

Town of Clear Lake – Board of Zoning Appeals Meeting Minutes – October 10, 2023

Chairman Jim McClain called meeting to order at 7:00pm.

There were 3 residents in attendance and 1 via Zoom.

Roll Call:

Matt Rippe, 68 West Clear Lake Drive

Walter (Mokey) Grabowski, 254 West Clear Lake Drive

Jim McClain, 1226 Quiet Harbor Drive

Jessica Swander, 7382 E State Road 120

Mike Hawk, Attorney to the BZA

Jennifer Sattison, Billing Clerk

Robert Hawley, Zoning Administrator

J. McClain entertained a motion to approve the agenda.

Motion by: M. Rippe

To approve the agenda.

2nd by: J. Swander

All in favor, say aye. Vote was unanimous. Motion carried; agenda approved.

J. McClain entertained a motion to approve August 8, 2023, Board of Zoning minutes.

Motion by: M. Rippe

To approve August 8, 2023, Board of Zoning minutes.

2nd by: J. Swander

All in favor, say aye. Vote was unanimous. Motion carried; August 8, 2023, Board of Zoning minutes approved.

No Budget Items.

Variances 2023-04a and b: Request for variance from Section 5.65C Viewshed and Section 2.14 Minimum Lake Yard Setback

Zoning Administrator R. Hawley went through the staff report for Tom and Barbara Rumsey's Variances 2023-04a and b.

J. McClain entertained a motion to open for public comment.

Motion by: J. Swander

To open for public comment.

2nd by: M. Rippe

All in favor, say aye. Vote was unanimous. Motion carried; open for public comment.

Variance Applicant, Todd Rumsey, discussed his projects regarding to Variances 2023-04a and b.

Board of Zoning members asked variance applicant, Todd Rumsey, questions.

Zoning Administrator R. Hawley went through the public feedback.

J. McClain entertained a motion to close public comment.

Motion by: J. Swander

To close public comment.

2nd by: W. Grabowski

All in favor, say aye. Vote was unanimous. Motion carried; closed for public comment.

J. McClain entertained a motion to move to final action of Variances 2023-04a and b.

Motion by: J. Swander

To move to final action of Variances 2023-04a and b.

2nd by: W. Grabowski

All in favor, say aye. Vote was unanimous. Motion carried; moved to final action of Variances 2023-04a and b.

J. McClain entertained a motion to vote on final action of Variance 2023-04a.

Motion by: J. Swander

To move to vote on final action of Variance 2023-04a.

2nd by: W. Grabowski

All in favor, say aye. Vote was unanimous. Motion carried; moved to vote on final action of Variance 2023-04a.

Findings of Fact #1: Legal notice of the petition has been provided in accordance with applicable Indiana Code and notice has been made to appropriate landowners.

Final Vote: 4-0. Yes, Findings of Fact #1 criteria was met.

Findings of Fact #2: The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Final Vote: 4-0. Yes, Findings of Fact #2 criteria was met.

Findings of Fact #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.

Final Vote: 4-0. Yes, Findings of Fact #3 criteria was met.

Findings of Fact #4: The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

Final Vote: 4-0. Yes, Findings of Fact #4

Variance 2023-04a was approved.

J. McClain entertained a motion to vote on final action of Variance 2023-04b.

Motion by: J. Swander

To move to vote on final action of Variance 2023-04b.

2nd by: W. Grabowski

All in favor, say aye. Vote was unanimous. Motion carried; moved to vote on final action of Variance 2023-04b.

Findings of Fact #1: Legal notice of the petition has been provided in accordance with applicable Indiana Code and notice has been made to appropriate landowners.

Final Vote: 4-0. Yes, Findings of Fact #1 criteria was met.

Findings of Fact #2: The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Final Vote: 4-0. Yes, Findings of Fact #2 criteria was met.

Findings of Fact #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.

Final Vote: 4-0. Yes, Findings of Fact #3 criteria was met.

Findings of Fact #4: The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

Final Vote: 4-0. Yes, Findings of Fact #4

Variance 2023-04b was approved.

No old Business, new business or discussion.

J. McClain entertained a motion to adjourn meeting.

Motion by: J. Swander

To adjourn meeting.

2nd by: M. Rippe

All in favor, say aye. Vote was unanimous. Motion carried; Meeting adjourned.

Meeting adjourned at 7:31pm.



Board of Zoning Appeals Chairman: Jim McClain



Attest: Jennifer Smith-Sattion, Billing Clerk