

## **PUTNAM COUNTY BOARD OF ZONING APPEALS MINUTES**

The Putnam County Board of Zoning Appeals met for its regular monthly meeting on June 12, 2023, 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, Randy Bee, Lora Scott, and Ron Sutherlin. Kevin Scobee was not present. Also, present were Jim Ensley, County Attorney; and Lisa Zeiner, Plan Director. See attached sign in sheet for audience members present.

### **REVIEW OF MINUTES:**

Raymond McCloud asked if there were any corrections or additions to the May 8, 2023, meeting minutes.

Lora Scott made a motion to approve the May 8, 2023, meeting minutes as presented.

Randy Bee seconded the motion. The May 8, 2023, minutes were approved as submitted with all in favor.

### **OLD BUSINESS:**

None.

### **NEW BUSINESS:**

**2023-DSV-011: DAVID BURNS – DEVELOPMENT STANDARDS VARIANCE:** to allow two (2) residential dwellings on one parcel being eight (8) acres; Zoned A1; Madison Township; 16/14N/5W (6974 W CR 25 S Greencastle Parcel #67-10-16-200-011.000-011).

David Burns, property owner and petitioner, approached the board. Mr. Burns stated that he had to move his mother into his dwelling as she was recovering from breast cancer. Mr. Burns explained that a single-wide trailer was purchased and brought on to the property without permits for his mother to stay on the property. Mr. Burns stated that a septic system would be installed on the property for the trailer.

Mr. McCloud asked if there was one well or would another well be drilled.

Mr. Burns stated that the existing structure and the new structure would share the existing well.

Mr. McCloud asked if the septic was also being shared.

Mr. Burns stated that the single wide dwelling did not have a septic system connected to it. Mr. Burns explained that no one was living in the structure at this time.

Mr. McCloud asked if the parcel was eight acres.

Mr. Burns stated that it was just under ten acres.

Mr. McCloud asked about the road frontage.

Mr. Burns stated that there are two different lots, one being two acres the other being eight acres.

Mrs. Zeiner stated that the parcel with both dwellings has a road frontage of 262 feet. Mrs. Zeiner showed the GIS map showing the eight-acre parcel with both dwellings and the property to the west that is approximately two acres. Mrs. Zeiner stated Mr. Burns owns both properties, the two-acre parcel is vacant ground.

Mr. McCloud asked where the trailer was located.

Mr. Burns showed the location on the GIS map.

Randy Bee asked if there was a driveway to the trailer.

Mr. Burns stated that the existing driveway did not extend to the trailer.

Mrs. Scott asked what the mobile home had been using as a septic system.

Mr. Burns explained that no one is living in the mobile home, and it does not currently have a septic system.

Mrs. Scott stated that the mobile home was placed on the property in August of 2020. Mrs. Scott asked if the mobile home was vacant since it was located on the property.

Mr. Burns explained that his mother would be in the structure during the day, but anytime she needed to use the bathroom, she would go to his dwelling.

Mrs. Scott asked where the septic field for the dwelling was located.

Mr. Burns showed the location of the septic tank. Mr. Burns stated that a soil absorption field had never been installed for the dwelling, it was just a straight pipe that discharged on the ground. Mr. Burns showed the proposed location for the soil absorption field for the dwelling would be located on the two-acre parcel.

Mrs. Scott stated that two separate septic fields would be installed on the property, one for the dwelling and one for the mobile home.

Mr. Burns stated that was correct.

Mrs. Zeiner stated that changed the recommendation of reconfiguring the parcels so that the mobile home was on a separate parcel from the dwelling. Mrs. Zeiner explained that a driveway could not be placed over a septic system. Mrs. Zeiner suggested combining the two-acre parcel with the eight-acre parcel would probably need to be done.

Mr. McCloud asked about the road frontage on the two-acre parcel.

Mrs. Zeiner stated that there was approximately sixty-six feet of frontage.

Mr. Burns stated that he has no intention of making two separate residences. Mr. Burns explained that he is trying to fix the current problem. Mr. Burns stated that his mom would be staying in the mobile home while she needed someone to take care of her. Mr. Burns explained that the mobile home would be converted into a hobby shop or an outbuilding after it is no longer needed as a residence for his mother.

Mr. Sutherlin stated that there was still a problem with having two residences on the same parcel.

Mrs. Zeiner stated that was correct unless he can meet the following criteria and the board grants the variance:

1. The approval will not be injurious to the public health, safety, and general welfare of the community.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

3. The strict application of the terms of the zoning regulations would result in an unnecessary hardship in the sue of the property.

Mrs. Zeiner explained that the petition would have to prove that those statements are true and show hardship.

Mrs. Scott stated that for the Health Department to issue a permit, this board would first have to grant approval for two residences on the same parcel.

Mr. McCloud asked about splitting the property.

Mrs. Zeiner explained that in the boards packet was an example of how the two properties could be reconfigured so that each dwelling was on a separate parcel. Mrs. Zeiner stated that splitting the property would not work since the septic system for the dwelling would be located in the only area that a driveway could go for the mobile home.

Mr. McCloud stated that the proposed septic for the dwelling would be in the narrow part toward the road.

Mrs. Scott asked if the driveway could go on the east side.

Mr. Burns stated that the well was located at the east end of the dwelling. Mr. Burns explained that when the soil scientist was taking samples to find a location for the septic systems, the location on the west side of the property was the only viable place for a system for the dwelling.

Mr. Sutherlin asked if the existing well would serve both dwellings.

Mr. Burns stated that it would.

Mr. McCloud asked if there was anyone who opposed the proposal or anyone who wanted to speak on the project.

A member of the audience stated that their property was directly behind the subject parcel. The audience member stated that the sewage that is discharged runs down into the creek and onto their property.

No one else came forward, Mr. McCloud closed the public hearing for the project.

Mr. Sutherlin asked when the property was purchased.

Mr. Burns stated that he purchased the property in 2016.

Mr. McCloud asked if he had just now found out that the septic discharges into the creek.

Mr. Burns stated that a few years after he purchased the property, the clay tile for the line had collapsed. Mr. Burns explained that he had been trying to get money built up to fix it.

Mr. McCloud asked about access to the mobile home.

Mrs. Zeiner stated that there was no driveway to the mobile home.

Mr. Bee asked if the water line from the well going back to the mobile home would be an issued with the septic.

Mrs. Zeiner stated that it would depend on where the waterline runs.

Mr. Bee asked if the septic field would interfere with the water line.

Mrs. Zeiner stated that the septic system would have to be 10 feet from the water line and if it crosses the water line, there would have to be 18 inches of vertical separation between the water line and effluent pipes.

Mrs. Scott explained that one of the items that has been under discussion with updating the ordinances is allowing “flag lots” and making better use of the land we have, but one of the criteria would be that regardless of parcel size, it has to be able to support a septic system and a secondary system if the primary one fails. Mrs. Scott asked if the board could consider giving approval to not split the lot, but allow two dwellings and not have the second dwelling sold or rented in the future.

Mrs. Zeiner asked if there would be a driveway to the mobile home.

Mr. Burns stated that the driveway would follow the water line so that it would not affect the septic system.

Mr. McCloud stated that approval with restrictions could be considered.

Mrs. Zeiner stated that one benefit of installing two septic systems is that when the mobile home is removed or converted into an outbuilding, the system could be used as a back up for the dwelling if that system were to fail.

Mr. Burns stated that the Health Department has already cleared the area for the two septic systems. Mr. Burns asked if he could convert the mobile home into an outbuilding or would it have to be removed from the property.

Mrs. Zeiner stated that it could be converted to an outbuilding as long as all living areas were removed from the structure. Mrs. Zeiner explained that the building department would have to conduct an inspection of the structure to verify that it has been converted.

Mrs. Scott made a motion to approve **2023-DSV-011: DAVID BURNS – DEVELOPMENT STANDARDS VARIANCE** with the following stipulations:

1. Allow the temporary residences with the understanding that two septic systems will be installed.
2. Changes in the needs of Mr. Burns’ mother or at her passing the mobile home would not be used as a rental.
3. The property cannot be split into two separate parcels.
4. An inspection would be required from the building department when the mobile home is converted to an outbuilding.

Mr. McCloud requested that the approval also include that approval is only for the ownership of Mr. Burns, if the property is sold the mobile home would need to be removed or the new owner would have to get a variance from the board.

Mrs. Scott amended the motion to approve **2023-DSV-011: DAVID BURNS – DEVELOPMENT STANDARDS VARIANCE** with the following stipulations:

1. Allow the temporary residences with the understanding that two septic systems will be installed.
2. Changes in the needs of Mr. Burns’ mother or at her passing the mobile home would not be used as a rental.
3. The property cannot be split into two separate parcels.
4. An inspection would be required from the building department when the mobile home is converted to an outbuilding.
5. The approval is only for the current owner, David Burns, and is nontransferable to someone else.

Mr. Sutherlin seconded the amended motion.

**2023-DSV-011: DAVID BURNS – DEVELOPMENT STANDARDS VARIANCE** was approved including the stated stipulations with all in favor.

Mr. McCloud asked if there were any other items to discuss.

An audience member asked how far a septic system was required to be from property lines.

Mrs. Zeiner stated that 410 IAC 6-8.3 is the rule for septic systems, separation from property lines is five feet per that rule.

Mr. McCloud asked about the properties in New Maysville.

Jim Ensley stated that because an estate was never open, there is a process in Indiana called devolution. Mr. Ensley explained that when properties are left out of an estate an affidavit states who should own the property and why. Mr. Ensley stated that the owner of the site is deceased, the heir of the property is also deceased.

Mr. McCloud asked if the taxes are being kept up on the property.

Mr. Ensley stated that they appear to be.

Mrs. Scott asked if the owner was still Joyce Turner.

Mr. Ensley stated that it was, but she is deceased. Mr. Ensley explained that he did not believe that the property would ever go to tax sale because the adjoining property owners keep paying the taxes so that the other cannot get it.

Mr. McCloud stated that the property looks better.

Mrs. Scott agreed that there have been some improvements.

Mr. McCloud asked about the grocery store property.

Mr. Ensley stated that the county is working with the adjoining property owner. Mr. Ensley explained that the Commissioners own part of the property, but the structure sits on the property line. Mr. Ensley stated that an adjoining property owner purchased the other half of the property. Mr. Ensley explained that he would contact the owner of the property and work with the commissioners on the property to get the structure removed.

Mr. McCloud asked if there would be a timeline for removal.

Mr. Ensley stated that could be included in the agreement.

Mrs. Scott gave the board an update on the ordinances. Mrs. Scott stated that the consultants will have a rough draft of the zoning ordinance after the 4<sup>th</sup> of July. Mrs. Scott explained that there have been committee meetings on the direction of the ordinances. Mrs. Scott stated that the committee will meet once the draft is completed to provide feedback.

Mr. McCloud asked about the approval process for the ordinances.

Mrs. Zeiner stated that there will be a workshop meeting with the Plan Commission, BZA, county commissioners, and the public on the draft ordinance. Mrs. Zeiner explained that after the workshop a final draft will be presented to the Plan Commission. Mrs. Zeiner stated that the Plan Commission will

give a recommendation to the Commissioners, then it would be up to the Commissioners to adopt or make additional recommendations back to the Plan Commission.

Mrs. Scott stated that one element that will be a big difference is the subdivision ordinance will be a part of the zoning ordinance.

Mrs. Zeiner stated that the Unified Development Ordinance would be a combination of the zoning ordinance, subdivision control ordinance, and the development plan review ordinance.

Mr. Sutherlin asked about the language of allowing flagpole lots.

Mrs. Scott stated that the discussion was around making better use of spaces with a reduction of acreage and no road frontage requirement but allowing an egress/ingress easement. Mrs. Scott explained that density will be considered. Mrs. Scott stated that the goal is that development will be focused in areas where towns and communities already exist.

Mr. Sutherlin asked about specific language on the egress/ingress easement.

Mrs. Zeiner stated that driveway standards would be included in the ordinance specifically for emergency services and also road standards for minor, major, and conservation subdivisions.

Mrs. Scott stated that better utilization of the ten-acre tracts is another topic of discussion. Mrs. Scott explained that one of the goals is to not have a lot of road cuts along the roads.

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

Mr. Sutherlin seconded the motion.

The meeting was adjourned at 7:48 p.m.

Minutes approved on the 10<sup>th</sup> day of July 2023.

  
\_\_\_\_\_  
Raymond McCloud, President

BZA Sign In  
6/12/2023

David Burns 

PARL SPENCER

CHEERY SPENCER

Glenda Marlatt

Mike Marlatt

ASA 218 in  
10/12/2023

~~Paul Brown~~  
Paul Brown  
Paul Brown  
Paul Brown  
Paul Brown



PUTNAM COUNTY BOARD OF ZONING APPEALS  
AGENDA

MONDAY JUNE 12, 2023

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 – January 9, 2023, Minutes (February meeting cancelled no agenda items; March and April meeting cancelled no quorum)

4. 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

2023-DSV-011: DAVID BURNS – DEVELOPMENT STANDARDS VARIANCE: to allow two residential dwellings on one parcel being 8 acres; Zoned A1; Madison Township; 16/14N/5W (6974 W CR 25 S Greencastle 67-10-16-200-011.000-011).

5. 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.

6. OTHER BUSINESS

7. WISHES TO BE HEARD

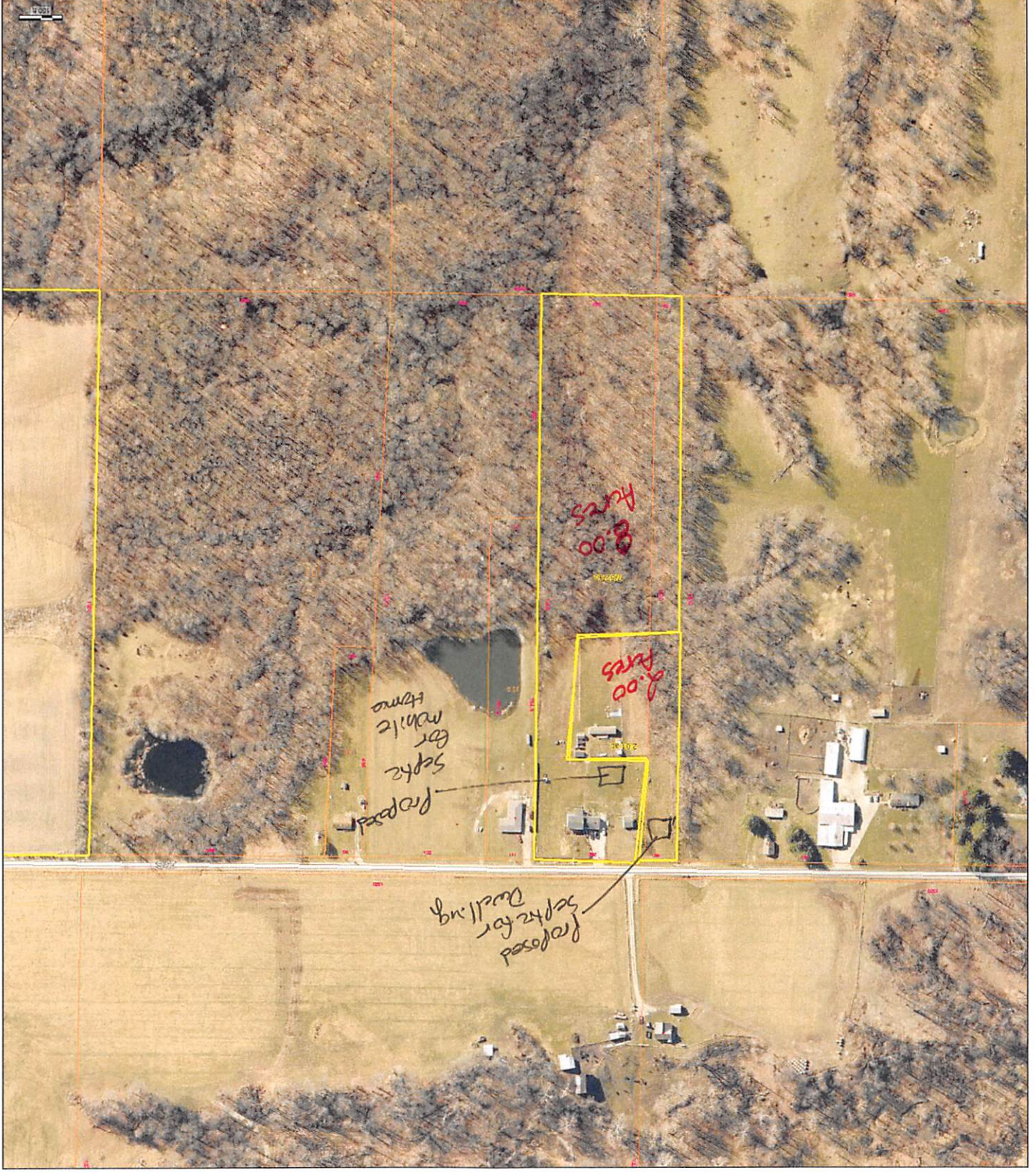
Information pertaining to these cases is available to the public weekdays from 8:00 a.m. to 4:00 p.m. at the Department of Planning & Building, Putnam County Courthouse 1 W Washington St, 4<sup>th</sup> Floor Room 46 Greencastle, Indiana 46135. There are times during routine application processing when 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 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.

Type notes here

Printed  
05/31/2023

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.



2023 PLAN COMMISSION & BZA CASE REPORTS AS OF 5/29/2023

BZA - CASES

LOCATION	TYPE	NUMBER
County	Development Standards Variance	4
	Special Exception	1
	<b>TOTAL</b>	<b>5</b>
Town of Bainbridge	Development Standards Variance	0
	Special Exception	3
	<b>TOTAL</b>	<b>3</b>
Town of Roachdale	Development Standards Variance	0
	Special Exception	0
	<b>TOTAL</b>	<b>0</b>
Town of Russellville	Development Standards Variance	0
	Special Exception	0
	<b>TOTAL</b>	<b>0</b>
<b>GRAND TOTAL BZA CASES</b>		<b>8</b>

PLAN COMMISSION - CASES

LOCATION	TYPE	NUMBER
County	Minor Plat	0
	Major Plat	0
	Conservation Subdivision	0
	Rezoning	3
	<b>TOTAL</b>	<b>3</b>
Town of Bainbridge	Minor Plat	0
	Major Plat	0
	Rezoning	0
	<b>TOTAL</b>	<b>0</b>
Town of Roachdale	Minor Plat	0
	Major Plat	0
	Rezoning	0
	<b>TOTAL</b>	<b>0</b>
Town of Russellville	Minor Plat	0
	Major Plat	0
	Rezoning	0
	<b>TOTAL</b>	<b>0</b>
<b>GRAND TOTAL PC CASES</b>		<b>3</b>

# Report Of Collection

Approved by State Board of Accounts for Putnam County, 2001

To: Putnam County Auditor  
(Title of Officer)

Planning/Building  
(Governmental Unit)

Putnam County, Indiana  
(County)

Collections for Period: 1/1/2023 thru 5/30/2023

Description	Funds to be Credited	Collections This Period	Prior Collections	Year to Date Collections
4 ABOVE-GROUND POOL	1180-18	\$600.00	\$0.00	\$600.00
3 ADDITION - SCREENED PORCH	1180-18	\$450.00	\$0.00	\$450.00
10 ADDITIONAL/ALTERATIONS (RES)	1180-18	\$3,000.00	\$0.00	\$3,000.00
8 BASEMENT	1180-18	\$320.00	\$0.00	\$320.00
95986 BUILDING PERMIT - 20 CENTS PER SQ FOOT	1180-18	\$19,197.20	\$0.00	\$19,197.20
41 BUILDING PERMIT/1000 SQUARE FEET	1180-18	\$16,400.00	\$0.00	\$16,400.00
3 BUSINESS, COMMERCIAL, PUBLIC	1180-18	\$3,000.00	\$0.00	\$3,000.00
60 CERTIFICATE OF OCCUPANCY	1180-18	\$1,200.00	\$0.00	\$1,200.00
9 CONSTRUCTION WITHOUT PERMIT - FIRST OF	1180-18	\$2,700.00	\$0.00	\$2,700.00
40 CONTRACTOR LISTING	4906-18	\$4,000.00	\$0.00	\$4,000.00
7 DEMOLITION PERMIT	1180-18	\$350.00	\$0.00	\$350.00
4 DETACHED ACCESSORY - PREBUILT	1180-18	\$400.00	\$0.00	\$400.00
52 DETACHED ACCESSORY BUILDINGS	1180-18	\$7,800.00	\$0.00	\$7,800.00
64 ELECTRICAL	1180-18	\$3,840.00	\$0.00	\$3,840.00
3 FENCE PERMIT	1180-18	\$180.00	\$0.00	\$180.00
9 IMPROVEMENT LOCATION PERMIT	1000-10	\$900.00	\$0.00	\$900.00
4 IN-GROUND POOL	1180-18	\$1,200.00	\$0.00	\$1,200.00
5 MAUFACTURED TYPE I, MULTI-SEC	1180-18	\$1,000.00	\$0.00	\$1,000.00
1 OCCUPY DWELLING WITHOUT FINAL - FIRST C	1180-18	\$250.00	\$0.00	\$250.00
11 OTHER	1000-10	\$1,831.00	\$0.00	\$1,831.00
13 RENEW BUILDING PERMIT	1180-18	\$3,231.36	\$0.00	\$3,231.36
2 REZONE - \$25.00 PER ACRE	1000-10	\$50.00	\$0.00	\$50.00
3 REZONING	1000-10	\$1,500.00	\$0.00	\$1,500.00
9 ROOF	1180-18	\$540.00	\$0.00	\$540.00
530 SINGLE INSPECTION	1180-18	\$31,800.00	\$0.00	\$31,800.00
4 SPECIAL EXCEPTION	1000-10	\$600.00	\$0.00	\$600.00
4 VARIANCE	1000-10	\$600.00	\$0.00	\$600.00
16 WORK WITHOUT INSPECTION - FIRST OFFENS	1180-18	\$1,600.00	\$0.00	\$1,600.00
1 WORK WITHOUT INSPECTION - SECOND OFFE	1180-18	\$250.00	\$0.00	\$250.00
<b>Total Amount Collected</b>		<b>\$108,789.56</b>	<b>\$0.00</b>	<b>\$108,789.56</b>

I hereby certify that the foregoing is a true and correct report of collections due the above named governmental unit for the period shown.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

**Note**

This is not to be used as a receipt for collections. The official to whom the report is made must issue an official receipt for the collections remitted.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(Title of Officer)

2023 BUILDING PERMIT REPORT AS OF 5/29/2023

LOCATION	TYPE OF PERMIT	NUMBER OF PERMITS ISSUED
COUNTY	New dwellings	38
	Pools	3
	Commercial	6
	Electric	45
	Detached Accessory	50
	Demolition	7
	Additions	12
	Cell Modifications	6
	Roof	2
	Addition Commercial	1
	Attached Accessory	1
	<b>TOTAL</b>	<b>171</b>
TOWN OF BAINBRIDGE	Fence	2
	New Dwelling	3
	Detached Accessory	2
	Additions	1
	Roof	1
	Electric	1
	<b>TOTAL</b>	<b>10</b>
GREENCASTLE 2-MILE FRINGE	Commercial	1
	New Dwelling	1
	Electric	4
	Pool	1
	Detached Accessory	1
	Additions	2
	Cell Modifications	1
	<b>TOTAL</b>	<b>11</b>
TOWN OF ROACHDALE	Fence	4
	Driveway	1
	<b>TOTAL</b>	<b>5</b>
TOWN OF RUSSELLVILLE	Electric	4
	Commercial	1
	<b>TOTAL</b>	<b>5</b>
TOWN OF CLOVERDALE	Roof	1
	New Dwelling	1
	Electric	6
	Detached Accessory	1
	<b>TOTAL</b>	<b>9</b>
HERITAGE LAKE	Additions	6
	Cell Modifications	1
	New Dwelling	11
	Deck	1
	Pool	1
	Detached Accessory	2
	<b>TOTAL</b>	<b>22</b>
TOWN OF FILLMORE	Electric	1
	<b>TOTAL</b>	<b>1</b>
<b>GRAND TOTAL PERMITS</b>		<b>234</b>

