

**MINUTES of the GRANT COUNTY
AREA BOARD OF ZONING APPEALS**

June 6, 2022

A PUBLIC HEARING OF THE GRANT COUNTY BOARD OF ZONING APPEALS was held on Monday, June 6th, 2022, at 6:00 P.M. on the first floor of the Grant County Office Complex at 401 South Adams Street, Marion, Indiana.

The following members were present: Ed Hartman, Ron Howe, Chip Long, Bill Johnson, and Lois Jones and Rex Maynard. Jared Florence was absent.

Staff present: Ryan Malott, Executive Director; Kyle Persinger, Attorney for Area Plan; Brenda Harrison, Executive Administrative Assistant; Aaron Elsworth, Building Inspector.

1. Ed Hartman brought the meeting to order with the Pledge of Allegiance.
2. Roll Call
3. Approval of the Minutes
 - 3.2 Mr. Hartman asked Director Malott to read the minutes for May 2nd, 2022. Motion made by Rex Maynard, to approve with correction added and Lois Jones seconded. Members Chip Long, Rex Maynard, Lois Jones, Ron Howe, and Bill Johnson, voted yes.
4. FINDING OF FACTS
 - 4.1 - May 3, 2022 - Docket 01SP-22 – Priscilla Huston
 - Mrs. Jones made a motion to accept the Findings of Fact, Mr. Johnson seconded. Members Chip Long, Rex Maynard, Lois Jones, Ron Howe, and Bill Johnson, voted yes.

5. PUBLIC HEARINGS –

Old Business

Mr. Long asked if the Committee had gotten together to discuss the Rule of Procedure? Mr. Hartman state they had not, that there was a conflict with one of the members for the month of May. Mr. Hartman said he would meet with them after the meeting to discuss a time to meet.

New Business

- 5.1 **Docket:** 02 SP-22 (**Public Hearing**) **Name:** Sweetser UMC
Address: 413 N Main Street, Sweetser
Zoning District: General Business (GB)
Legal Description: Being Lots 1 & 9 of Sherrons 1st & 2nd Additions and .47 acres located in the Southeast Quarter of Section 31 in Pleasant Township.
Request: to allow a digital sign in a General Business zone district.
Tim Slaughter & Larry McDermott were present for the petition.
The old sign for the church is breaking up and wanted to replace it. The new sign can be controlled on how bright or how often it changes.
Mr. Malott stated that the church had come in front of the board several months ago with a variance for a sign and was continued. The church withdrew their variance until the new sign ordinance could be approved. Ordinance was approved and the church went in front of APC and the Sweetser Town Council to rezone to General Business and were approved. They have been very patient with us through the whole process.
There were no objectors.
The public hearing was closed.
MOTION: Rex Maynard motioned to approve Docket #02SP-22, Ron Howe seconded. Bill Johnson, Lois Jones, Chip Long, Rex Maynard, and Ron Howe voted yes. Motion Carried.

- 5.2 **Docket:** 03SP-22 (**Public Hearing**) **Name:** Mickey & Holli Eccles
Address: 2729 Shildmyer Road, Marion
Zoning District: Agricultural (AG)
Legal Description: Being 2.442 acres, more or less and located in the Northwest Quarter of Section 26 in Pleasant Township.
Request: to allow an automobile repair shop in an Agricultural zone district.
Mickey & Holli Eccles were present for this petition.
Mr. Malott stated that they were wanting to have a small auto repair shop. Closest home is a quarter of a mile away. Mr. Eccles stated that he doesn't plan on trashing his property.
Mrs. Jones asked about traffic, that once it gets started that it could grow and there would be cars all over the property. Mr. Eccles stated that if it grew larger, he would look for a place in town for the business.
Objector – Joe Chambers, 2724 Troy Avenue, Marion. Very concerned about a business going in and the noise factor. Afraid of what it would do to the property values.
The public hearing was closed.
Question asked by the board during discussion were: What are the hours of operation; What is the size of the sign allowed?

MOTION: Ron Howe motioned to approve Docket #03SP-22 with the following conditions: 1) Hours of operation; 2) Noise; and 3) Sign. Bill Johnson seconded. Ron Howe, Bill Johnson, Lois Jones, Chip Long, and Rex Maynard voted Yes. Motion Carried.

5.3 Docket: 05BZAV-22 (Public Hearing) Name: Timothy & Donna Kolb

Address: 3502 S 400 E, Marion

Zoning District: Residential Suburban

Legal Description: Being Lot 1 in Walnut Creek Estates and located in the Southeast Quarter of Section 27 in Mill Township.

Request: to allow an accessory building to be constructed 0' from the west property line instead of the required 17'.

Tim & Donna Kolb were present for this petition. Ryan Malott gave the introduction to the petition for a 0' setback, in a Residential Suburban zone district, instead of the required 17' setback. Variance would put them at 0' with GIS. On GIS the property lines are not right, because the neighbor to the east of the Kolb's property shows part of their leach field on Kolb's property. That actually leaves approximately another 20' or more property to the tree line for the Kolb's.

There were no objectors.

The public hearing was closed.

MOTION: Chip Long motioned to approve Docket #05BZAV-22, Rex Maynard seconded. Ron Howe, Bill Johnson, Lois Jones, Chip Long, and Rex Maynard voted Yes. Motion Carried.

6. REPORTS

6.1 Kyle Persinger, Attorney for Area Plan

Had nothing to report.

6.2 Ryan Malott, Area Plan Executive Director

Mr. Malott stated that part of what he wanted to discuss was already brought up regarding Jared Florence and Rules of Procedure.

Mr. Malott stated that he was working on getting new ID Badges for the Board.

Mr. Malott stated Special Exceptions have a conflict with the different documentation it deals with, such as:

Areawide Zoning Ordinance has 3 questions for a special exception.

Rules of Procedure has 6 questions for a special exception.

Findings of Fact has 3 questions for a special exception.

Special Exception application has 3 questions plus 5 questions.

Rex Maynard asked Ryan Malott to talk about the software the Area Plan Office is looking at getting and possible other offices in the building will get also.

7. OPEN PUBLIC FORUM

There was no one from the public present to speak.

8. ADJOURNMENT

There being no other business, meeting adjourned at 7:31 PM.



Ed Hartman, Chairman