

A meeting of the Jasper County Board of Zoning Appeals was held Monday, April 15, 2024 at 7:00pm. in the Commissioners' Room of the Jasper County Courthouse, Rensselaer, Indiana. Members present: Kent Korniak, Scott Walstra, Dave Webb and Matt Sheafer. Also present: William T. Sammons, Law Offices of William T. Sammons P.C.; and Kelli Standish, Secretary. Absent was: Mark Jordan and Mary Scheurich.

Meeting was called to order by Chairman Scott Walstra. The Pledge of Allegiance was recited. The first order of business was the call for approval of the February 2024 minutes.

Matt Sheafer made the motion to approve the February 2024 minutes. Motion was seconded by Kent Korniak and carried unanimously.

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Variance

Cause#BZA-2-24

Applicant: Samantha Burnes

Landowner: Helen Muskin

Location: Sec.7-31-5 – Walker Twp. – Resub of lot 17 in Eggleston Sub'd. No.9

Use: Lot width variance

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Public hearing held pursuant to notice published March 21, 2024 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Janet Echlin, Clerk of the Rensselaer Republican.

Samantha Burnes and Helen Muskin were present and stated that they are requesting a lot width variance of the property. They would like to replat the lot into a 2-lot replat and each lot almost having 2.5 acres.

Samantha Burnes stated that she wants to build a 3 bedroom home on the proposed empty lot. At one time the property use to be a 10 acre lot but Helen Muskin has since divided the property into 3-lots.

Scott Walstra asked if you are proposing to split the property in half which will leave the lots to have 165ft. of road frontage.

Samantha Burnes replied that, that is the plan, but until they get the property surveyed she is not sure on exactly how it will be split.

Matt Sheafer asked if you know how far the existing building would be to the new proposed property line.

Samantha Burnes replied that she thought the existing building would be approximately 8 ft. from the new proposed property line.

Scott Walstra stated that the building has to be so far from the new property line.

Samantha Burnes asked if the existing garage is too close to the property line could they make that a bump out and then jog back towards the other property to make it work. It would not

be a clean straight line if the garage is too close.

The board members felt the bump out would work and there might be a chance the building meets the set-backs once they get the property surveyed.

Scott Walstra asked if anyone present had any opposition to the application. There was none.

Leslie Irvine was present and stated that she lives to the West of the application and she is in favor of the application. She also stated that another property owner just split his 10 acres into 4-lots and was in favor of that as well.

Kent Korniak made the motion to grant approval for the lot width variance with the contingency that the existing building meets the side yard set-back. Motion was seconded by Dave Webb and carried unanimously.

Scott Walstra then read the Findings of Facts.

- (i) The approval of the variance will not be injurious to the public health, safety, morals and general welfare of the community.

**Response: There will be no harm to the public health, safety, morals, and general welfare of the community. She also added: They would be conforming to what is already existing in the area.**

- (ii) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

**Response: No, surround properties will not be affected. She also added: they will be making improvements to the property by adding a dwelling structure.**

- (iii) The strict application of the terms of the ordinance will result in practical difficulties in the use of the property.

**Response: If variance application is approved there are no known difficulties at this time that the owner would have. She also added: They are turning the ground from vacant ground to developmental property.**

Scott Walstra stated that there is a motion to approve the application, and the board must consider the findings in Article 9, Variance 20.90.190 (7)(a)(i) through (iii). He then read the Findings of Facts.

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

The board unanimously voted that the applicant met the requirements of (i).

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

The board unanimously voted that the applicant met the requirements of (ii).

- iii. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property.

The board unanimously voted that the applicant met the requirements of (iii).

Kent Korniak made the motion to adopt the proposed Findings of Facts as presented by the Applicant. Motion was seconded by Dave Webb and carried unanimously.

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Upon motion duly made and seconded, meeting was adjourned.

A TRUE RECORD;

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Scott Walstra, Chairman