

PUTNAM COUNTY BOARD OF ZONING APPEALS MINUTES

The Putnam County Board of Zoning Appeals met for its regular monthly meeting on March 14, 2022, at 7:00 p.m. in the Commissioner's Room of the Putnam County Courthouse, 1 Courthouse Square, Greencastle, IN 46135. Raymond McCloud called the meeting to order at 7:00 p.m. Lisa Zeiner took a roll call to determine a quorum. The following members were present: Raymond McCloud, Kevin Scobee, Randy Bee, Ron Sutherlin, and Lora Scott. Also, present was Lisa Zeiner, Plan Director. Jim Ensley, County Attorney was not present. Also present was the Audience; see attached sign in sheet.

REVIEW OF MINUTES:

Raymond McCloud asked if there were any corrections or additions to the February 14, 2022, meeting minutes. There being no corrections or additions, Mr. McCloud asked for a motion to approve the minutes.

Ron Sutherlin made a motion to approve the February 14, 2022, meeting as presented.

Kevin Scobee seconded the motion. The February 14, 2022, minutes were approved as presented with all in favor.

ELECTION OF OFFICERS:

Mr. McCloud asked if the election of officers could be moved to the end of the agenda.

Mr. Sutherlin made a motion to move the election of officers to the end of the agenda.

Mr. Scobee seconded the motion to move the election of officers to the end of the agenda. The election of officers was moved to the end of the agenda with all in favor.

OLD BUSINESS:

2021-BZA-45: DAMON COX – DEVELOPMENT STANDARDS VARIANCE: to allow two primary dwellings on the same parcel; Zoned A1; Cloverdale Township; 33/13N/3W (5304 E CR 900 S Cloverdale)

Damon Cox approached the board. Mr. Cox stated that he lived in the modular dwelling for ten (10) years while saving money to build a dwelling on the property. Mr. Cox explained that in order to get the permit to build the new dwelling, he had to sign an agreement that the modular would be removed after the new dwelling was built. Mr. Cox stated that when it came time to move the modular, he ran into complications and asked for an extension of time, which was granted. Mr. Cox explained that the cost of moving the used modular home and finding someone to remove it was the reason for the extension request. Mr. Cox stated that he had to request for a second extension of time to remove the modular when his wife became pregnant, which was also granted. Mr. Cox explained that during the time of the second extension a family member fell ill required dialysis and requires in home care. Mr. Cox stated that the ill family member was staying in the modular home so that family could care for them. Mr. Cox explained that he does not want the modular on his property, but with the current situation having the modular on the property is more feasible. Mr. Cox stated that he has a place to move the modular to once the current situation passes.

Mr. McCloud asked if the existing driveway with fifty (50) feet of road frontage was a shared driveway.

Mr. Cox stated that the driveway was shared. Mr. Cox explained that the parcel was grandfathered in as an existing parcel prior to zoning.

Lora Scott asked where the ill family member was currently staying.

Mr. Cox stated that they were staying in the modular.

Mr. McCloud asked there was only one person living in the modular.

Mr. Cox stated that there was only one, but others have moved in to assist in the care.

Mr. Scobee asked how many people were living in the modular.

Mr. Cox stated that there were three (3) adults and one (1) child.

Mr. Scobee asked how long they had been living in the modular.

Mr. Cox explained that they came for a visit and while they were here, they became very ill. Mr. Cox stated that it was discovered while this person was in the hospital that they needed dialysis, or they would have died from stage 3 or 4 renal failure.

Mrs. Scott explained to the board that a similar situation in Cloverdale where the board granted approval with the understanding that after the person passes that after a certain time the mobile home be removed. Mrs. Scott asked what the time frame was.

Lisa Zeiner stated that they were given ninety (90) days to remove the mobile home after the person passed.

Mrs. Scott explained that the other stipulations were that the property could not be subdivided, and the mobile home could not be used as a rental.

Mr. McCloud asked if there was anyone that wanted to speak in favor or against this case. No one came forward, Mr. McCloud closed the public hearing portion for this case.

Mr. McCloud stated that issues with financing would still be there when it comes time to move the modular.

Mr. Cox explained that he purchased the modular used and it cost \$7,000 to move it from Whiteland to Cloverdale. Mr. Cox stated that he has gotten quotes to move it for \$10,000 because of the housing market.

Mr. Scobee stated that he did not have a problem with it being there until such time as the person passes. Mr. Scobee explained that he would like documentation on the person staying in the modular submitted to the Planning Department.

Mr. Cox explained that the family member could not go home until quarantine was over, because they will not do dialysis while in quarantine.

Mr. Scobee asked about the age of the person.

Mr. Cox stated that the person was in their 60's.

Mr. McCloud asked about the other people living in the modular after this person passes.

Mr. Cox stated that they would move out of the modular.

Mr. Scobee asked about granting an extension of one (1) year for review.

Mrs. Scott stated that the board should stay consistent with other approvals.

Mr. Cox stated that within three to five years something would happen, either the person will pass or will be able to return to their home.

Mr. Bee stated that three (3) extensions have been granted already. Mr. Bee explained that a definitive period would need to be made to be consistent. Mr. Bee suggested that the petition should check back with the board every six (6) months.

Mrs. Scott made a motion to approve **DAMON COX – DEVELOPMENT STANDARDS VARIANCE** with the following conditions:

1. Provide name of the ill family member to the Planning Department
2. Provide either the date of death or date moved to the Planning Department
3. Upon death of the ill family member, who is living in the modular home; which is the second home on the property; the modular home is to be moved within ninety (90) days
4. The modular home is not to be used as a rental property
5. The parcel is not to be subdivided for a second home
6. If the situation continues, the petitioner will come before the BZA in one (1) year for review of the case

Mr. Cox asked if he needed to check in with the Planning Department in six (6) months.

Mrs. Scott stated that it would be one (1) year.

Mr. Scobee seconded the motion.

The motion to approve **DAMON COX – DEVELOPMENT STANDARDS VARIANCE** with the above stated conditions was approved with four (4) in favor and one (1) opposed. Randy Bee was in opposition to the motion.

Mr. Bee explained that he was opposed because the review should be six (6) months instead of one (1) year.

Mr. McCloud stated that if something happens before the year is over, the petition needs to inform the Planning Department.

NEW BUSINESS:

2022-BZA-1: ALBERT ARNOLD – DEVELOPMENT STANDARDS VARIANCE: to reduce the road frontage from 350 feet to 310 feet to allow the ability to split a 20-acre parcel into two 10-acre parcels; Zoned A1; Washington Township; 4/13N/5W (4709 S CR 650 W Greencastle)

Albert Arnold approached the board. Mr. Arnold stated that he purchased the twenty (20) acre parcel to build a dwelling. Mr. Arnold explained that he did not want that much acreage, but that was all that was available. Mr. Arnold stated that the road frontage for the entire parcel is approximately eighty (80) feet short to allow each parcel 350 feet of frontage. Mr. Arnold explained that he is

working on getting everything together for the building permit to build his dwelling. Mr. Arnold stated that each ten (10) acre parcel would have 310 feet of road frontage.

Mr. McCloud asked if there was anyone in the audience who wanted to speak in favor of or against this petition.

Greg Nichols approached the board. Mr. Nichols stated that he would be purchasing the other ten (10) acres and therefore is in favor of this petition.

Mr. McCloud asked if there was anyone else who wanted to speak in favor of or against this petition. No one else came forward. Mr. McCloud closed the public hearing portion for this petition.

Mr. McCloud asked if the parcel was all wooded.

Mr. Arnold stated that it was mostly wooded, but there was an area at along the east side of the property where a dwelling had previously been. Mr. Arnold explained that the dwelling had been removed prior to purchasing the property.

Mr. Sutherlin made a motion to approve **2022-BZA-1: ALBERT ARNOLD – DEVELOPMENT STANDARDS VARIANCE** as presented.

Mr. McCloud seconded the motion.

The motion to approve **ALBERT ARNOLD – DEVELOPMENT STANDARDS VARIANCE** as presented was approved with all in favor.

Mr. Arnold asked what was the next step.

Mrs. Zeiner explained that he would need to hire a surveyor to have the property divided, a deed prepared, and both the deed and survey would need to be recorded.

2022-BZA-2: MICHAEL & MICHELLE SPEIER – DEVELOPMENT STANDARDS VARIANCE: to reduce the acreage requirement to allow to split a 9.79-acre parcel into two parcels (lot 1 being 5 acres; lot 2 being 4.79 acres) with 350 feet of road frontage for each parcel; Zoned A1; Clinton Township; 30/15N/5W (3888 N CR 800 W Greencastle)

Michelle Speier approached the board. Mrs. Speier stated that this variance request would allow the property to be split so that their daughter could build a dwelling on the property. Mrs. Speier explained that the requested variance was for one lot that would be less than 5 acres. Mrs. Speier stated that the road frontage for both parcels would be at least 350 feet. Mrs. Speier explained that the total acreage of the lot at 9.79 acres, would not allow for both parcels to be at least 5 acres.

Mr. McCloud asked if there was anyone else who wanted to speak in favor of or against this petition. No one else came forward. Mr. McCloud closed the public hearing portion for this petition.

Mr. Scobee made a motion to approve **MICHAEL & MICHELLE SPEIER DEVELOPMENT STANDARDS VARIANCE** as presented.

Mr. Sutherlin seconded the motion.

The motion to approve **MICHAEL & MICHELLE SPEIER DEVELOPMENT STANDARDS VARIANCE** as presented was approved with all in favor.

2022-BZA-3: SCOTT WILLIAMS – DEVELOPMENT STANDARDS VARIANCE: to reduce the side and rear setback from 30 feet to 8 feet to allow for the construction of a pool house and pool; Zoned A1; Monroe Township; 17/15N/4W (5449 N US 231 Greencastle)

Scott Williams approached the board. Mr. Williams stated that the dwelling was built around 1704 along US 231. Mr. Williams explained that he was wanting to construct a pool house and install a pool. Mr. Williams stated that because of the lot size and the location of the septic, the pool and pool house needs to be at the northeast corner of the property. Mr. Williams explained that he was wanting to keep as many trees as possible.

Mrs. Scott asked where the well was located.

Mr. Williams stated the well was located inside the garage.

Mr. McCloud asked if there was anyone else who wanted to speak in favor of or against this petition. No one else came forward. Mr. McCloud closed the public hearing portion for this petition.

Mr. Scobee made a motion to approve **SCOTT WILLIAMS – DEVELOPMENT STANDARDS VARIANCE** as presented.

Mr. McCloud seconded the motion.

The motion to approve **SCOTT WILLIAMS – DEVELOPMENT STANDARDS VARIANCE** as presented was approved with all in favor.

Mrs. Scott stated that on the reports there are several that say 1 or 2 family dwelling, what is meant by that.

Mrs. Zeiner explained that those structures are either single family dwellings or duplex dwellings. Mrs. Zeiner stated that there was a new report data base that is being used. Mrs. Zeiner explained that the report was broken down by town to show the number of permits issued by the town.

Mr. McCloud asked what was meant by detached acc.

Mrs. Zeiner explained that those are detached accessory dwellings. Mrs. Zeiner stated that she is in the process of cleaning up the permit codes.

Mr. Sutherlin asked if those were garages, pool house, etc.

Mrs. Zeiner stated it would be any accessory structure not attached to a dwelling.

Mrs. Scott asked if that would include pools.

Mrs. Zeiner stated that pools have their own permit depending on if it is an above ground or inground pool; however, a pool house would be classified as a detached accessory.

Mr. Scobee asked the T-Mobile permit.

Mrs. Zeiner stated cell towers are removing old antennas and installing updated antennas that would not have to go before this board as they are not modifying the tower.

Mr. Scobee asked about the Larry Timms permit.

Mrs. Zeiner explained that the Timms permit was for the ViaSat satellite that the board had previously approved.

Mrs. Scott stated that it appears there a lot of people interested in solar panels.

Mrs. Zeiner confirmed that they have issued several solar permits.

Mr. McCloud briefly discussed the proposed solar farm in Montgomery County.

ELECTION OF OFFICERS:

Mr. Sutherlin made a motion to keep the officers the same, with Raymond McCloud being President and Kevin Scobee being Vice-President.

Mr. Scobee seconded the motion.

The motion to keep Raymond McCloud as president and Kevin Scobee as vice president was approved with three in favor, one opposed, and one neutral. Lora Scott opposed the motion. Randy Bee was neutral, neither in favor nor opposition of the motion.

Mr. McCloud explained that there is no one person that is more or less important than anyone else on the board; we are all in this together.

Mrs. Scott stated that the only reason she wanted to be considered as chair is because her term will end in 2023. Mrs. Scott explained that because of all the meetings that will be held with the revisions of the comprehensive plan and other ordinances. Mrs. Scott explained that typically it falls on the chairperson of the board to attend those meetings.

Mr. McCloud stated that the board could make a motion to appoint someone to the committees.

Mr. Scobee asked if that would fall under the plan commission.

Mrs. Scott explained that there would be input from several different places, not just the plan commission. Mrs. Scott stated that there would be a steering committee and special interest groups.

Mrs. Zeiner explained that she has not been involved in the full meetings of the comprehensive plan process, so this would be a learning experience.

Mrs. Scott stated that there would be a steering committee, and several stakeholder groups: like agriculture producers/landowners, realtors, surveyors, etc. Mrs. Scott explained that the steering committee would not be a duplication of the plan commission, the steering committee would be more comprehensible.

Mrs. Zeiner stated that the plan commission will approve the plan and give a recommendation to the County Commissioners. Mrs. Zeiner explained that for the steering committee there should be at least one person from the plan commission and at least one from the BZA on the committee. Mrs. Zeiner stated that the number of members for the steering committee would be dependent on recommendations from the firm that is chosen to complete the work.

Mr. Scobee asked if the firm had been chosen.

Mrs. Zeiner stated that the firm had not been chosen. Mrs. Zeiner explained that the recommendation is to have HWC complete the comprehensive plan and ordinances and Christopher Burke Engineering complete the drainage plans. Mrs. Zeiner stated that the firms and proposals will be discussed at the March 21, 2022, Commissioner's meeting.

Mr. Scobee asked if this would be finished by the end of the year.

Mrs. Scott stated that the proposal is that it would take eighteen months. Mrs. Scott explained that this is not just taking a board or volunteers, it is getting input from public meetings, the website surveys, etc. Mrs. Scott stated that it would be just like when the comprehensive plan was done in 2006 with the ordinances being written to reflect any changes in the comprehensive plan.

Mr. Scobee stated that those meetings were done at the school.

Mrs. Scott stated that there were a few at the fairgrounds.

Mr. McCloud asked if it was part of the BZA to be involved in the process.

Mrs. Zeiner stated that she thought it would be important for the board to be involved since this board has to review any variances of the development standards. Mrs. Zeiner explained that the increase in variance requests pushed her to request for the revisions and updates.

Mrs. Scott stated that if most of the people response saying they want little bitty parcels, then the zoning would have to be changed, same for if there are more that want to preserve farm grounds. Mrs. Scott explained that could be more zoning districts and changes to the map. Mrs. Scott stated that HWC was one of the firms that was interviewed back in 2020. Mrs. Scott explained that the other firms that were interviewed was a firm that was not set up adequately to gather information and the other firm was combination of an engineering firm and a planning firm. Mrs. Scott stated that the planning firm did not have a large team, whereas HWC has a vast team that works with several similar counties. Mrs. Scott explained that at the interview meeting there were representatives from Roachdale, Russellville, Cloverdale, and the City of Greencastle. Mrs. Scott stated that the committee of herself, Mrs. Zeiner, Rick Woodall, and Wendell Underwood asked most of the questions, but the towns also had some input.

Mrs. Zeiner stated that she has not had any feedback from the towns. Mrs. Zeiner explained that the Town of Fillmore did not want anything to with zoning.

Mr. Scobee asked about someone building a dwelling in Fillmore.

Mrs. Zeiner stated that they still had to get a building permit, but they could build the dwelling on the property line since there are no setback rules.

Mr. Scobee asked when the next meeting would be.

Mrs. Zeiner stated that the next meeting would be the Commissioner's meeting. Mrs. Zeiner explained that she would be recommending that HWC be hired for the comprehensive plan and zoning ordinance and Christopher Burke Engineering be hired for the stormwater/drainage ordinances. Mrs. Zeiner explained that Christopher Burke is very good at stormwater.

Mrs. Scott stated that members of the team for HWC were from Putnam County or had lived in Putnam County at one time, but now live elsewhere. Mrs. Scott explained HWC was currently working with the Town of Cloverdale.

Mr. McCloud suggested table this discussion until more information is available or until the board can discuss this with Mr. Ensley.

Mrs. Zeiner stated that this was just a discussion on the firms that were interviewed to update the board.

Mr. Bee suggested appointing someone to represent the board on the steering committee.

Mr. Mc Cloud stated that he had no problem with Mrs. Scott representing the board.

Mrs. Scott stated that she would be glad to do it but thought that waiting of input from HWC would be best for who and how many would be needed.

Mr. Scobee stated that he would be interested in some of it.

Mrs. Scott stated that as soon as they get approval, the firm would be ready to get started. Mrs. Scott explained that there would be an assessment period before the meetings would start to analysis what we have.

Mr. McCloud asked how all the people got invited to the interviews.

Mrs. Zeiner stated that she had asked the plan commission members and the members of this board who wanted to be involved with the interview process and those were the only ones that expressed interest.

Mr. McCloud stated that the discuss on who to represent the BZA should be tabled until after the commissioner's meeting.

Mrs. Scott agreed as there was not enough information at this time. Mrs. Scott explained that she would be happy to represent the board.

Mr. Sutherlin stated that Lora would be a good representative for the board to keep the board informed as to what is going on.

Mrs. Scott stated that agriculture is going to have to stand up and have a voice.

There being no other business, Mr. McCloud made a motion to adjourn.

Mr. Scobee seconded the motion.

Meeting adjourned at 8:00 p.m.

Minutes approved on the 11th day of April 2022.


Raymond McCloud, President

**PUTNAM COUNTY BOARD OF ZONING APPEALS
AGENDA**

MONDAY MARCH 14, 2022

7:00 p.m.

Commissioner's Meeting Room - 1 W Washington St - Greencastle, IN 46135
(765) 301-9108

1. CALL TO ORDER

ROLL CALL DETERMINATION OF QUORUM

☐ Raymond McCloud ☐ Kevin Scobee ☐ Randy Bee ☐ Ron Sutherlin ☐ Lora Scott
☐ Jim Ensley, Attorney ☐ Lisa Zeiner, Plan Director

2. REVIEW OF MINUTES – February 14, 2022, Minutes

3. Election of Officers – Currently Raymond McCloud, President; Kevin Scobee, Vice President

3. PUBLIC HEARINGS -Public hearing items have been advertised according to law. For items involving a piece of land, courtesy notices have been sent to some property owners. Testimony for and against each proposal will be taken and a decision by the Board of Zoning Appeals made. The Board may continue an item to another date for hearing if the public is better served by such a continuance.

❖ **OLD BUSINESS**

2021-BZA-45: Damon Cox – Development Standards Variance: to allow two primary dwellings on the same parcel; Zoned A1; Cloverdale Township; 33/13N/3W (5304 E CR 900 S Cloverdale)

❖ **NEW BUSINESS**

2022-BZA-1: Albert Arnold – Development Standards Variance: to reduce the road frontage from 350 feet to 310 feet to allow the ability to split a 20-acre parcel into two 10-acre parcels; Zoned A1; Washington Township; 4/13N/5W (4709 S CR 650 W Greencastle)

2022-BZA-2: Michael & Michelle Speier – Development Standards Variance: to reduce the acreage requirement to allow the ability to split a 9.79-acre parcel into two parcels (Lot 1 being 5 acres; Lot 2 being 4.79 acres) with 350 feet of road frontage for each parcel; Zoned A1; Clinton Township; 30/15N/5W (3888 N CR 800 W Greencastle)

2022-BZA-3: Scott Williams – Development Standards Variance: to reduce the side and rear setbacks from 30 feet to 8 feet to allow for the construction of a pool house and pool; Zoned A1; Monroe Township; 17/15N/4W (5449 N US 231 Bainbridge)

4. BUSINESS SESSION - In its business session, the Board of Zoning Appeals meets in open session to discuss each item and decide on an outcome. By law, a business session agenda is posted at least 48 hours prior to this meeting. This is not a public hearing. No testimony is taken unless the Board requests it. The Board may continue an item to another date for the hearing if the public is better served by such a continuance.

5. OTHER BUSINESS

6. WISHES TO BE HEARD

Information pertaining to these cases is available to the public weekdays from 8:00 a.m. to 4:00 p.m. at the Department of Planning & Building, Putnam County Courthouse 1 W Washington St, 4th Floor Room 46 Greencastle, Indiana 46135. There are times during routine application processing when files may not be immediately available. Written objections to any item on the agenda may be filed with the secretary of the Plan Commission before the hearing. At the hearing, oral comments concerning each Public Hearing proposed will be heard. The jurisdiction of the Plan Commission is all of Putnam County except the City of Greencastle, and the Towns of Bainbridge, Cloverdale, and Roachdale. For more information call (765) 301-9108.

FOR SPECIAL ACCOMMODATIONS NEEDED FOR HANDICAPPED INDIVIDUALS PLANNING TO ATTEND THIS HEARING. PLEASE CALL, THE PLANNING SECRETARY AT (765) 301-9108 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.

PUTNAM COUNTY BOARD OF ZONING APPEALS

March 14, 2022

SIGN IN SHEET

PLEASE PRINT CLEARLY

NAME	ADDRESS
Damen B Cox	5304 E. Co. Rd 900 S. Claretsdale IN
Scott Williams	5449 N. US Hwy 231 Bainbridge 46105
Albert Arnold	4709 S Co Rd 650 W Greencastle, IN 46135
Mike Speiser / Michelle Speiser	504 Jefferson Valley Coatesville IN 46121