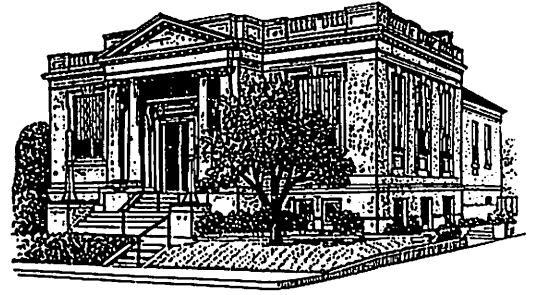


WELLS COUNTY AREA PLAN COMMISSION
WELLS CARNEGIE GOVERNMENT ANNEX
223 W. Washington St.
Bluffton, Indiana 46714-1955
Room 211 PHONE - 824-6407



March 19, 2008
**WELLS COUNTY BOARD OF
ZONING APPEALS MEETING**

TUESDAY, MARCH 25, 2008, AT 7:00 P.M.
ROOM 214 (CONFERENCE ROOM) AREA PLAN OFFICE
GOVERNMENT ANNEX BUILDING 223 W. WASHINGTON ST., BLUFFTON, IN

AGENDA:

APPROVAL OF THE MEETING MINUTES:

ELECTION OF OFFICERS FOR 2008

NEW ITEMS:

B08-03-01 HARRISON TWP., NE/4 16-26N-12E Duane and Karen Steffen requesting reduction of side yard setback for a pond. Property is located at 2980 E 200 South, Bluffton, in an A-1 zone.

B08-03-02 HARRISON TWP., NW/4 36-26N-12E Eric and Amy Wenger requesting reduction of front yard setback for the addition of a porch to their home at 5135 S 500 East, Bluffton. Property is zoned A-1.

B08-03-03 HARRISON TWP., OAK PARK ORIGINAL PLAT TO THE TOWN OF BLUFFTON, LOT 8, Myra Barnes requesting a variance to reduce the side yard setback from 8' ft. to 4' ft. for a detached structure. Property located at 315 W Spring St., Bluffton in a R-2 zone.

B08-03-04 JEFFERSON TWP., NW/4 32-28N-12E Kent Taylor requesting reduction of rear yard setback for a pond. Property located at 6671 N 100 East in an A-1 zone.

ADVISORY:

DIRECTOR COMMENTS:

ATTORNEY COMMENTS:

ROLL CALL

Rose Ann Barrick
Joe Langel
James Schwarzkopf
Mark Shaffer

Michael Lautzenheiser Jr., Secretary

The Board of Zoning Appeals meeting, March 25, 2008 was called to order by Vice-President, Mark Shaffer at 7:00 p.m. Roll call was answered by four members, Jerry Petzel was absent.

First order of business was approval of minutes from that last BZA meeting held December 2007. Joe Langel offered a motion to approve and Jim Schwarzkopf seconded the motion. Minutes were approved by a vote of 4-0.

ELECTION OF OFFICERS:

Jim Schwarzkopf said he nominates and offers a motion to keep the same slate of officers as the previous year. Joe Langel said he would second the motion. The vote was 4-0 for Jerry Petzel to remain as President and Mark Shaffer as Vice-President of the Board of Zoning Appeals.

NEW ITEMS:

B08-03-01 HARRISON TWP., NE/4 16-26N-12E Duane and Karen Steffen requesting reduction of side yard setback for a pond. Property is located at 2980 E 200 South, Bluffton, in an A-1 zone.

Duane Steffen appeared for the variance request stating he had wrongly assumed his contractor had taken care of any necessary permit. The excavator suggested he put a pond in to get the extra dirt he needed for fill when he installed the septic system. Duane said he asked the excavator why he had got too close to the lot line and he was told it was not intentional but he needed to get more fill than he expected.

Joe said he believed it would be a huge mess to try to fill in just four feet, and it isn't anything that has not been approved before.

Michael added this is one had they got a permit first this violation probably could have been caught and corrected in time.

Rose Ann Barrick said she agrees with Joe and doesn't think it is an unreasonable request and offered a motion to grant the variance and Jim Schwarzkopf seconded to motion, variance approved 4-0.

B08-03-02 HARRISON TWP., NW/4 36-26N-12E Eric and Amy Wenger requesting reduction of front yard setback for the addition of a porch to their home at 5135 S 500 East, Bluffton. Property is zoned A-1.

Eric Wenger presented the variance request stating they are wanting to add a porch to their home they are going to be roofing and siding and wanted to add a porch at the same time. The home currently is 27' ft. from the right of way and the porch addition would bring it out an additional nine feet.

Joe Langel said this road is already improved and the county would not be trying to acquire more right-of-way for road improvements.

Mark Shaffer said he didn't see a problem with the request, Jim Schwarzkopf offered a motion to approve and Joe Langel seconded the motion, the motion carried 4-0.

B08-03-03 HARRISON TWP., OAK PARK ORIGINAL PLAT TO THE TOWN OF BLUFFTON, LOT 8, Myra Barnes requesting a variance to reduce the side yard setback from 8' ft. to 4' ft. for a detached structure. Property located at 315 W Spring St., Bluffton in a R-2 zone.

Floyd Caldwell for Meyer Building presented the variance request on behalf of the property owner. A detached garage was constructed too close to a property line, there was miscommunication between what he and Michael had discussed and the job crew. Floyd said perhaps some of the confusion was that the width of this alley is actually 12' ft. and most are only 10' ft. This building is either in line with or further back from the right-of-way of the alley as any of the buildings along this alley.

Michael said this property is very narrow and the size of the property does present a hardship therefore he had urged them to obtain a variance. There are not any doors that open to the alley and that makes the situation somewhat better that there will not be vehicles parking or exiting on that side.

Jim Schwarzkopf offered a motion to approve the variance and Rose Ann Barrick offered a second, the variance was approved by a 4-0 vote.

B08-03-04 JEFFERSON TWP., NW/4 32-28N-12E Kent Taylor requesting reduction of rear yard setback for a pond. Property located at 6671 N 100 East in an A-1 zone.

Kent Taylor represented his petition to reduce the rear yard setback from 20' ft. to 13' ft. for a pond that was constructed too close to the property line. He stated the slope was very gradual in order to allow it to be easily maintained. He said he was mistaken or not clear on where the measurement would be taken from, had the yard not already been put in he would have had the excavator come back and correct it.

Mark Shaffer said this is much like the first petition tonight, it isn't hurting anything and it would be a hardship to fix it.

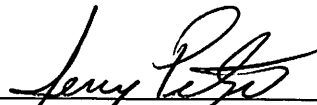
Joe Langel said he would offer a motion to approve the variance and Jim Schwarzkopf seconded the motion, the variance was approved 4-0.

DIRECTOR COMMENTS:

Mike stated the problems with ponds not meeting the setbacks should be resolved with the new ordinance as all site plans for ponds will be reviewed by the plat committee before a permit will be issued.


Mike also gave an update on the status of the new ordinance adoption process.

The March 25, 2008, meeting of the Board of Zoning Appeals adjourned at 7:50 p.m.



Jerry Petzel, President

Mark Shaffer, Vice-President

ATTEST 

Michael Lautzenheiser, Jr., Secretary