



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

Meeting Minutes: January 20, 2020

Members Present: Greg Matt, George Byer, John Wilson, Mike Skinner

Members Not Present: Greg Matt

Staff Present: Kenny Pfof

Staff Not Present: Martin Bedrock

Members of public present: Guy Akers

The January 20, 2020 Board of Zoning Appeals meeting was called to order at 7:00 p.m. by President Greg Matt. The Pledge of Allegiance was conducted, and Roll Call was performed. President Matt asked for approval of the November 18, 2019 minutes. Member Wilson made a motion to approve the November 18, 2019 minutes. Member Byer seconded the motion. Carried 4 -0.

NEW BUSINESS

President Matt brought to the table the reorganization of board members. Member Wilson made a motion to nominate Greg Matt for a new term as Board of Zoning Appeals president. Second by Member Skinner. Carried 4-0.

Member Wilson made a motion to nominate George Byer to a new term as Board of Zoning Appeals vice president. Second by Member Skinner. Carried 4-0.

Member Wilson made a motion to nominate Mike Skinner to a new term as Board of Zoning Appeals secretary. Second by Byer. Carried 4-0.

President Matt read the notice for the public hearing: Notice is hereby given that there will be a public hearing on Monday, January 20, 2020 at 7pm Central Time in the Knox City Hall, located at 101 W Washington St, Knox, Starke County, Indiana. The purpose of the variance is to allow a steel carport to be constructed in front of a garage in an area zoned as residential, located at James Olson Pine Ridge, Number 2, Lot 4, Block 1, commonly known as 0875 N 600 E, Knox, Starke County, Indiana. The property is owned by Guy Akers. Kenny Pfof, City of Knox Board of Zoning Appeals Administrator.

President Matt opened the public hearing at 7:12 pm and asked for comments from the public.

Guy Akers spoke, said he wanted to build a steel carport on his property – specified that his wife wanted the carport built, he “could care less.” President Matt asked how long the carport would be, Mr. Akers stated that it is 18 feet. Administrator Pfof interjected that per the application, the carport would be 18x21, so 18 feet wide and 21 feet long. Akers agreed that this is correct.

Matt noted that current ordinance specifies that carports cannot be longer than 20 feet. Matt read into the record the ordinance which states that the structure is to be placed in the side yard, open on at least three sides, no more than 14 feet high and 20 feet long, and must be at least three feet from the lot line. Matt noted that the ordinance was passed in August of 2018.

Matt asked about the garage, Akers stated that there is no garage. Akers states that this carport would be off to the right of the house, over the driveway. Byer asked how far away from the roadway would the carport be, Akers estimated the distance to be 10 to 15 feet. Matt advised this would be another issue, because the setback requirement is 35 feet. Building over the driveway would decrease the setback to 14 feet. Wilson noted this also needs to be 10 feet away from any structure, which would decrease the setback to four feet.

Akers stated that he had not realized there was an issue until he discussed this project with Pfof; he had intended to build a garage but just never got it done, wanted the carport over the driveway to protect vehicles.

Akers said he wasn't sure what the issue is. Matt stated that setbacks are standardized, with safety in mind should there be an accident in front of the property, as an example.

Matt closed the public hearing at 7:20pm.

Wilson stated that he had worked extensively on the carport issue to make sure there was a standardized plan, a guideline for everyone to follow. Wilson noted that it took a great deal of time, effort and study to pass, including multiple visits with the Planning Commission and City Council. Wilson stated he is not going to deviate from the new ordinance for that reason, and he will vote no.

Byer stated he has an issue with the carport coming way too close to the road. Wilson noted that multiple variances would have to be issued, as it's too close to the house and doesn't leave the proper setback. Wilson stated that he might be willing to give a variance for the side yard, but not for the front yard.

Akers declined, stated he would have to build a driveway in the side yard in order to make that work.

Matt asked Skinner for feedback. Skinner noted that the public hearing notice had gone out to all of the affected neighbors, and not a single one showed up – there is no objection from the neighbors based on the lack of attendance. Skinner noted that this is not a property in the city limits, it is a country property where the rules are a bit different. However, Skinner also noted that a property owner would likely want to be reimbursed if a plow hit the structure, so having a setback requirement is for a clear reason.

Matt stated that he agrees with Wilson, there was a lot of time, study and effort put into this ordinance in order to have a uniform plan, and he wasn't in favor of issuing variances that immediately start to circumvent the new ordinance. The time was put into the ordinance to address what was becoming an ongoing issue.

Matt asked for a vote by the board to approve the ordinance. No votes were cast in favor. Opposed was four votes. The request for a variance was denied on a 4-0 vote.

Other Business: There was no other business discussed.

Adjournment: Member Wilson made a motion for adjournment. Member Skinner second. Motion carried 4-0. Meeting adjourned at 7:40pm.

Michael Skinner
Secretary