

BZA MINUTES**SEPTEMBER 15, 2003**

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

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

Legal representation: Robert C. Oliver.

Others present: Larry & Gloria Morris.

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

Chr. Addington: The first thing on the agenda tonight is to approve the minutes of the August 18th meeting.

J. Prescott: So moved.

M. Thurston: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). The minutes of August 18, 2003 have been approved. I will read this for the benefit of Gloria & Larry. The petitioner will be allowed to present the facts and arguments in support of his/her case without interruption by any other person. Board members will then be allowed to ask questions of the petitioner.

BZA 2003-24-SP (Larry & Gloria Morris, Ridgeville)

Chr. Addington: You guys can come forward please. This is a recorded meeting. If you would state your names for the record.

L. Morris: I am Larry Morris and this is Gloria Morris.

Chr. Addington: This will be Larry & Gloria Morris at 406 W. 5th Street, Ridgeville, Indiana. It is a Special Exception. Did you notify all the surrounding property owners?

L. Morris: Yes.

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

L. Morris: She gave us a list of 5 people to notify.

Chr. Addington: The Article V is how you conduct the meeting. Did you receive that?

L. Morris: Yes.

Chr. Addington: Did we get receipts on that Jamie?

J. Stump: Yes.

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

J. Stump: Yes.

Chr. Addington: Either one of you can tell us what you want to do.

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G. Morris: What we are wanting to do is put a 16' x 80' mobile home on one of our lots for my elderly parents who aren't able to take care of themselves any more. I have to go clear across town several times of an evening to take care of them and it would just be easier to have them in our backyard to take care of.

L. Morris: This is a layout of our property.

Chr. Addington: We have that here.

L. Morris: Well this front lot is where our double-wide is. A Champion Home double-wide. This middle lot is where we are wanting to put their trailer so it would be handy right down across the yard from our place, to take care of them.

Chr. Addington: Show me again where it is?

L. Morris: Our double-wide is right here on the first lot. The second lot is where we are wanting to put it, right here on Oak Street.

Chr. Addington: Go ahead if you have any thing else to add to that.

L. Morris: I really don't have anything else. That pretty well explains what we are wanting to do.

Chr. Addington: Board members do you have any questions to ask the petitioners?

M. Blankley: Is that a vacant lot right now?

L. Morris: Yes. It is all, it shows the streets and alleys in there but they have never been made into a street or alley or anything. This here is 6th Street but it has never been a street.

C. Flatter: If you look on the aerials that we have given you, you can see that north of the lot where they are wanting to put the mobile home, there has never been a street through there. I mean the street has never been improved. It is platted but it has never been improved. The alley between where their home sets and where they are wanting to set the single wide, also it has never been improved. And the alley that is on the east side of the property has never been improved. So they are still there and they still belong to the city but there is no access. It is all yard that Larry takes care of.

M. Thurston: So he is helping the city out mowing grass.

L. Morris: Yes.

Chr. Addington: Do you have to take the trees out to get it back there? I see you have some new trees back there.

L. Morris: I don't think we are going to. I think we are going to be able to fit it in there without taking any trees out. We want to keep them.

Chr. Addington: I was kind of looking at it.

L. Morris: There is one tree that I was going to talk to her about it, there is one small tree that we might move but other than that I don't think we will have to bother any other trees.

Chr. Addington: When are you going to do this?

L. Morris: You mean put the trailer in?

Chr. Addington: Yes.

L. Morris: As soon as we can get it all arranged.

Chr. Addington: It will be this fall though?

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L. Morris: Yes. We've got a trailer supposedly we bought it, we haven't paid for it yet but it is supposedly ours. It is 16' x 80' and as soon as I get the final okay here, I am going to start trying to get it paid for so I can get it moved up here.

Chr. Addington: What year is it?

L. Morris: It is a 92.

Chr. Addington: Good shape?

L. Morris: It is in real nice shape. Excellent shape.

G. Morris: It looks like a brand new one.

Chr. Addington: Any other questions from the board members?

D. Clevenger: In time, if something happens to your parents, will you rent this?

G. Morris: Well that will be up to my brothers. We are thinking that if they will let us buy their part out, we might use it for that.

D. Clevenger: It is not a temporary thing then?

G. Morris: No.

L. Morris: It is going to be set up permanent.

G. Morris: We want to leave it in there and so if something would happen to Mom and Dad we plan on buying my two brothers out.

L. Morris: It depends on a lot of different things, I mean, how long they live, how long we need it, you know, if it is any way possible, they might out-live us. It just depends on a lot of different things. With what we are thinking right now, we will probably keep it because we have grandkids coming up and they might want to live in it some day, one of them.

D. Clevenger: You will make a permanent residence out of it.

L. Morris: Right, it will be permanent. That is our plan right now anyway.

Chr. Addington: Any other questions from the board? If not, we need to take action on BZA 2003-24-SP.

J. Prescott: So moved.

M. Thurston: Second.

B. Oliver: Just as a matter of procedure, I would probably say you ought to just have it on your motion that it is for a special exception to allow a mobile home 16' x 80' to be there as opposed to the addressing of the petition because technically you have asked for it for your parents. That is a specific use as far as the people that would be allowed to reside there, the way you have asked for this. I don't think there is any problem with just changing it because if you are going to continue it on.....

L. Morris: Yes, I guess actually it will be our trailer. It won't be theirs. We are buying it ourselves.

B. Oliver: Okay. But the way that this is setup it sounds like, and we can make it that specific because that is the special exception. It is granted to you people, not to the land. Way down in the future and I don't know that anyone would be too concerned about it, it doesn't change the character of the land. Your heirs or your legatees will have to contend with it at that point. Just so that no one can come back and say that this was granted for that specific family member, which it should just be the motion should be not in answer to the petition but should say for approval of a special exception for a mobile home on that lot.

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B. Oliver: It is kind of a hyper-technical thing but a neighbor that got cross-wise would have potentially a relief here so I would say that you should probably state on the record that this is not, this if for you guys to put in a mobile home there and do with it what you want.

L. Morris: Okay. Yes that is a good idea. You are probably right.

Chr. Addington: I have that motion

J. Prescott: So moved with those changes that Bob said.

Chr. Addington: We heard a second already didn't we?

M. Thurston: Yes.

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

D. Clevenger: So moved.

M. Blankley: Second.

Chr. Addington: All in favor say aye. "Ayes". Opposed (none). Jamie we are ready for a roll call vote on BZA 2003-24-SP.

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

Chr. Addington: Your petition has been granted.

G. Morris: Thank you very much.

C. Flatter: All you have to do is come in and get your permits.

L. Morris: Thank you. I will have plenty of time tomorrow. Thank you.


Chr. Addington: Is there anything else to come before the board? Hearing none this meeting is adjourned.

The meeting adjourned at 7:11 P.M.

THE NEXT REGULARLY SCHEDULED MEETING IS OCTOBER 20, 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