

Minutes of the April 13, 2010
Regular Meeting of the
Marshall County Board of Zoning Appeals
112 W. Jefferson St. Room 203
Plymouth, IN 46563

MINUTES

President, Don Ecker, called the Marshall County Board of Zoning Appeals meeting to order at 7:30 p.m. on Tuesday, April 13, 2010, in Room 203 of the Marshall County Building. Present were: Commission Members Don Ecker, Stan Klotz, Deb Griewank, Bob Flora and Foster Davenport, Plan Director Ralph Booker, Secretary Lori Lowry and interested parties.

The first item of business was the review of the minutes from the March 9, 2010, meeting. Mr. Davenport moved and Mrs. Griewank seconded the motion to approve the minutes as written. The motion passed by acclamation.

The second item of business was 10-BZA-08 BARRERA, Natalie – A request for a Variance of Use to allow a dog grooming facility from the home which is located at 9107 N. Shore Dr., Bremen, IN, Zoned L-1. Ms. Natalie Barrera, tenant and Mr. Mike Nate, property owner, were present to represent their request. Mr. Booker presented the findings of fact. The applicant wishes to have a dog grooming business in the attached garage at this property location. It would be Ms. Barrera as the only employee. She states she would be grooming up to three (3) dogs per day. No dogs would stay overnight. The applicant wished not to expand the operation further than what is approved.

The applicant was asked if she plans to expand the business in the future and her answer was no as this was just a part time business. As far as ingress and egress the home is located on a side street and not on a main road, therefore, there should not be any problems with entering or exiting.

Mr. Davenport moved and Mrs. Griewank seconded the motion to open for public hearing. The motion passed by acclamation.

April 13, 2010
Marshall County Board of Zoning Appeals

- Chris Mateo – In favor of her request.
- Mrs. Martha Shaw – Is the mother of applicant and is in favor of her request as she feels her daughter is responsible, mature, and would follow the rules set forth by the board.
- Paula Nate – Property owner and is in favor of the request.
- Michael Nate – Property owner and is in favor of the request.
- Tom Powers – Would like to know more information on signage. The board stated that the applicant would be allowed a sign on the property and would need to follow the guidelines set forth in the zoning ordinance. Also asked if the separate buildings on the property are used by the applicant. The property owner, Mr. Nate, said that the buildings are set on a different parcel and are not used by the applicant.
- Marie Redman - Sent a letter and is not in favor of the request as they think this request is just a front and they really are wanting to have a car repair business.
- James Sweisberger – Is against the request.
- Robert Bolinger – Had several questions all in which have already been answered by the applicant above. Since this is a residential area he hopes the board would be careful in what they allow.
- Joe Skelton – Only concern is the size of the sign. The board reiterated that she would have to follow the sign standards in the zoning ordinance. He also asked if the variance will follow the applicant or the property owner. Mr. Booker stated that variances follow the property itself. If the property discontinues that special use for a period of one (1) year then the variance is void.

Mr. Flora moved and Mrs. Griewank seconded the motion to close the public hearing. The motion passed by acclamation.

The board asked if the applicant would be carrying insurance. She said that she would be. Her hours of business are by appointment only. She would be available Monday through Saturday from 8-5. The dogs will be left and picked up the same day. No dogs will be left overnight. The applicant has three dogs of her own.

Mrs. Griewank made a motion to approve the request to allow a Variance of Use to allow a dog grooming facility from the home which is located at 9107 N. Shore Dr., Bremen, IN with the following stipulations: no dogs to stay overnight, no more than three (3) dogs per day, the signage is to follow the counties zoning ordinance, applicant as the only employee, and a one (1) year review, seconded by Mr. Flora. Motion carried with a voice vote 5-0.

The third item of business was 09-BZA-10 CROW, Carl – An annual review of a Special Use request to allow a liquefied petroleum gas dealer at the western corner of US 31 and SR 110 on parcel 50-22-36-000-012-000-015. In March a Construction Design Release was received from the state. That tells our office that someone is considering a project. A letter was sent to the property owner asking him to appear at this hearing for the yearly review and to understand what their future intentions are for this property as there was no approval for any buildings.

April 13, 2010
Marshall County Board of Zoning Appeals

Mr. Crow nor a representative was present for this hearing. The board asked that Mr. Booker send a letter to Mr. Crow again and ask him to appear at the May 11, 2010 hearing. Mr. Davenport made a motion to table this matter, seconded by Mrs. Griewank. Motion carried by acclamation.

Other:

Mr. Booker invited Mr. Tom Turner, Marshall County Economic Development Corporation Director, to the Board of Zoning Appeals meeting to meet the board and to discuss with them Mr. Turner's role in future wind farm plans.

Today several people visited White County to see their wind farms. A lot of information was provided by Connie, EDC director from White County, who explained White County's ordinance requirements on wind farms.

Violations:

John Granning – 4120 20th Rd. – Still cleaning property.
Frank Cochran – 19919 Elm Rd., - Friends have helped clean up the property.
Jerry Fink – 18933 ? – Still Cleaning property.
Jacalyn Paige – 13568 5th Rd. – Has hired a dumpster to assist in cleaning up property.
Helton – 20848 SR 3313 – Trailer still there.
Eckard – 13738 4th Rd. – No update.
Samarich – 3679 Thorn Rd. – Still in court with the company purchase type a from Pat Cox – 2893 4th Rd. – Sent letter to stop burning.
Murray – 8267 Tulip – Still have not applied for 2nd building permit for barn.

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

Respectfully submitted,

Deb Griewank