

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

November 1, 2021

A PUBLIC HEARING & A PUBLIC MEETING OF THE GRANT COUNTY BOARD OF ZONING APPEALS were held on Monday, November 1, 2021, 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: Bill Johnson, Rex Maynard, Ron Howe, Chip Long, Bob Monroe, Lois Jones and Ed Hartman, Chairperson.

Staff present: Ryan Malott, Executive Director; Kyle Persinger, Attorney; and Brenda Harrison.

Ed Hartman brought the meeting to order with the Pledge of Allegiance.

Bill Johnson motioned to accept the October 5, 2020 minutes as submitted, Rex Maynard seconded. Bill Johnson, Chip Long, Rex Maynard, Bob Monroe, Lois Jones, and Ron Howe voted yes. Motion carried.

Finding of Facts from the October 4th, 2021 meeting:

1. Docket: 12BZAV-21 Dorothy Trueman

Motion: Bill Johnson moved to approve the findings of fact for October 4, 2021 meeting and Rex Maynard seconded. Bill Johnson, Chip Long, Rex Maynard, Lois Jones, and Ron Howe voted yes. Bob Monroe abstained. Motion carried.

PUBLIC HEARING

Docket: 13BZAV-21 (**Public Hearing**) **Name:** Carolyn Burbank

Address: 6002 E 100 S, Gas City

Zoning District: Agriculture (AG)

Legal Description: on real estate being 1 acre, more or less, and located in the Northeast Quarter of Section 10 in Mill Township, Grant County, Indiana.

Request: To allow an accessory building to be 8' from the north property line instead of the required 14'.

Ed Hartman opened the proceedings. Ryan Malott introduced the request for petition and provided an overview. Carolyn Burbank came forward to represent the petition. Mrs. Burbank stated that this was the best location for the new building, if she were to go back further, she would be in the septic system. Her neighbors don't have a problem with the location of the accessory building. Bill Johnson raised the question of a Porch located on the South Side of the Garage. Mrs. Burbank amended the application to include the porch to the board's approval.

No one spoke in opposition.

The public hearing was closed.

Motion: Bill Johnson moved to approve Docket 13BZAV-21 to have a setback of 8' from the north property line instead of the required 14', and Bob Monroe seconded. Bill Johnson, Chip Long, Rex Maynard, Bob Monroe, Lois Jones, and Ron Howe voted yes. Motion carried.

OTHER BUSINESS

Attorney Report – Kyle didn't have anything to discuss.

Executive Director – Ryan handed our Rules of Procedure to the board.


- Ryan went over the difference between the sign requirements and land use. Example: Idyll Wyld (skating rink), from October meeting, not allowed in land use table. However, regardless of the land use table, the sign is allowed & a variance to the Sign Use was requested. If the rink were to burn down, the owners would have to rezone to rebuild.
- Unsafe buildings to start going through BZA, by Indiana Law & with BZA Approval Appeals – vehicles, trash & debris to go through BZA. Demos to still go to court. Will cut down court times. Ryan wanted to begin the conversation.
- Adopting & Amending the Rules of Procedure. January 2020 it was voted on to take out the 3-meeting rule, this does not meet State Statue & has not been added to the published ordinance? When BZA's are created they create their rules. Board to read the Rules of Procedure and if they find anything that stands out or is a conflict, it will be handled early on in the process.
 - Reminder, per Indiana Law, the BZA at minimum must be equal to the State's Statue.
 - BZA may be greater than State Statue but may not be in conflict with State Statue.

OPEN PUBLIC FORUM

There were no members of the public to speak on general issues.

ADJOURNMENT

There being no other business, meeting adjourned at 6:57 PM.



Ed Hartman, Chairperson