

Board of Zoning Appeals

-Meeting Minutes-

Wednesday, May 11, 2022

in the G.A.R. Room of the Court House

- Meeting called to order at 7:09 pm by Brad Fruth
- Roll call of board members
 - Grant Cade – *Present*
 - Jamie Hopper – *Absent*
 - Randy Hileman – *Present*
 - Heidi Miller: VP – *Absent*
 - Brad Fruth: President – *Present*
- Brad Fruth introduces **VAR04-22 & 05-22 – LINDA PRICKETT**
 - *Seeking a “Use Variance”*
 - *TO ALLOW FARM ANIMALS ON 0.46- & 0.40-ACRE PARCELS ZONED R-1 IN HARRISON TOWNSHIP*
 - Megan Mongosa reads staff report
 - Brad Fruth opens the floor for public comment and asked Linda Prickett to explain the situation with the animals.
 - Carmen Prickett explains that her son shows poultry and rabbits in 4-H. She explains there would not be a lot of poultry and just what he is allowed to show for rabbits. The manure from the rabbits goes on her neighbor’s garden with permission from him.
 - Randy asks how many rabbits and poultry will there be?
 - Carmen states there will be 10-20 rabbits at most during mating season and they will be inside the garage in their cages, and there will not be any more than 10 chickens.
 - Brad Fruth opens the floor to the board for questions or concerns.
 - No further questions from the board
 - Steve Downs counted voting ballots from board members

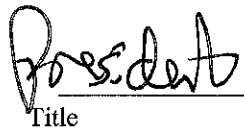
- As requested, attorney Downs presented proposed supplemental findings for VAR04-22 and VAR05-22. After review and discussion, on motion duly made and seconded, the proposed supplemental findings were unanimously denied on more than one account.
- VAR04-22 & VAR05-22 were defeated
- Brad Fruth introduces **VAR06-22 – RANDY & TERRI SMOOT**
 - *Seeking a “Use Variance”*
 - *TO ALLOW CHICKENS AND FARM ANIMALS ON AN R-1 ZONED LOT IN THE TOWN OF NORTH GROVE, INDIANA*
 - Corey Roser reads staff report
 - Brad opens the floor to the public for questions and comments
 - Randy and Terri Smoot explain that they want this variance to have chickens so they can have their own eggs
 - They do not want any more than 15 chickens
 - Carmen Prickett states she lives next to Randy and Terri and has no issues with the chickens being next to them.
 - Elaine Anderson asked what they meant by farm animals
 - Brad Fruth explained that is how it is written in the Zoning Ordinance, it does not mean they want big farm animals on their parcel.
 - Brad Fruth requests a motion to vote on VAR06-22
 - Randy Hileman motions
 - Grant Cade 2nd
 - All “Aye”
 - Steve Downs counted voting ballots from board members.
 - As requested, attorney Downs presented proposed supplemental findings for VAR06-22. After review and discussion, on motion duly made and seconded, the proposed supplemental findings were unanimously denied on more than one account.
 - VAR06-22 was defeated
- Brad Fruth introduces **VAR07-22 – DAKOTA STUDEBAKER**

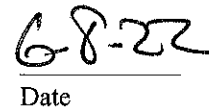
- *Seeking a “Use Variance”*
 - *TO ALLOW CHICKENS AND FARM ANIMALS ON AN R-1 ZONED LOT IN THE TOWN OF MEXICO, INDIANA*
- Megan Mongosa reads staff report
- Brad Fruth opens the floor to Dakota Studebaker to explain more in depth what animals he wants this variance for.
 - Mr. Studebaker states he wants 4 pygmy goats and a few chickens. They will be fenced in and he states his neighbors think it would be great to have them there.
- Brad Fruth addresses the board for any questions or comments
 - Randy Hileman reiterates that he can wait to have the board vote until all of the members are here
 - Dakota Studebaker agrees that would be best
 - VAR07-22 was deferred to the June 8th meeting
- Brad Fruth introduces **VAR08-22 – KENNETH & AMANDA LICKLIDER**
 - *Seeking a “Variance from Developmental Standards”*
 - *TO ALLOW A RESIDENTIAL HOME TO BE PLACED ON 5.321 ACRES OF A-1 ZONED FARM GROUND IN WASHINGTON TOWNSHIP*
 - Corey Roser reads staff report
 - Brad Fruth opens the floor to Charles Oldfather, Kenneth & Amanda’s Realtor and the public
 - Charles Oldfather stated the 5.321 acres would be the partially wooded area in the Southeast corner of the parcel
 - Elsie Condo
 - Where is the water going to go when they start to build?
 - What will happen to the adjacent landowners’ taxes?
 - Brad Fruth stated that our department and board have nothing to do with the taxes
 - Robert Daine
 - Voiced concerns about property split and what would go there.
 - The board reassured him it was a dwelling

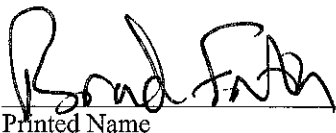
- Brad Fruth asks the board for questions or comments
 - No questions or comments from the board
 - Brad Fruth requests a motion to vote on VAR08-22
 - Grant Cade motions
 - Randy Hileman 2nd
 - All “Aye”
 - Steve Downs counts voting ballots from board members
 - As requested, attorney Downs presented proposed supplemental findings for VAR06-22. After review and discussion, on motion duly made and seconded, the proposed supplemental findings were unanimously denied on more than one account.
 - VAR08-22 was defeated
- Brad Fruth introduces **VAR09-22 – DAVID WAGLER & WAGLER METAL SALES**
 - Corey Roser reads staff report
 - Brad Fruth opens the floor to David Wagler and the public for comment
 - No comment from David Wagler
 - No comment from the public
 - Brad Fruth opens the floor to the board for questions or comments
 - No questions or comments from the board
 - Brad Fruth requests a motion to vote on VAR09-22
 - Grant Cade motions
 - Randy Hileman 2nd
 - All “Aye”
 - Steve Downs counted voting ballots from board members
 - As requested, attorney Downs presented proposed supplemental findings for VAR04-22 and VAR05-22. After review and discussion, on motion duly made and seconded, the proposed supplemental findings were unanimously adopted.
 - VAR09-22 was approved
- Brad opens the floor for public comment
 - Robert Daine

- Voiced concerns about the split ordinance and how it would affect his parcel when he wants to split it off for his mother-in-law.
 - Brad asked Mr. Daine what his suggestion would be for the minimum amount of prime farm ground required to build on.
 - Robert Daine suggested 5 acres
- Brad opens the floor to the board for comments or questions
 - No questions or comments from the board
- Brad Fruth asks for Litigation Update
 - Steve Downs gives update to board about Chad Merritt case
 - Brad Fruth asks for motion to approve supplemental findings
 - Randy Hileman motions
 - Grant Cade 2nd
 - All "Aye"
 - Supplemental Findings approved
- Brad Fruth calls to adjourn meeting
 - Randy Hileman motioned
 - Grant Cade 2nd
 - All "Aye"
- Meeting adjourned at 8:15 pm


 Representative of Miami County Plan Commission


 Title


 Date


 Printed Name

