

**Minutes from October 2<sup>nd</sup>, 2024, BZA board meeting.**

**\*Sandra Jackson called the meeting to order at 5:30 p.m.**

**\*Roll Call: Sandra Jackson, Virgil Bremer, Marc Webb, Justin Orme, Director Mike Holzback: board member Dohn Green was absent.**

**\*Minutes from the July 17<sup>th</sup> meeting were approved on a motion from Virgil and seconded by Marc Webb, all voted aye.**

**\*Board attorney Geoff Wesling arrives.**

**\*BZA 2024-2 was a variance request from James and Marva Dyer trust asking for relief from acreage requirements to subdivide off the home. Executive Director read the findings of fact and Sandra asked for a representative to speak on this request. Van Valer Law Firm spoke on behalf of this petition and also BZA 2024-3 at the same time. The attorney for the Dyers read the 5 development standards as reasons the variance should be granted. After consideration, Sandra opened the public hearing, there was none. Virgil moved to deny the request for BZA 2024-2 citing the current development standards have not been met. Lot width, lot size, future septic issues, and no peculiar reason it poses a hardship. Motion was seconded by Marc; vote was three to one in favor of the denial.**

**\*BZA 2024-3 Variance request from Dyer Family partnership: Virgil moved to deny seconded by Marc citing the same reasons that 2024-2 was denied except for lot width; vote was three to one in favor of the denial.**

**\* BZA 2024-4 Trevor Deardorff asking for a special exception for an automotive repair business in the A-3 zone at 6800 N 700 W Carthage. This is on property owned by Amy Nelson with her consent in the file. Executive Director read the findings of fact. Sandra called Trevor to the podium, and he explained his plans stating he will be repairing by appointment only and will be limited to 8-10 cars at any one time in a current barn on the property. Sandra opened the public hearing for any comment. Steve Duncan, an adjoining property owner, said he was opposed to the exception with concerns of the adjoining driveway and the number of vehicles. Applicant and property owner stated that the paved driveway to the barn will be used for the business. Justin Cruse, 7121 N**

700 W, spoke against the request for reasons of traffic and property values. Sandra closed the public hearing and asked for a motion. Virgil moved to approve the special exception seconded by Marc. Unclear of the vote Virgil asked for a roll call vote. Sandra aye, Virgil aye, Marc aye, Justin no. Motion to approve carried 3 to 1.

BZA 2024-5 Milco Dairy at 2625 E 1200 N asking for a variance of setback requirements for a secondary solar installation, 25 feet from the road and 15 feet from the east property line. Ag Technologies from Rochester, Indiana were present to represent the variance and explain the installation. Virgil asked why part of it could not be moved over and Marc asked why the area open could not be used. A lagoon and septic system are both non usable areas. The variance is needed in order to get the system to fit. The percentage of power on a yearly basis is 64%. Geoff asked if there were any complaints pending on this parcel, Mike answered he was not aware of any. Questions on vegetation were answered by grass that can be mowed. Public hearing was opened, and Bob Beeler asked about the moratorium on solar. It was explained this was not commercial. April Issacs asked if these panels could be placed on top of the building and Ag Technologies answered it was not possible. Sandra asked for a motion and Justin moved to approve seconded by Virgil. Motion carried by a vote of 3 to 1.

\*Board members comments; none

\*Executive director; A lot of complaints that come in have to do with abandoned or burnt houses.

\*Legal Counsel: Reported on a recent court case that found in favor of the Area Plan to get a property cleaned up.

Virgil moved to adjourn, seconded by Marc, all voted aye.

Sandra Jackson President



Dohn Green Secretary



Virgil Bremer Vice Pres.

