

MINUTES
SOUTH WHITLEY BOARD OF ZONING APPEALS
REGULAR MEETING
January 25, 2021
6:15 p.m.

South Whitley Town Hall
Community Meeting Room

MEMBERS PRESENT

Sherri Ayres
Frank Baldrige
Rod Hardesty
Taylor Kessie (arrived 6:17)
Doug Morrissey

MEMBERS ABSENT

STAFF

Nathan Bilger

ATTORNEY

Not present

AUDIENCE MEMBERS

The lists of attendees who signed in and attendees of the webcast are at the end of these minutes.

CALL TO ORDER/ROLL CALL

Mr. Bilger called the meeting to order at 6:15 p.m.

Mr. Bilger recognized the appointment of Ms. Ayres to the Board.

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

ELECTION OF 2021 OFFICERS

Mr. Bilger reminded the Board of the previous officers and called for any nominations. Mr. Baldrige nominated Mr. Morrissey for Chair and Ms. Ayres for Vice chair. There being no other nominations, Mr. Bilger called for a vote. Motion passed, 5-0. Mr. Morrissey assumed running the meeting at this point.

The officers and appointments for 2021: Doug Morrissey, Chair; and Sherri Ayres, Vice Chair.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the August 19, 2019 meetings was presented. Mr. Morrissey called for comments or a motion. Mr. Hardesty made a motion to approve the minutes as presented; Ms. Ayres seconded. Motion passed by a vote of 5-0.

ADMINISTRATION OF OATH

Mr. Bilger administered the oath to the audience members wishing to speak.

OLD BUSINESS

There was no old business.

NEW BUSINESS

21-SW-VAR-1, Front setback variance, 228 W. Buckeye St.

Jack Fry requested approval of a variance of the platted building line and front setback at 228 West Buckeye Street. The subject property was located on the southeast corner of Buckeye Street and Washington Court.

Mr. Bilger presented the Staff Report. He stated that the petitioner desired to construct a 16' wide attached garage addition off the west end of the dwelling as the house only had a one-car garage. He stated that the proposed garage would be 5.5' from the right-of-way line of Washington Court, or about 18.5' from the edge of pavement. He stated that the zoning code would require a 25' setback for both street frontages of corner lots.

Mr. Bilger then discussed the variance criteria. He expressed some concern about possible reduced visibility at the intersection corner, but also noted that reduced visibility may decrease the number of vehicles ignoring the stop sign. He noted that the petitioner could construct a compliant garage using space within the backyard of the property, but such a structure would likely be inconsistent with the surrounding dwellings in the neighborhood. There was also a sizable tree that would need to be removed. As such, he suggested that the proposed location could be reasonable.

Mr. Baldrige asked if the garage would be one-story, and Mr. Morrissey asked about the impact on visibility at the intersection. Mr. Bilger deferred both questions to the petitioner.

Mr. Morrissey asked Mr. Fry to speak on the proposal. He stated that the addition would be one-story to add more room in the garage. He thought there would still be sufficient visibility at the intersection corner, as the house and garage already are set back far enough to permit two cars between the street and building. Mr. Hardesty asked if there would be any parking along the Washington Court side of the garage. Mr. Fry stated that there would not be, but he would widen the existing driveway coming from Buckeye Street. Mr. Fry discussed the property and stated that the existing shed in the backyard would be removed as part of the addition construction.

Being no further questions from the Board, Mr. Morrissey opened the public hearing. Hearing no one, Mr. Morrissey closed the public hearing and called for a motion. Mr. Kessie made a motion to approve 21-SW-VAR-1 as presented; Mr. Hardesty seconded. Motion passed by a vote of 5-0.

OTHER BUSINESS

Mr. Bilger mentioned that Rules of Procedure should be updated for the Board, as he believed the last update was done prior to the Joint Department taking over staffing around 2003. He suggested two major changes: provision for electronic meetings and changes to notices including using Certificate of Mailing in lieu of Certified Mail and using on-site notice signs. There was discussion about the potential changes. Mr. Bilger stated that new Rules would be drafted for future consideration by the Board and the Plan Commission.

ADJOURNMENT

Being no further business, Mr. Hardesty made a motion to adjourn; Mr. Baldrige seconded. Mr. Morrissey declared the meeting adjourned at 6:34 p.m.

GUEST LIST

1. Jack Fry228 W. Buckeye Street, South Whitley
2. William Green.....207 W. Poplar Street, South Whitley
3. Mike & Dove Stasko.....signed in but did not attend BZA meeting