



**CITY OF KNOX BOARD OF ZONING APPEALS
101 WEST WASHINGTON STREET
KNOX, INDIANA 46534
574-772-5445**

Meeting Minutes: November 18, 2019

Members Present: George Byer, John Wilson, Mike Skinner

Members Not Present: Greg Matt

Staff Present: Kenny Pfof, Martin Bedrock

Members of public present: Michael and Michelle Sullivan, Ed and Pam Sparks, Joe Lopez, Dan and Diana Lawrence.

The November 18, 2019 Board of Zoning Appeals meeting was called to order at 7:00 p.m. by Vice President George Byer. The Pledge of Allegiance was conducted, and Roll Call was performed. Member Wilson made a motion to approve the September 16, 2019 minutes. Member Skinner seconded the motion. Carried 3 -0.

NEW BUSINESS

Public Hearing for Michael and Michelle Sullivan – Administrator Pfof read the public notice into the record: “Notice is hereby given that there will be a public hearing on November 18, 2019 at 7pm, located at Knox City Hall, 101 West Washington St, Knox, Starke County, Indiana. The purpose of the hearing is to determine whether Michael and Michelle Sullivan have demonstrated compliance with a variance that was granted to them on June 18, 2018 for their property located at 2860 S Lart Lane, Knox, Starke County, Indiana. Further, if the Board of Zoning Appeals determines that Michael and Michelle Sullivan have failed to comply with the variance then the board may revoke the variance and determine if a fine should be assessed against them.”

Vice President Byer opened the public hearing at 7:06pm and asked for comments from the public.

Ed and Pam Sparks stated that they have pictures of multiple semi trucks at the Sullivan property, and allege that the Sullivans are running a truck repair business out of their new building. They complain of the vehicle noise, oil spills on the road.

Joe Lopez spoke, direct next door neighbor of the Sullivans. Lopez stated that no such building is being run on the Sullivan property.

Dan and Diane Lawrence, who's property borders on Sparks' property and is diagonally located from Sullivan, spoke and stated that the issue is not with the Sullivans, the issue is with the Sparks, who Lawrence states harasses the entirety of the neighborhood.

Member Wilson interrupted at 7:18 as the meeting to state that the reason for the meeting was that the BZA had granted the Sullivans a variance to build a building on their property that was to be used for storage, for the Sullivans' belongings and their belongings only.

Michael Sullivan stated that he had been doing work on vehicles for friends. Wilson stated that there should be only 1, maybe 2 trucks that have made the trip down Lart Ln to the property. Sullivan stated that there had probably been 4 or 5.

Pfost reviewed the photos that had been sent in, and indicated that there appear to be 3 or 4 different trucks shown in the photos. Member Wilson asked Sullivan if he is the owner of any of the trucks, Sullivan stated he is not.

Wilson restated that when the permit was issued, it was told to the board that the purpose was for storage. Sullivan stated that he never said that – Wilson replied that it is in the minutes from that June 2018 meeting, Sullivan stated the purpose was for storage. Wilson stated that Sullivan said nothing about working on vehicles. Sullivan questioned even if that work is not for profit, Wilson stated yes, even if the work is not for profit, and further stated that bartering is not acceptable, either.

Vice President Byer closed the hearing at 7:36. Byer asked Member Skinner if he had any comments; no comments made. Attorney Bedrock addressed Sullivan, stating that he was reviewing the minutes from the June 2018 meeting: "Member Wilson asked if there were any future plans to use the building as a business. Sullivan stated there were no such plans."

Wilson stated that he didn't feel we should take the variance away. But, in the future if there continued to be evidence of a business, the board should fine them. Wilson asked Skinner for his opinion.

Skinner stated that he lives in the city, with neighbors who ignore ordinances regarding burning in the city, another neighbor who runs a business out of his garage, and feels that the main issue with this group of neighbors is personal, and the board is being put in the middle of personal problems between neighbors.

Byer asked for a motion from the board. Wilson made a motion to NOT revoke the Sullivan special use permit, with the condition that the shop work/business ends. If the shop work/business continues, the board will issue a fine. Skinner second. Carried 3-0.

Other Business: There was no other business discussed.

Adjournment: Member Wilson made a motion for adjournment. Member Skinner second. Motion carried 3-0. Meeting adjourned at 7:50pm.

Michael Skinner
Secretary