



Board of Zoning Appeals Meeting Minutes – Monday, September 28, 2020

Call to order at 7:00 PM. By Chairman Don Luepke

Roll call: Members Present: Don Luepke, Cecil Fleeman, Kit Tyler, Mike Long, Mike Hawk (Attorney), and Bonnie Brown (ZA).

Chairman confirmed we have a quorum (4)

Others Present: Seven (7) other present: John D’Ettorre, Kathy D’Ettorre, Brent Schlosser, Bob Bufischen, Scott Lazur, Robert Lewis, and Darin Thorp.

Public Hearing Appearance and Presentation of Evidence Requests: Three (3): John D’Ettorre, Kathy D’Ettorre, and Bob Bufischen.

Chairman D. Luepke introduced hearing and invited D’Ettorre’s to make their presentation:

Variance Hearing Case 2020-01: John & Kathy D’Ettorre

Request for variance from development standards for John and Kathy D’Ettorre, 370 ECLD, Fremont, IN, 46703. They request an eleven-foot (11’) relief from *UDO 2.14 LR District Standards, Section 5.65(C) Lake Residential Standards, Viewshed*. The proposed project includes the construction of a new home that encroaches eleven feet into the lake yard horizontally protected view shed.

With no further questions clarifying the case from BZA, Chairman D. Luepke requested a motion to close hearing and open for public comments.

Motion by: Kit Tyler

To close hearing and open meeting for public comment

2nd by Cecil Fleeman

Vote: 4 Ayes 0 Nays 0 Absent Motion Carried

Six (6) letters from public were read and all were in support of the variance. **Please count again, I thought 9?**

With no further comments from attendees, Chairman D. Luepke requested a motion to close public comments and reopen hearing

Motion by: Cecil Fleeman

motion to close public comments and reopen hearing

2nd by Mike Long

Vote: 4 Ayes 0 Nays 0 Absent Motion Carried

Chairman D. Luepke invited BZA members for further conversation. With no further comments, BZA moved onto Findings of Fact.

BZA final discussion of case 2020-01

Review of findings of facts #1:

Legal notice of the petition **has been** provided in accordance with Indiana Code and Notice has been made to appropriate landowners. YES

Motion by: Kit Tyler

To accept findings of fact #1

2nd by Mike Long

Vote: 4 Ayes 0 Nays 0 Absent Motion Carried

Review of findings of facts #2:

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

Motion by: Mike Long

To accept findings of fact #2

2nd by Cecil Fleeman

Vote: 4 Ayes 0 Nays 0 Absent Motion Carried

Review of findings of facts #3:

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

Motion by: Cecil Fleeman

To accept findings of fact #3

2nd by Kit Tyler

Vote: 4 Ayes 0 Nays 0 Absent Motion Carried

Review of findings of facts #4:

The strict application of the terms of the zoning ordinance **will** result in practical difficulties in the use of property. YES

Motion by: Kit Tyler

To accept findings of fact #4

2nd by Mike Long

Vote: 4 Ayes 0 Nays 0 Absent Motion Carried

Roll Call Vote for Decision of 2020-01:

Vote: Don Luepke (Approve), Cecil Fleeman (Approve), Kit Tyler (Approve), Mike Long (Approve)

Case 2020-01: Approved

Town of Clear Lake Plan Commission – Meeting Minutes 08/17/2020

Election of Officers

Motion by: Kit Tyler

To appoint Don Luepke as Chairman

2nd by Cecil Fleeman

Vote:

4 Ayes 0 Nays 0 Absent Motion Carried

Motion by: Don Luepke

To appoint Kit Tyler as Vice-Chairman

2nd by Cecil Fleeman

Vote:

4 Ayes 0 Nays 0 Absent Motion Carried

Chairman D. Luepke asked for a review of minutes for BZA meeting on December 16, 2019

Motion by: Kit Tyler

To approve minutes from DEC 16, 2019

2nd by Cecil Fleeman

Vote:

4 Ayes 0 Nays 0 Absent Motion Carried

Chairman D. Luepke asked for a motion to close meeting

Motion by: Kit Tyler

To adjourn meeting

2nd by Cecil Fleeman

Vote:

4 Ayes 0 Nays 0 Absent Motion Carried

Meeting adjourned at 8:40 P.M.

Board of Zoning Appeals President: Don Luepke

Attest: Bonnie Brown, Plan Commission President and acting zoning administrator