

MINUTES
CHURUBUSCO BOARD OF ZONING APPEALS
REGULAR MEETING

March 18, 2021

7:30 p.m.

Boy Scout Building

MEMBERS PRESENT

Jason Bartl
Alan Malcolm (electronic)
Miles Wilson (electronic)

MEMBERS ABSENT

Brenda Saggars

STAFF

Nathan Bilger

ATTORNEY

absent

AUDIENCE MEMBERS

Two audience members were in attendance at the meeting. The guest list is kept on record/attached to these minutes. The meeting was webcast; there were no on-line audience members.

CALL TO ORDER/ROLL CALL

Mr. Bartl called the meeting to order at 7:30 p.m. Mr. Bilger read the roll call with members present and absent listed above. He stated that Paula Grawcock had recently resigned her position on the Plan Commission and BZA.

ELECTION OF OFFICERS FOR 2021

Mr. Bartl called for nominations for 2021 officers. Mr. Wilson made a motion to retain the same officers as in 2020; Mr. Malcolm seconded. Hearing no other nominations, Mr. Bartl called for a vote. Motion carried by roll call vote, 3-0.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the October 2020 meeting were presented for consideration. Mr. Malcolm made a motion to accept the minutes as presented; Mr. Wilson seconded. Motion passed by roll call vote, 3-0.

ADMINISTRATION OF OATH

Mr. Bilger administered the oath to the audience members.

OLD BUSINESS

There was no old business.

NEW BUSINESS

21-CH-VAR-1, Variances of accessory structure height and driveway paving

Brian and Dana Reuter requested development standards variances of the maximum allowed height for an accessory structure and of the design requirements for a driveway. The subject property consisted of Lots 4 and 6 of Orchard Ridge Subdivision located at 9159 E. 375 North in the jurisdictional area.

Mr. Bilger summarized the Staff Report. He stated that the Petitioner proposed construction of a 40'x48' pole building near the rear side of his property. He proposed a structure with a mean height of 17.3' to accommodate an RV; that height exceeded the code maximum of 16'.

Mr. Bilger suggested that shifting the building away from the property line to have a 6-8' setback might compensate for the small additional height. He stated the height variance was supportable since the property and surrounding properties were large and there would not likely be an impact on access to light and air as there could be on smaller lots within the Town limits.

He further explained that the driveway request was to have a gravel driveway to the public road; the code allowed driveways over 75' in length to be gravel but required the first 10' to be paved. Since this was in the jurisdictional area, the County Highway department would permit the driveway, and they did not require the additional paving. Mr. Bartl asked if there were any gravel driveways in the area that did have the 10' of paving. Mr. Bilger stated that he found only one that might be, but most were either all gravel or all paved.

Mr. Bartl asked the Petitioner to speak about his proposal. Mr. Reuter stated that he was proposing to construct a building for storage. He then stated that since the original submittal, they determined that turning the building 90° would allow use of the existing driveway. They felt the new driveway would take up too much of their yard area. Mr. Bilger stated that the driveway variance would then be unnecessary, and Mr. Reuter agreed.

There was a brief discussion about moving the building as Mr. Bilger suggested. Mr. Reuter described the angles of the property lines and that the nearest corner would be 5' but the farthest corner would have a much larger setback. The driveway would also align well with the building, although he would not mind moving it the suggested one or two feet. The Board felt that shifting the building was unnecessary given the configuration of the property lines.

Mr. Bartl opened the public hearing. Being no one in the audience, in-person or on-line, he closed the public hearing and called for any additional discussion. Being no further questions, he called for a motion. Mr. Wilson made a motion to approve 21-CH-VAR-1; Mr. Malcolm seconded. Motion passed by roll call vote, 3-0.

OTHER BUSINESS

Mr. Bilger mentioned that the Rules of Procedure would need to be reviewed in the upcoming months to address expected legislation on electronic meetings. He suggested the June meeting if there was no regular business.

He updated the Board on the status of Oscar's Corner plat, which had been delayed over an issue with a property line location.

ADJOURNMENT

Being no further business, Mr. Malcolm moved to adjourn, and Mr. Wilson seconded. Mr. Bartl declared the meeting adjourned at 7:40 p.m.

GUEST LIST

1. Brian Reuter 9159 E. 375 North, Churubusco
2. Dana Reuter 9159 E. 375 North, Churubusco