

MINUTES
CHURUBUSCO BOARD OF ZONING APPEALS
REGULAR MEETING
JULY 20, 2023
7:30 P.M.

CHURUBUSCO BOY SCOUT BUILDING

MEMBERS PRESENT

Jason Bartl, Chairman
Alan Malcolm
Brenda Saggars, Vice Chair
Ashley Wagner
Miles Wilson

MEMBERS ABSENT

STAFF

Nathan Bilger

ATTORNEY

absent

AUDIENCE MEMBERS

Three visitors signed the Guest List at the meeting. The Guest List is included with the minutes of this meeting.

CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Mr. Bartl called the meeting to order at 7:30 P.M. Mr. Bilger read the roll with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

Mr. Malcolm made a motion to approve the June 15, 2023, minutes, as presented. Mr. Wilson gave the second; motion passed 5-0.

ADMINISTRATION OF OATH

Mr. Bilger administered the Oath to visitors planning to speak at the meeting.

OLD BUSINESS

Mr. Bilger presented the finalized Findings of Fact for 23-CH-SE-1 that he had prepared on the Board's behalf. Mr. Malcolm made a motion to adopt the Findings of Fact as presented; Ms. Saggars seconded. Motion passed, 5-0.

NEW BUSINESS

1. 23-CH-VAR-2

The Town of Churubusco requested approval of a Front Yard Setback Variance in order to allow for the construction of a maintenance building at 9380 E. State Road 205. The 7.7 acre property was zoned I-1, Light Industrial District, and located on the south side of State Road 205, just less than half a mile east of Main Street.

Mr. Bilger presented the staff report. He stated that the Town was renovating the wastewater treatment plant and part of that project was to construct a new garage building near the front driveway. He stated that the proposed location would align the front of the garage with the existing driveway area to allow for maximum maneuverability on the site. This would result

in a 34.5' setback instead of the 50' required by code. He explained that bringing the building to the required setback line would reduce the driveway width by 15', which would significantly impede access. He felt that the review criteria were supportable given the location of the building, few nearby neighbors, and that there was a practical difficulty because of the existing arrangement of buildings and structures on the site.

Having no questions, Mr. Bartl asked for the petitioner to speak.

Madalyn Sade-Bartl, Churubusco Clerk-Treasurer, explained that the driveway was already tight when semi-trucks would enter the site. Moving the building to meet the setback could make access that more difficult.

Having no questions for the petitioner, Mr. Bartl opened the public hearing.

Greg Tomlinson asked if the variance would be for the building only or if it would be applied to any new structures in the future. Mr. Wilson explained that it would be for this building only and any similar encroachments in the future would require new variances. Mr. Bilger suggested that be a condition of approval so that it was absolutely clear in the future.

Matthew Mack asked how the building was to be funded. Mr. Wilson responded that the Board had no authority or impact on funding, only on the zoning code conformance. Ms. Sade-Bartl responded that it would be funded using State Revolving Loan funds. The two parties had a brief discussion about the funding.

Having no further public comment, Mr. Bartl closed the public hearing and asked for any other questions or a motion. Mr. Wilson made a motion to approve 23-CH-VAR-2, with the condition that it was only applicable to this building; Ms. Wagner seconded. Motion passed, 4-0-1, with Mr. Bartl abstaining due to his relationship with the petitioner's representative.

OTHER BUSINESS

Mr. Bilger reminded the Board of the upcoming joint training session on July 31. He said that the topic would be site and development plans and would be followed by a field trip to the jail construction site.

ADJOURNMENT

There being no further business, Mr. Malcolm made a motion to adjourn. Mr. Wilson gave the second, and by unanimous vote, the meeting was adjourned at 7:40 P.M.

GUEST LIST

1. Madalyn Sade-BartlTown of Churubusco
2. Greg Tomlinson9276 E. State Road 205, Churubusco
3. Matthew Mack238 Millstone Run, Churubusco