

RUSH COUNTY

BOARD OF ZONING APPEALS MEETING Memorandum

WEDNESDAY, NOVEMBER 2nd, 2022

President, Sandra Jackson, Calls the meeting to order at 5:05 P.M.

ROLL CALL: Kenny Aulbach, Virgil Bremer, Vice President, Denny Corn, Dohn Green, Sandra Jackson, President. Also present were Attorney, Geoff Wesling, APC Director, Mike Holzback, and Assistant, Linda Ashwill.

APPROVAL OF MINUTES: For the October 5th, 2022 meeting. Sandra asked if there were any additions or corrections. Hearing none, she asked for a motion. Denny made the motion to approve the minutes as written. Seconded by Virgil. All where in favor. Minutes were approved as written.

NEW BUSINESS:

1. BZA-2022-15 Richard Grimme is requesting a Variance for a four (4) foot setback from property line to build a 24 x 32 barn. Property located at 2446 North Fort Wayne Road. Parcel # 70-07-28-101-002.000-010.

Albert Swartz was present as representative. Mike gave findings of facts as follows: **1.** Asking for a Variance of setback on the south side of parcel of four (4) feet from the normal ten (10) foot setback. **2.** Property is zoned A-1. **3.** Purpose is to construct a 24 x 32 barn. **4.** Space is limited for this construction. **5.** Adjoining property owners were notified by certified mail and properly advertised. **6.** Certified mail signed & returned from the neighbors.

Notice of this public hearing was locally advertised ten days prior.

Recommendation: Staff recommendation would be to approve the variance of setback requirements requested.

After discussion and questions from the Board, Sandra asked for a motion. Dohn made the motion to approve this Variance for the four (4) foot setback. Seconded by Virgil. All where favor. Four(4) foot Variance on the southside of this property to build this garage was granted.

2. Discussion of appointees for the Board: The following have terms ending on this Board at the end of 2022. Sandra Jackson-Carthage appointee & Dohn Green-Glenwood appointee.

Both stated they plan to remain on the Board for the ensuing term.

OLD BUSINESS:

Complaint 2021-11 Mike and Ron had a meeting with Mr. James Dyer and his wife, with two other Amish men last Thursday, October 27th, in regard to the property located at 8970 South Walnut, Moscow. All Board members were sent emails of such. This topic is to be brought up at the APC meeting this evening for a plan of action.

REPORTS:

Director: Mike Holzback Mike stated he has a meeting with an attorney from Janzen Agricultural Law, LLC this Friday to talk about a 6,000-cow dairy that want to located south of Glenwood.

He issued a cell tower permit, which dated back to an application in 2020, for Kevin & Carol Geise for Verizon Wireless at 8703 Wet 400 North in Arlington this week.

Complaint 2022-5 For the junk cars in Manilla has been resolved.

Complaint 2022-11 Both parties have come in to take to him on this situation. He told them both there wasn't anything this office could do to solve the issues between them personally. The one property has been cleaned up.

Mike received a request over the phone to see if the setback distance could be increased for Solar panels. He told the caller anything could be changed, but they would have to bring it before the Board.

Hoosier Solar probably will not have anything completed until after the first of the year.

Attorney: Geoff Wesling Geoff said he had nothing further at this time.

Sandra asked if there was anything else to come before the Board. Dohn asked if there was any guidance about putting up fences o property lines. He was told there was nothing in the Ordinance, but it's normally, as common curtesy, to put the finished side on the neighboring property.

Sandra asked if there were any further questions or concerns. Hearing nothing else, she requested a motion for adjournment.

ADJOURNMENT: Virgil lade the motion to adjourn. This was seconded by Denny. All were in favor. Meeting was adjourned at 5:30 P.M.