the house right next to us.

Chr. Addington: Any other questions from the board? Is there anyone here in opposition that received a notice, surrounding property owners? Hearing none, I think we are ready to take action on BZA 2003-21-SP & V. Do I hear a motion?

J. Prescott: So moved.

M. Thurston: Second.

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

M. Thurston: So moved.

D. Clevenger: 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; Dale Clevenger, yes; Jeff Prescott, yes; Mike Thurston, yes; Bill Davis, absent; James Trautman, yes.

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Chr. Addington: Your application has been approved.

W. Long: Thank you.

C. Flatter: You just need to come in and get the permits when you find what you are wanting.

W. Long: Can I ask, that alley at one time there was an alley that ran between the two houses, between Teer's. Is that still an alley?

C. Flatter: It is still an open alley.

W. Long: Okay.

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

C. Flatter: I don't have anything.

J. Trautman: I have something. Remember that business out here on 32 just as you come into Winchester?

C. Flatter: Yes.

J. Trautman: Wasn't he supposed to keep that mowed down? That one lot there with all that

Chr. Addington: You mean that feed store.

J. Trautman: Yes, he has that old farm equipment. I mean it looks like he mowed all around there making a track.

C. Flatter: I would have to look at the conditions of the hearing as.....

J. Trautman: I know he was supposed to keep something on the south side, because the guy from the trailer court was asking for

C. Flatter: You are talking about what is on the west side of the house?

J. Trautman: Yes. When you come into town you see lots of weeds and then you see this old fashion or old piece of equipment and there is like a track around all these things. It looks like he takes a riding lawn mower and goes around them. It is all grown up around the equipment.

Chr. Addington: He needs to get him some livestock doesn't he?

J. Trautman: Well, he hasn't sold any of it let's put it that way.

C. Flatter: I am pretty sure there weren't any conditions as far as keeping the yard up.

Chr. Addington: I don't know if there was or not I just remember we told him to keep the....

D. Clevenger: He was supposed to put a fence up but other than that I don't remember.

Chr. Addington: I just remember he wasn't supposed to put any machinery that would obstruct vision on the east side. I remember that.

J. Prescott: His equipment doesn't obstruct vision over there.

J. Trautman: I was just wondering about that. It is an eyesore coming into Winchester.

C. Flatter: It is unsightly is what you are saying.

Chr. Addington: Yes it is.

R. Thorne: Wouldn't that just fall under a regular Town Ordinance on keeping your area clean?

C. Flatter: Well it is actually, he is not in town.

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Chr. Addington: He is not in town?

C. Flatter: No.

J. Trautman: Right up past him is a sign that says "Welcome to Winchester".

The meeting adjourned at 7:20 P.M.

THE NEXT REGULARLY SCHEDULED MEETING IS AUGUST 18, 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