

# Town of Clear Lake – Board of Zoning Appeals

## Meeting Minutes – December 12, 2023

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

There were 3 residents in attendance and 1 via Zoom.

Roll Call:

Kit Tyler, 280 Penner Drive

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

Robert Hawley, Zoning Administrator

Jennifer Sattison, Billing Clerk

J. McClain Entertained a motion to approve the agenda.

**Motion by:** J. McClain

To approve the agenda.

**2<sup>nd</sup> by:** J. Swander

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

J. McClain entertained a motion to approve October 10, 2023, Board of Zoning minutes.

**Motion by:** W. Grabowski

To approve October 10, 2023, Board of Zoning minutes.

**2<sup>nd</sup> by:** J. Swander

All in favor, say aye. Vote was 4-0 with one abstained. Motion carried; October 10, 2023, Board of Zoning minutes approved.

No budget items.

Variance 2023-05: Postponed to next meeting (Preliminary February 13, 2024)

Variance 2023-06: Relief from required street yard setback as specified in section 2.14 of UDO from 25' to 19.3'.

Zoning Administrator R. Hawley went through the staff report for Variance 2023-06, Cass & Janie Cullis', 70 West Clear Lake Drive.

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

**Motion by:** J. Swander

To open for public comment.

**2<sup>nd</sup> by:** M. Rippe

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

Interest party, Mike Suber, discussed Cullis' reasonings for applying for the variance.

Residents discussed their support and their opposition to the variance.

J. McClain entertained a motion to close public comment.

**Motion by:** K. Tyler

To close public comment.

**2<sup>nd</sup> by:** J. Swander

All in favor, say aye. Motion carried; closed public comment.

Board of Zoning members discussed.

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

**Motion by:** J. Swander

To open for public comment.

**2<sup>nd</sup> by:** M. Rippe

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

Cullis' discussed their practical difficulties for applying for their variance.

J. McClain entertained a motion to close public comment.

**Motion by:** J. Swander

To close public comment.

**2<sup>nd</sup> by:** K. Tyler

All in favor, say aye. Motion carried; closed public comment.

J. McClain entertained a motion to proceed to final action for Variance 2023-06.

**Motion by:** W. Grabowski

To proceed to final action for Variance 2023-06.

**2<sup>nd</sup> by:** M. Rippe

All in favor, say aye. Motion carried; proceeded to final action for Variance 2023-06.

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: 5-0. 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: 5-0. 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: 5-0. 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: 3-2. Yes, Findings of Fact #4

Variance 2023-06 was approved.

J. McClain entertained a motion to approve 2024 Board of Zoning meeting dates.

**Motion by:** J. Swander

To approve 2024 Board of Zoning meeting dates.

**2<sup>nd</sup> by:** M. Rippe

All in favor, say aye. Motion carried; approved 2024 Board of Zoning meetings dates.

J. McClain entertained a motion to adjourn meeting.


**Motion by:** W. Grabowski

To adjourn meeting.

**2<sup>nd</sup> by:** J. McClain

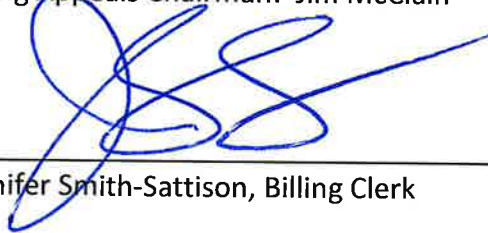
All in favor, say aye. Vote was unanimous. Motion carried; Meeting adjourned.

Meeting adjourned at 7:39pm.



---

Board of Zoning Appeals Chairman: Jim McClain



---

Attest: Jennifer Smith-Sattison, Billing Clerk