



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

Meeting Minutes: June 15, 2020

Members Present: George Byer, John Wilson, Mike Skinner, Jeff Houston

Members Not Present: None

Staff Present: Kenny Pfof, Todd Wallsmith

Staff Not Present: None

Members of public present: Alex Truty, Janet Truty

The June 15, 2020 Board of Zoning Appeals meeting was called to order at 7:00 p.m. by Vice President George Byer. The Pledge of Allegiance was conducted, and Roll Call was performed. Vice President Byer acknowledged that the board has a new member, Jeff Houston, and that since the last meeting, Board President Greg Matt passed away.

Vice President Byer asked for approval of the January 20, 2020 minutes. Member Wilson made a motion to approve the January 20, 2020 minutes without changes. Member Skinner seconded the motion. Carried 4 -0.

NEW BUSINESS

Vice President Byer asked Administrator Pfof to read the public hearing notice: "Notice is hereby given that there will be a public hearing at Knox City Hall on Monday, June 15, 2020 at 7pm" – Pfof noted that with COVID causing changes, the notice has City Hall listed as the address, but the Community Center address was also listed. "The purpose of the hearing is for a variance to allow a garage to be constructed less than 10 feet from a property line in an area zoned residential, located at Shields Lot 6 Block 9, commonly known as 103 S

Shield St, Knox, Starke County Indiana. The property is owned by Alexander and Janet Truty. “

Vice President Byer opened the public hearing at 7:06pm, and asked the Trutys to explain what they were looking for. Alex Truty said they were looking to build a 20x24 garage to replace a garage that was there when the property was purchased. The garage was torn down with a razing permit, but was not replaced immediately.

Member Wilson asked for clarification that the variance request was for the back alley and side yard, Truty stated that it was. Wilson asked if the existing shed was going to be removed, Truty said that it will “probably” go. Truty stated that he wanted to build out to 3 feet from the neighbor property and 3 feet from the alley and noted that there’s a water line to consider.

Wilson noted that in the past five feet has been the max variance allowed due to fire safety and keeping the alley clear, and recommended that Truty keep the building to five feet from the alley and five feet from the neighbor. Byer asked what size building is anticipated. Truty stated 20x24. Wilson asked Pfof if that would be taking up too much of the lot space with a building that big. The lot was confirmed to be 66x120. Houston and Wilson noted that there is a concrete building built right up to that alley. Truty stated that building is to the north of his property, the neighbor to the south has a steel building that is built right up to the alley – similar situation, the south neighbor removed their garage and replaced it with that steel building.

Wallsmith calculated the lot square footage, and it was determined that a 20x24 garage would be within ordinance limits for the amount of square footage it would occupy on a 66x120 lot with the existing house.

Truty said he didn’t understand why the ordinance itself specified 10ft off the property lines, as that would put the garage in the middle of the yard. Wilson noted safety reasons – fire and ambulance access, garbage truck access. Wallsmith noted water drainage. Wilson asked Truty if a five foot variance would allow him to build a garage. Truty stated he was trying to do as “little as possible” – avoid tree removal, go with the area of the yard he already has marked out and is using for parking.

Byer asked for any additional questions or comments – with none presented, Byer closed the public hearing at 7:14pm.

Wilson stated that his opinion was five feet, that precedent had been established in the past with five foot variances. Wilson noted that the church across the street, the Methodist

church, was five feet off the alley. Wilson and Byer both questioned how long the steel building built right on the alley had been there, as it was clearly violating ordinance.

Houston noted that he felt five feet was a reasonable amount of space. Byer asked Skinner for his thoughts, Skinner noted that he was trying to picture Pfost as fire chief trying to drive one of the trucks down the alley with all of the buildings coming right up to the alley – won't happen, the fire trucks won't get into that alley.

Wilson made a motion to give a five foot variance if it would work for Truty. Houston seconded that motion. Byer explained the motion to Truty, then asked for a vote. Vote for the five foot variance carried 4-0. The requested variance for three feet was not voted on.

Other Business: Revision of officers. Due to the passing of Board President Greg Matt, a new President needed to be selected. Byer noted that he could not be President, as he was going to be retiring from his City employment and relinquishing his role with the Board at the end of the month.

It was noted that Member Houston had been appointed to take the seat of former President Matt. Byer asked for a recommendation for President. Wilson stated that his term was up at the end of 2020, so he would be willing to fill the role for the remainder of his term. Skinner nominated Wilson to be President of the BZA. Houston second. Vote carried 4-0, Wilson is now President. Wilson asked about nominating a Vice President – Wallsmith stated that should wait, as Byer is still on the board and is still Vice President, his retirement has not yet become effective.

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

Michael Skinner
Secretary