

**PUTNAM COUNTY BOARD OF ZONING APPEALS
MINUTES**

The Putnam County Board of Zoning Appeals met for its regular monthly meeting on August 8, 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, and Lora Scott. Ron Sutherlin was not present. Also, present was Jim Ensley, County Attorney; and Lisa Zeiner, Plan Director. 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 July 11, 2022, meeting minutes.

Lora Scott made a motion to approve the July 11, 2022, meeting minutes as presented.

Mr. McCloud seconded the motion. The July 11, 2022, minutes were approved as submitted with all in favor.

OLD BUSINESS: No old business

NEW BUSINESS:

2022-BZA-14: McVEIGH JOHN GRIFFIN – DEVELOPMENT STANDARDS VARIANCE:

to allow the 4.50-acre parcel to be split into two parcels – one being 1 to 1.25 acres; parcel 2 being 3.3 to 3.5 acres – and to allow the reduction of road frontage for one parcel from 200 feet to no road frontage; Zoned A1; Clinton Township; 6/14N/5W (8471 W CR 750 N)

McVeigh Griffin, petitioner approached the board. Mr. Griffin stated that the property was 4.5 acres with 238 feet of road frontage. Mr. Griffin explained that there was an existing doublewide on the property. Mr. Griffin stated that he wanted to split off the doublewide along with the existing fenced in area. Mr. Griffin explained that he intended to sell the existing dwelling so he could build a house closer to the road and have an area for a horse or goats. Mr. Griffin stated that the existing dwelling would not suit his needs as he plans on building a two hundred-thousand-dollar or three hundred-thousand-dollar log cabin. Mr. Griffin explained that the well and septic location was to be determined.

Mr. McCloud asked about the green area on the exhibit and if it went back to another residence.

Mrs. Zeiner stated that it goes back to several residences.

Mr. Griffin stated that he was not sure how far back the easement went.

Mrs. Zeiner stated that there are at least three dwelling that have access via the easement.

Mrs. Scott asked for clarification on who owned the property.

Mr. Griffin stated that he owns the property.

Lisa Zeiner explained that when Mr. Griffin applied for the variance, he did not own the property, but took possession of the property on August first.

Mrs. Scott asked if the decision to split off the 1.3 acres is a convenience, why not build on the tract as it sits now.

Mr. Griffin stated that he would have to bulldoze the existing dwelling. Mr. Griffin explained that the dwelling was worth one hundred fifty thousand dollars and the property sold for two hundred thousand dollars. Mr. Griffin stated that the property is rough ground. Mr. Griffin explained that there were cows on the property. Mr. Griffin indicated that the pink line on the exhibit is an existing fence line. Mr. Griffin stated that there was an area where water runs through the property.

An audience member began speaking.

Mrs. Zeiner stated that the public hearing portion had not been open, and the person speaking did not state their name.

The audience member continued speaking but was inaudible.

Mr. McCloud asked the board if there were any comments.

Mrs. Scott stated that she had some but would like to hear what the public had to say first.

Mr. McCloud opened the public hearing portion of the meeting.

Earl Wells, adjoining property owner to the north, approached the board. Mr. Wells showed on a map where his property was located. Mr. Wells expressed concerns with runoff. Mr. Wells stated that septic system could drain off into the runoff area.

Mr. McCloud stated that the Board of Health would have to approve the septic system.

Mrs. Zeiner stated that soil samples would have to be done.

Kevin Terhune, adjoining property owner, approached the board. Mr. Terhune explained that he has a forty foot by twelve hundred feet driveway/road frontage. Mr. Terhune expressed concerns with additional runoff. Mr. Terhune stated that he did not have any issues with separating the property as it would add more value to the area.

Mrs. Scott asked for clarification on the watershed and where it goes.

Mr. Terhune showed on a map where the watershed goes. Mr. Terhune stated that it runs toward the creek. Mr. Terhune explained that there has been a couple times last year where his drive was washed out.

Mrs. Scott asked about the driveway.

Mr. Terhune stated that there are two driveways beside each other. Mr. Terhune explained that he owns his driveway, and the other driveway was an easement on the property owned by Mr. Griffin.

Mr. McCloud asked who owns the easement.

Mr. Wells stated that the easement is owned by Mr. Griffin.

Mr. Griffin showed on a map where the easement was and who owned each section of the easement.

There were several audience members speaking to the board members. It was difficult to separate conversations that was being picked up on the recording.

There was discussion on the acreage requirements and discussion on the use of the properties in the area.

Mr. McCloud asked if all the green cards had been received.

Mrs. Zeiner stated that the letter had been sent, but Mr. Griffin stated that he had not received the green cards back. Mrs. Zeiner explained that several people and either called the office or came into the office about this project. Mrs. Zeiner stated that they did not indicate if they were for or against the project. Mrs. Zeiner stated that an email was received from the health department that had concerns about the existing septic as the health department does not have a record of the existing septic system on file. Mrs. Zeiner explained that the health department was also concerned about whether there would be sufficient room of the proposed 1.3-acre parcel for a backup septic system if the existing system were to fail. Mrs. Zeiner stated that the health department indicated that there could be compaction issues in the area of the new dwelling and separation distance from what appears to be a creek or drainage area running through the property.

Jeff Fletcher, adjoining property owner to the south, approached the board. Mr. Fletcher stated that he did not have any issues with the proposal as it would add to the property value. Mr. Fletcher explained that there was a hill on the property then drops down to the creek. Mr. Fletcher stated that he helped the previous owner maintain the property.

Kevin Scobee asked where the property was located.

Mrs. Scott stated that it was around the Portland Mills area, the campgrounds are to the west and east.

Mr. Griffin stated that what he is planning will not affect anyone in the area. Mr. Griffin explained that it would add another taxable property.

Mrs. Scott stated that the Commissioner's had recently changed the developmental standards in an agricultural district to 2 acres and 200 feet of frontage. Mrs. Scott explained that 2 variances were being sought. She asked if the 1.3 acres could be made 2 acres.

Mr. Griffin stated that it would not be mechanically worthy to do that. Mr. Griffin explained that where the fence line is shown for the existing dwelling, the land then slopes down and becomes rough field, it would not benefit the area.

Mrs. Scott stated that it would allow for an area to allow for a secondary septic system site. Mrs. Scott explained that one of the big concerns in reducing the requirements of parcel sizes in rural areas, is what happens when the septic system fails.

Mr. McCloud stated that if the system goes bad and it has to be moved, we need to make sure there is enough room for another system.

Mr. Griffin asked how much room would be required for a septic system.

Mrs. Scott stated that it depended on the soils.

Mr. McCloud stated that Board of Health would determine all of that based on several factors.

Mrs. Scott stated that this is an area that could be zoned residential as the county updates the comprehensive plan. Mrs. Scott explained that given that the county just recently reduced the acreage to less than two acres, she could not support that. Mrs. Scott stated that the zoning in the area could change.

Mr. McCloud stated that right now there are a set of rules that the board needs to go by.

The consensus of the board was in agreement of denying the petition.

Mr. Griffin asked how the road frontage is an issue.

Mr. Bee explained that as the property sits now, there is 238 feet of road frontage. Mr. Bee stated that if the property is split the existing dwelling would not have road frontage as required by the zoning ordinance. Mr. Bee explained that the road frontage on an easement is not the same as road frontage on a county road.

Mr. Griffin stated that the other properties do not have road frontage.

Mrs. Zeiner stated that those properties were created prior to zoning regulations.

Mr. McCloud stated that those areas are grandfathered in.

Mr. Bee stated that since you are wanting to create a new parcel it is not grandfathered.

Mr. McCloud stated that what is being requested is against the zoning rules. Mr. McCloud explained that if the existing dwelling was added to or torn down and build new then everything is okay because the road frontage and acres is there.

Mr. Scobee stated that the comprehensive plan would be done in a year or so and that could be more in your favor.

Mr. Griffin asked what the rules for road frontage is.

Mr. McCloud stated that it was 200 feet.

Jim Ensley stated that he could not have two dwellings on one parcel.

Mrs. Zeiner explained that he could live in the existing dwelling while building a new dwelling in a different location on the property, then remove the existing dwelling once the new one is completed.

Mr. Griffin stated that option is not financially viable, it would be like bulldozing one hundred fifty dollars into the ground.

Mr. Griffin asked changing the acreage to two acres.

Mr. Bee stated that the parcel still would not have road frontage.

Mrs. Scott asked about the process if the petition was withdrawn.

Mr. Ensley stated that he could repetition in one year or the board could vote and waive the year requirement based on the updates coming.

Mrs. Scott stated that if the board votes to deny the petition, it could be put in the motion to waiver the year requirement.

Mr. McCloud explained that there is a chance that the rules remain the same in this area.

Mr. Bee asked if it would be possible to remodel or add on to the existing dwelling.

Mr. Griffin stated that he could not make a log cabin out of a modular home.

Mr. McCloud asked what the board should do.

Mr. Ensley stated that the petitioner could withdraw the petition, or the board could vote, and part of the motion would be to waive the one-year requirement to bring it back in front of the board.

Mr. Scobee suggested that the petitioner withdraw the request.

Mr. Griffin asked how would withdrawing the petition be to his benefit.

Mr. Bee stated that it would buy time to see if the new zoning regulations favor what you are wanting to do.

Mr. Griffin asked if there was any designation for the county road.

Mr. McCloud stated that it would be a flagpole property and would be denied by the board.

2022-BZA-14: McVEIGH JOHN GRIFFIN Development Standards Variance was withdrawn by the petitioner.

Mrs. Zeiner stated that the planning department had gotten some complaints on property located at 360 W US Highway 36. Mrs. Zeiner explained that the complaint was that there was a junk yard. Mrs. Zeiner stated that the property owners were present to discuss this complaint.

Leslie Hammond, property owner at 360 W US 36, approached the board. Ms. Hammond stated that they run demolition derby. Ms. Hammond explained that the cars are all operable, they are moved to mow around.

Mr. McCloud asked about the car behind the garage.

Ms. Hammond stated that it was a derby car that was in the back that was just spray painted.

Mr. McCloud asked what the ordinance was, how is this classified.

Mrs. Zeiner stated that this property is zoned A2. Mrs. Zeiner explained that they are personal vehicles, not for a business. Mrs. Zeiner read Section 155.023(D)(6) of the Putnam County Zoning Ordinance: "No abandoned, junked, inoperable or derelict vehicles, machinery, farm machinery, equipment or miscellaneous scrap or building debris may be stored in the front yards." Mrs. Zeiner explained that the vehicles are not abandoned, not junk, not inoperable.

Jimmy Crafton property owner at 360 W US 36, approached the board. Mr. Crafton explained that the vehicles are all not gutted out, they run and are moved to mow around.

Mr. Scobee asked where this situation leaves the board.

Mrs. Zeiner stated that there were no zoning violations.

Ms. Hammond stated that they would be constructing a barn in a few years.

Mrs. Scott stated that landscaping could be done.

Mr. McCloud stated that a privacy fence could be constructed.

Mrs. Zeiner stated that the vehicles are not abandoned or inoperable.

Mr. McCloud stated that they could not be driven down the highway.

Ms. Hammond stated that if they were plated, they could be driven on the road.

Mrs. Zeiner stated that they did not have to be plated unless they are on the road.

Mr. Ensley stated that inoperable is not defined in the ordinance. Mr. Ensley explained that they are not abandoned or junked.

Ms. Hammond stated that some of them have ten-thousand-dollar motors in them.

Mr. Scobee stated that there are ten cars there now, what if there is thirty.

Mrs. Zeiner stated that there isn't anywhere in the ordinance that states the number of cars allowed on a property.

Mr. Ensley stated that there is no magic number.

Mr. McCloud stated that the boards hands are tied.

Mrs. Scott stated that we are not talking about a business operation, this is a hobby. Mrs. Scott explained that if it becomes a business then it is a different story. Mrs. Scott stated that there is no zoning ordinance.

Mr. Ensley stated that a note could be made to include a definition of inoperable in the new regulations.

Mr. McCloud thanked Ms. Hammond and Mr. Crafton for explaining what they were doing.

Mr. Ensley discussed the properties in New Maysville. Mr. Ensley stated that we are being told that someone is using it as storage and that party has been calling the police for trespass. Mr. Ensley explained that there is now a note posted that is signed and notarized by Mr. Bond, who is deceased, that gave an individual permission to use the property for storage. Mr. Ensley stated that we would need to readvertise the property as needing to be demolished. Mr. Ensley explained that Joyce Turner still owns the property because an estate was never set up for her. Mr. Ensley stated that Ms. Turner is deceased. Mr. Ensley explained the process of demolishing the dwelling and what happens with the lien if the property goes to tax sell.

Mrs. Scott asked if the solar and wind ordinance was adopted.

Mrs. Zeiner stated that it was.

Mrs. Scott asked for copies of the ordinance that were adopted.

Mr. Zeiner stated she would email those to the board.

Mr. Ensley updated the board on the comprehensive plan. Mr. Ensley explained that there was a booth at the fair that got good feedback. Mr. Ensley stated that there were two community meetings coming up, one being on the 11th at Cloverdale Town Hall, the other being on the 18th at Roachdale

Community Building, both meeting would begin at 6:30 p.m. Mr. Ensley stated that there has also been an uptake in towns wanting to get involved.

Mrs. Scott asked if there would be a meeting in Greencastle.

Mrs. Zeiner explained that in the contract there were only two community meeting.

Mr. Ensley stated that when it goes before the plan commission the meeting will be in Greencastle.

Mrs. Scott asked if there would be another announcement in the paper.

Mrs. Zeiner stated she would ask the Banner.

Mr. Ensley stated that the towns have email lists that they could send out about these meetings.

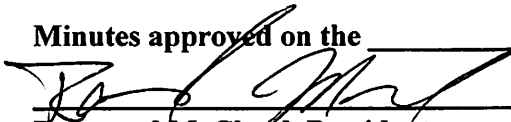
Mr. McCloud asked if there was any other business to be brought before the board. There being none, Mr. McCloud asked for a motion to adjourn.

Mrs. Scott made a motion to adjourn the meeting.

Mrs. Bee seconded the motion.

Meeting adjourned at 8:00 p.m.

Minutes approved on the _____ day of _____ 2022.



Raymond McCloud, President

PUTNAM COUNTY BOARD OF ZONING APPEALS

August 8, 2022

SIGN IN SHEET

PLEASE PRINT CLEARLY

NAME	ADDRESS
Leslie Hammond	360 US 36
Jimmy Crafton	360 US 36
John Griffin	8471 8471 W 750 N GREENCASTLE
Jeff Fletcher Judy Fletcher	8476 W. Co Rd 750 N
Kevin Terhune Sue Terhune	8589 W CO RD 750 N
EARL WELLS	8543 W. CO. RD. 750 N

PUTNAM COUNTY BOARD OF ZONING APPEALS
AGENDA

MONDAY AUGUST 8, 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 – July 11, 2022, Minutes

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 - NONE

❖ NEW BUSINESS

2022-BZA-14: McVEIGH JOHN GRIFFIN – Development Standards Variance: to allow the a 4.50 acre parcel to be split into two parcels – parcel 1 being 1 to 1.25 acres; parcel 2 being 3.3 to 3.5 acres – and to allow the reduction of road frontage of one parcel from 200 feet to no road frontage; Zoned A1; Clinton Township; 6/14N/5W (8471 W CR 750 N Greencastle).

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.

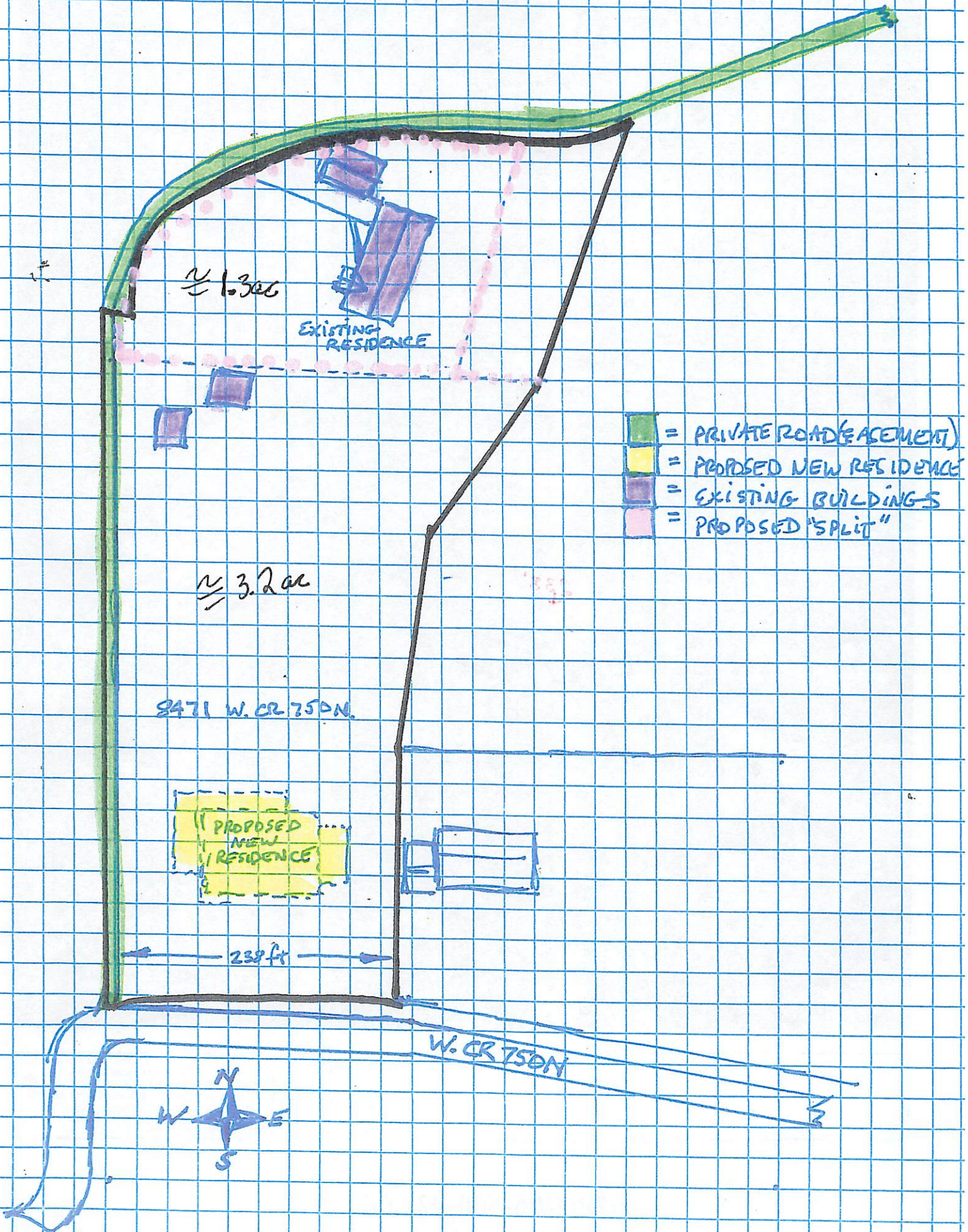
5. OTHER BUSINESS

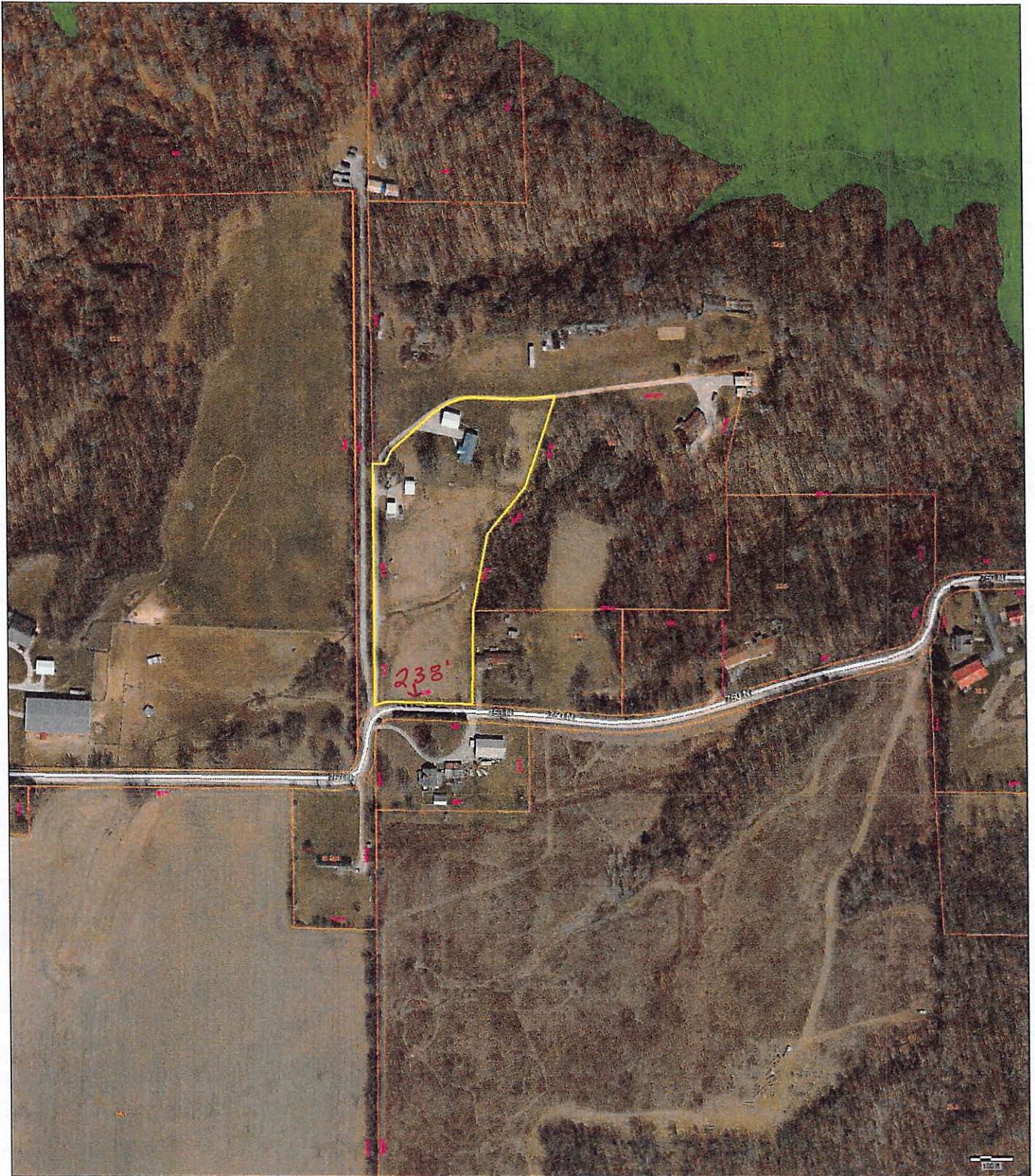
6. WISHES TO BE HEARD

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 ACCOMODATIONS A 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.

SITE PLAN





Printed
07/21/2022

The purpose of this map is to display the geographic location of a variety of data sources frequently updated from local government and other agencies. Neither WTH Technology nor the agencies providing this data make any warranty concerning its accuracy or merchantability. And no part of it should be used as a legal description or document.

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