

Minutes of the January 11, 2005
Regular Meeting of the
Marshall County Board of Zoning Appeals
Second Floor Commissioner's Meeting Room, #203
Marshall County Building
112 West Jefferson Street
Plymouth, IN 46563

MINUTES

Chairman Foster Davenport called to order the January 11, 2005, meeting of the Marshall County Board of Zoning Appeals at 7:30 p.m. Present were Board Members Foster Davenport, Gary Davis, Don Ecker, Robert Flora, Harold Van Vactor, Zoning Administrator, Troy Kiefer, Secretary, Leesa Kolter and interested parties.

The first item of business was the Election of Officers. Mr. Flora moved to nominate Mr. Davenport for Chairman. Mr. Van Vactor seconded the nomination. Mr. Flora moved and Mr. Van Vactor seconded a motion to close the nominations. Mr. Davenport was elected Chairman by acclamation.

Mr. Davenport moved to nominate Mr. Ecker for Vice Chairman. Mr. Van Vactor seconded the nomination. Mr. Davenport moved and Mr. Flora seconded a motion to close the nominations. Mr. Ecker was elected Vice Chairman by acclamation.

Mr. Van Vactor moved to nominate Mr. Flora for Secretary. Mr. Ecker seconded the nomination. Mr. Davenport moved and Mr. Ecker seconded a motion to close the nominations. Mr. Flora was elected Secretary by acclamation.

The second item of business was the review of the minutes of the December 14, 2004 meeting. Discussion was held regarding the wording of the motion to approve the Variance of Development Standard for Mr. Farrington. Mr. Flora moved and Mr. Davenport seconded a motion to clarify that the approval was for a three foot six inch setback. The motion passed by acclamation.

Mr. Davenport moved and Mr. Ecker seconded a motion to approve the minutes with corrections. The motion passed by acclamation.

The third item of business, case 04-BZA-46, The Country Church, A request for a Special Exception to permit an addition to an existing church; Preschool and Fellowship Hall, on property located at 2951 9B Road, in an A-1, Agricultural Residential District, Section 6 of Bourbon Township. Mr. David Gould 710 Tulip Court, Bourbon, was present to represent the request. Mr. Kiefer reviewed the details and presented the Findings of Fact. He stated that the Plan Commission reviewed the request and was given a favorable recommendation. He stated that the building would be 50' x 50' addition to house a preschool and fellowship hall. He stated that there were no immediate residences surrounding the church property. He stated that there would be adequate parking.

Mr. Gould stated that they would like to add the addition to house a permanent room for the preschool so that they would not have to tear down the room each week. Mr. Flora asked if they would need to expand the septic system? Mr. Gould stated that they are still working on the plans. He stated that they have met with the Health Department to begin the process.

Mr. Davenport moved and Mr. Van Vactor seconded a motion to open the public hearing. The motion passed by acclamation. There was no one to speak either for or against the motion. Mr. Davenport moved and Mr. Flora seconded a motion to close the public hearing. The motion passed by acclamation.

Katy Anders, WTCA, asked how many children were attending the preschool, and were they looking to expand? Mr. Gould stated that there were currently 28 students. He stated that they would welcome additional students as they had capacity for 36 children.

Mr. Flora moved and Mr. Van Vactor seconded a motion to approve the request. The motion passed by a unanimous vote of approval.

The last item of business was the Violation Report. Mr. Kiefer stated that there were three lawsuits in process; Debra Fink, Connie Miller and Ron Plummer.

Mr. Davenport asked if Mr. Lukenbill had given a report on the Miller carport issue. Mr. Kiefer stated that due to the holidays, Mr. Lukenbill was unable to dedicate time. Mr. Kiefer stated that he would have a report at the February meeting.

Mr. Ecker asked about the Stull property. Mr. Kiefer stated that Mr. Stull is being represented by Mr. Easterday, Mr. Stull has been having health problems.

Mr. Kiefer stated that on Wednesday, January 26, 2005, there would be a training session in the Extension Office, for new BZA and PC members. He stated that it would be beneficial for all members if they were interested.

There being no further business, a motion was made to adjourn and seconded. The motion was passed by voice vote.

Respectfully submitted,

Robert Flora
Secretary