

MINUTES
CHURUBUSCO BOARD OF ZONING APPEALS
REGULAR MEETING
THURSDAY, JUNE 21, 2018
7:30 P.M.

CHURUBUSCO TOWN HALL

MEMBERS PRESENT

David Crabill
Paula Grawcock
Alan Malcolm
Miles Wilson

STAFF

Nathan Bilger

MEMBER ABSENT

Jason Bartl

VISITORS

There were four visitors who signed the guest list at the June 21, 2018, regular meeting of the Churubusco Board of Zoning Appeals. A guest list is included with the minutes of this meeting.

CALL TO ORDER

Ms. Grawcock called the meeting to order at 7:30 p.m.

ROLL CALL

Mr. Bilger read the roll with those members present and absent listed above.

CONSIDERATION AND ADOPTION OF THE APRIL 19, 2018, REGULAR MEETING MINUTES

Mr. Bilger asked if there were any corrections or additions to the April 19, 2018, Churubusco Board of Zoning Appeals minutes. Mr. Malcolm motioned to adopt the minutes, Mr. Crabill gave the second, and the Board voted unanimously to approve the minutes as presented.

ADMINISTRATION OF THE OATH TO WITNESS

Witnesses who wished to speak were sworn in by Mr. Bilger.

OLD BUSINESS

There was no old business.

NEW BUSINESS

18-CH-VAR-3

Roger Brineman requested Variance to allow for the construction of a 7' chain link fence at 307 S. Main Street, Churubusco. Mr. Bilger summarized the Staff Report and explained that the Ordinance permitted chain link fences up to 6' high. He stated that Mr. Brineman had requested the 7' fence because he has a large dog. Mr. Bilger compared the request to the required review criteria and noted that the Board should consider how this petition may set a precedent for other similar requests.

Roger Brineman was unable to attend the meeting and had assigned his father, James Brineman, as his agent to present the case. Mr. Brineman stated that his son had purchased black chain link fence. He explained that his son has a jumping dog and property bordered by two alleys and US 33 (Main Street). Although the dog will primarily be indoors, Mr. Brineman expressed that the tall fence would be needed to ensure containment of the dog.

Denise Geiger, an adjacent property owner, was present and told the Board that she did not like the look of chain link fences. She also did not feel that a 7' tall fence should be needed. She is familiar with a larger dog that does not jump more than 4'. Mr. Brineman replied that his son's dog can jump 6' so they are sure that 7' will be necessary. She suggested that her neighbor install an invisible fence, as she had. Mr. Brineman replied that that kind of fence does not work for this dog. Ms. Geiger presented the Board with photos of her neighbor's yard to show the height of his grass and the things accumulated outside his home. Mr. Brineman stated that the fence is the first priority, and a shed will come next.

Sherry Slavin, a neighbor to the east, told the Board that she just wants to make sure the neighborhood looks nice. Mr. Wilson told the neighbors that he understands their concern, but the things the neighbors are upset about are regulated by Town ordinances and are not related to the petition. Mr. Wilson asked the neighbors if they had any issue with the height of the proposed fence. Ms. Slavin asked if the fence would be far enough away from Ms. Geiger's fence that both parties could maintain their yards. Mr. Brineman stated they would place the fence approximately 3 feet from the property line. Ms. Geiger didn't feel this would be enough room for her mower. Mr. Brineman replied that when the contractor marks the area, he would have her come out and make sure there was enough room to meet her needs.

With the neighbor's satisfied, Mr. Wilson then motioned to approve the Variance request as presented for a 7' fence and with the setbacks to be agreed upon by the neighbors. Mr. Crabill gave the second. The members voted 3 in favor, and Mr. Malcolm abstained.

OTHER BUSINESS

There was no other business. Mr. Bilger told the Board that there would be a Special Exception petition to be heard at their July meeting.

ADJOURNMENT

There being no further discussion, Mr. Malcolm motioned to adjourn, Mr. Crabill gave the second, and with a unanimous vote, the meeting was adjourned at 7:49 p.m.

GUEST LIST

1. Janice Brineman ----- 7660 E. State Road 205, Churubusco, IN 46723
2. Jim Brineman ----- 7660 E. State Road 205, Churubusco, IN 46723
3. Denise Geiger ----- 301 S. Main Street, Churubusco, IN 46723
4. Sherry Slavin ----- 114 Mill Street, Churubusco, IN 46723