

**AREA BOARD OF ZONING APPEALS
ST. JOSEPH COUNTY, INDIANA**

MINUTES

Wednesday, February 12, 2020
1:30 p.m.

4th Floor, Council Chambers
County-City Building, South Bend, IN

MEMBERS PRESENT:

Dan Caruso
Robert Hawley
John O'Brien
Sidney Shafer
Joe Velleman
Jack Young

MEMBERS ABSENT:

Michael Urbanski

ALSO PRESENT:

Lawrence P. Magliozzi
Shawn Klein
Ryan Fellows
Samantha Keultjes
Brandie Ecker

PUBLIC HEARINGS:

- 1. The petition of STEVEN & DOMINIQUE FUTA AND PAUL W JR FUTA seeking the following variance(s): 1) from the minimum required side setback of 30' to 18', property located at 28725 STATE ROAD 23 , Greene Township. Zoned A: Agricultural District (County). *(Audio Position: 2:09)***

PETITIONER

STEVEN FUTA, residing at 28725 State Road 23, North Liberty, IN, presented the petition as the petitioner.

IN FAVOR

PAUL W FUTA JR, residing at 28550 State Road 23, North Liberty, IN spoke in favor of the petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Robert Hawley, being seconded by Jack Young and unanimously carried, a petition by STEVEN & DOMINIQUE FUTA AND PAUL W JR FUTA seeking the following variance: 1) from the minimum required side setback of 30' to 18' was approved as presented, and the Area Board of Zoning Appeals will issue written Findings of Fact.

Daniel J. Caruso - Yes
Robert Hawley - Yes
John O'Brien - Yes
Joe Velleman - Yes
Sidney Shafer - Yes
Michael Urbanski - Absent
Jack Young - Yes

2. **The petition of TERRY LEE SZCZYPIORSKI & ANDREA CASTLE seeking the following variance(s): 1) from the minimum required lot area of 20 acres to 16.40 acres for proposed Lot 1; 2) from the minimum required frontage of 200' to 80.19' of frontage for proposed Lot 1; 3) from the minimum required lot area of 20 acres to 6.00 acres for proposed Outlot A and 4) from the minimum required frontage of 200' to 0' for proposed Outlot A, property located at 30560 OSBORNE RD, Liberty Township. Zoned A: Agricultural District (County).** *(Audio Position: 13:23)*

PETITIONER

TERRY LANG of Lang Feeney & Associates, with offices located at 715 S. Michigan St., South Bend, IN spoke on behalf of the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, a petition by TERRY LEE SZCZYPIORSKI & ANDREA CASTLE seeking the following variances: 1) from the minimum required lot area of 20 acres to 16.40 acres for proposed Lot 1; 2) from the minimum required frontage of 200' to 80.19' of frontage for proposed Lot 1; 3) from the minimum required lot area of 20 acres to 6.00 acres for proposed Outlot A and 4) from the minimum required frontage of 200' to 0' for proposed Outlot A was approved as presented, and the Area Board of Zoning Appeals will issue written Findings of Fact.

Daniel J. Caruso - Yes
Robert Hawley - Yes
John O'Brien - Yes
Joe Velleman - Yes

Sidney Shafer - Yes
Michael Urbanski - Absent
Jack Young - Yes

- 3. The petition of RICHARD D CARR & BARBARA J CARR TRUSTEE & DONALD & JANA INGLE seeking the following variance(s): 1) from the minimum required lot area of 20 acres to 0.59 acres for proposed Lot 1; 2) from the minimum required rear setback of 30' to 10' for proposed Lot 1 and 3) from the minimum required 600' of frontage to 365.96' for proposed Lot 2 , property located at 66501 & 66521 MIAMI HWY, Union Township. Zoned A: Agricultural District (County).**

(Audio Position: 18:55)

PETITIONER

TERRY LANG of Lang Feeney & Associates, with offices located at 715 S. Michigan St., South Bend, IN spoke on behalf of the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, a petition by RICHARD D CARR & BARBARA J CARR TRUSTEE & DONALD & JANA INGLE seeking the following variances: 1) from the minimum required lot area of 20 acres to 0.59 acres for proposed Lot 1; 2) from the minimum required rear setback of 30' to 10' for proposed Lot 1 and 3) from the minimum required 600' of frontage to 365.96' for proposed Lot 2 was approved as presented, and the Area Board of Zoning Appeals will issue written Findings of Fact.

Robert Hawley - Yes
Sidney Shafer - Yes
Michael Urbanski - Absent
Jack Young - Yes
Joe Velleman - Yes
Daniel J. Caruso - Yes
John O'Brien - Yes

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact (Audio Position: 22:48)

A. Approval of the Findings of Fact from the January 8, 2020 meeting

Upon a motion by Robert Hawley, being seconded by Jack Young and unanimously carried, the Findings of Fact from the January 8, 2020 meeting were approved.

B. Approval of the Findings of Fact from the November 13, 2019 meeting

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, the Findings of Fact from the November 13, 2019 meeting were approved.

2. Minutes (Audio Position: 23:00)

A. Approval of the Minutes from the January 8, 2020 meeting

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, the minutes from the January 8, 2020 meeting were approved.

B. Approve of the Minutes from the October 9, 2019 meeting

Upon a motion by Robert Hawley, being seconded by Jack Young and unanimously carried, the minutes from the October 9, 2020 meeting were approved.

3. Other Business (Audio Position: 23:45)

A. Discussion and approval of new Area Board of Zoning Appeals bylaws

Ryan Fellows announced that there would be two training sessions taking place. One is February 18th, after the Area Plan Commission meeting, and the other is after the Area Board of Zoning Appeals meeting on March 11th.

Brandie Ecker pointed out that if four members attend the February 18th training, a public meeting needs to be advertized.


Larry Magliozzi explained that as a trial run, the format of the agenda has changed. He also stated that with less petitions, the staff will try to comment on each petition now to explain the recommendation.

After careful consideration, the following action was taken:

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, the Area Board of Zoning Appeals bylaws were approved.

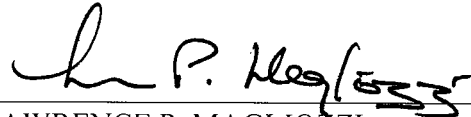
4. Adjournment at 2:06 p.m.

RESPECTFULLY SUBMITTED,



MICHAEL URBANSKI,
CHAIRMAN OF THE BOARD

ATTEST:



LAWRENCE P. MAGLIOZZI,
SECRETARY OF THE BOARD