

**MINUTES of the GRANT COUNTY
AREA BOARD OF ZONING APPEALS
October 2, 2017**

A PUBLIC HEARING OF THE GRANT COUNTY BOARD OF ZONING APPEALS was held on Monday, October 2, 2017 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: Craig Freeman, Chip Long, Rex Maynard, and Vice-Chairman Lois Jones.

Members absent were: Teresa Mendoza, Bob Monroe and Bill Johnson.

Staff present was Executive Director Larry Strange, APC Attorney Bruce Elliott and Recording Secretary Debbie Wallace.

Lois Jones brought the meeting to order with the Pledge of Allegiance and a moment of silence.

Rex Maynard moved and Lois Jones seconded that the minutes from September 11, 2017 be approved; all members present voted yes. Vote was 4-0; motion carried.

Larry Strange went over the rules and procedures; all petitions follow the same format.

Docket: 17BZAV-17 (**Public Hearing**) **Name:** Stephen & Nancy Mughmaw

Address: 2607 N Orchard Road, Marion

Zoning District: Residential-1 (R1)

Legal Description: Being Lot 66 in Shady Hills Section 2 and located in the Northeast quarter of Section 25, Pleasant Township, Grant County, Indiana.

Request: to allow an accessory building to be five (5) feet from the north property line instead of the required eighteen (18)

Larry Strange went over the recommendation; the Grant County Commissioners gave a favorable recommendation to the BZA. The staff recommendation was unfavorable; the variance request is well over a fifty (50) percent decrease in setbacks.

Stephen Mughmaw, 2607 N Orchard Drive, Marion was present; he has lived at this property for approximately three months. Mr. Mughmaw would like to place a shed to store his chairs and various items around his swimming pool. There is a buried power line that the shed would be on if he met the eighteen (18) feet required setback. Mr. Mughmaw met with an engineer from I & M and he strongly recommended against placing any type of structure onto of the buried line. Proposed building is twelve feet by twenty feet; it is pre-built and the company will need room to get in to set the building on the property.

Craig Freeman questioned if the building could be moved back further from the property line than the requested five feet.

Mr. Mughmaw stated that he could possibly mover it back an additional three feet any further and he would be getting too close to the power line.

No objectors were in the audience on in the file.

Proof of publication is in the file.

Public hearing is closed.

Motion: Craig Freeman moved Lois Jones seconded to approve Docket #17BZAV-17 with the stipulation that the building be eight (8) feet from the north property line. All members present voted yes. Vote was 4-0-0; motion carried.

Docket: 18BZAV-17 (**Public Hearing**) **Name:** Robert & Correna First

Address: 429 S Penn St, Fairmount

Zoning District: Residential-3 (R3)

Legal Description: Being lots #127 & 140 Sweetser, Matter and Nixon's Addition to Town of Fairmount and located in the Southeast quarter of Section 29, Fairmount Township, Fairmount Corp, Grant County, Indiana.

Request: to allow construction of a new home to be five (5) feet from the south (undeveloped Monroe Street) instead of the required fifteen (5) feet

Area Plan staff gave a favorable recommendation and the Fairmount Town Council also gave a favorable recommendation.

Correna First was present, would like the home to be five feet from the south property line so they are able to build a garage at the north end of the property at a later date.

Craig Freeman questioned if tonight's variance was also for the garage.

APC staff stated that the variance is for the home only; if the garage does not meet the owners would have to apply for another variance.

No objectors were in the audience or on file.

Proof of publication is in the file.

Motion: Chip Long moved Rex Maynard seconded to approve Docket #18BZAV-17 as presented. All members present voted yes. Vote was 4-0-0; motion carried.

Docket: 19BZAV-17 (**Public Hearing**) **Name:** Julie Clark

Address: 303 E Howard St, Sims

Zoning District: Residential-3 (R3)

Legal Description: Being lots 30 & 31 in Chesterson's First Addition to the Town of Sims and located in the Northwest quarter of Section 28, Sims Township, Grant County, Indiana.

Request: to allow the construction of an accessory building without a principal building

Julie Clark was present; she inherited the house from her grandfather, it has been used as storage ever since. Her step-father mows the park in Sims and stores his lawn mowers and equipment in the house. The house was deemed an unsafe structure by the Area Plan office and is slated to be demolished around the third week of October. They would like the shed to be there prior to demoing the house so they can store the equipment. There are no plans to build a new house at this location.

No objectors were in the audience or on file.

Proof of publication is on file.

Motion: Craig Freeman moved Lois Jones seconded to approve Docket #19BZAV-17 as presented. All members present voted yes. Vote was 4-0-0; motion carried.

Other business:

Larry Strange reviewed a minor variance that was approved for a reduction in a front yard setback from forty (40) feet to thirty-eight (38) feet.

There being no other business, meeting adjourned at 6:40 PM.

Bill Johnson, Chairman