

A meeting of the Jasper County Board of Zoning Appeals was held Monday, November 20, 2023 at 7:00pm. in the Commissioners' Room of the Jasper County Courthouse, Rensselaer, Indiana. Members present: Kent Korniak, Scott Walstra, Dave Webb and Matt Sheafer. Also present: Kelli Standish, Secretary. Absent was: Mark Jordan, Mary Scheurich and Attorney Todd Sammons.

Meeting was called to order by Chairman Scott Walstra. The Pledge of Allegiance was recited. The first order of business was the call for approval of the September 2023 minutes.

Matt Sheafer made the motion to approve the September 2023 minutes. Motion was seconded by Kent Korniak and carried unanimously.

Variance

Cause#BZA-7-23

Applicant: Thomas Fleming

Landowner: LLF Holdings

Location: Sec.8-30-6 – Barkley Twp. – 450W. S. of 400N. E-side

Use: Variance Lot Width

Public hearing held pursuant to notice published November 9, 2023 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Janet Echlin, Clerk of the Rensselaer Republican.

Tom and Christy Fleming were present and stated that they are requesting a lot width variance of 50ft. verse the required 300ft. to get back to the wooded acreage. They are trying to preserve the farmland. They have a family member that wants to build in the woods. There is an existing driveway that they would have to extend to get to the wooded acreage.

Matt Sheafer asked if they own the farm ground that is located around the proposed variance? With the driveway being extended to get to the woods that will separate the farm ground.

Tom Fleming replied affirmatively. He and his 3 brothers own the farmland and they are all in agreement with the proposed home being built in the woods. One of his brothers owns the house that is located along the front of the property and he is in favor of the proposed variance and a home being built behind him. They did look into the driveway going along the North property line but there is a lot of wetlands in that area and where they are proposing to extend the driveway there are two sand hills.

Scott Walstra asked how much property will you be splitting out from the current parcel.

Tom Fleming replied that the wooded acreage is approximately 23 acres and that will leave a remainder of 53 acres.

Kent Korniak stated that he feels this is a good preservation of farmland and there are

many of these types of situation in the county for similar reasons.

Scott Walstra asked if anyone present had any opposition to the application. There was none.

Dave Webb made the motion to grant approval of the variance for the 50ft. lot width instead of the required 300ft. Motion was seconded by Kent Korniak and carried unanimously.

Tom Fleming then read the Findings of Facts.

- (i) The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community.

Response: The approval of the variance will not be injurious to the public health safety morals and general welfare of the community as we are requesting to reduce the road frontage to 50' in order to preserve the greatest amount of tillable farmland.

- (ii) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Response: This proposed request to reduce the road frontage to 50' will not adversely affect the use of the adjacent properties.

- (iii) The strict application of the terms of the ordinance will result in practical difficulties in the use of the property.

Response: There will be no practical difficulties in the use of the farmland. The tillable farmland will remain operational with exception to the reduced road frontage access to the wooded acreage.

Scott Walstra stated that there is a motion to approve the application, and the board must consider the findings in Article 9, Variance 20.90.190 (7)(a)(i) through (iii). He then read the Findings of Facts.

- i. The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community.

The board voted with 4 members in favor and Mark Jordan opposed that the applicant met the requirements of (i).

- ii. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The board unanimously voted that the applicant met the requirements of (ii).

- iii. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property.

The board unanimously voted that the applicant met the requirements of (iii).

Dave Webb made the motion to adopt the proposed Findings of Facts as presented by the Applicant. Motion was seconded by Matt Sheafer and carried unanimously.

Upon motion duly made and seconded, meeting was adjourned.

A TRUE RECORD;

Scott Walstra, Chairman