AREA BOARD OF ZONING APPEALS  
ST. JOSEPH COUNTY, INDIANA

MINUTES

Wednesday, February 12, 2020  
1:30 p.m.  
4th Floor, Council Chambers  
County-City Building, South Bend, IN

MEMBERS PRESENT:  
Dan Caruso  
Robert Hawley  
John O’Brien  
Sidney Shafer  
Joe Velleman  
Jack Young

MEMBERS ABSENT:  
Michael Urbanski  
Lawrence P. Magliozzi  
Shawn Klein  
Ryan Fellows  
Samantha Keultjes  
Brandie Ecker

ALSO PRESENT:

PUBLIC HEARINGS:

1. The petition of STEVEN & DOMINIQUE FUTA AND PAUL W JR FUTA seeking the following variance(s): 1) from the minimum required side setback of 30' to 18', property located at 28725 STATE ROAD 23, Greene Township. Zoned A: Agricultural District (County).  

(Audio Position: 2:09)

PETITIONER

STEVEN FUTA, residing at 28725 State Road 23, North Liberty, IN, presented the petition as the petitioner.

IN FAVOR

PAUL W FUTA JR, residing at 28550 State Road 23, North Liberty, IN spoke in favor of the petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Robert Hawley, being seconded by Jack Young and unanimously carried, a petition by STEVEN & DOMINIQUE FUTA AND PAUL W JR FUTA seeking the following variance: 1) from the minimum required side setback of 30' to 18' was approved as presented, and the Area Board of Zoning Appeals will issue written Findings of Fact.
Daniel J. Caruso - Yes
Robert Hawley - Yes
John O'Brien - Yes
Joe Velleman - Yes
Sidney Shafer - Yes
Michael Urbanski - Absent
Jack Young - Yes

2. **The petition of TERRY LEE SZCZYPIORSKI & ANDREA CASTLE seeking the following variance(s): 1) from the minimum required lot area of 20 acres to 16.40 acres for proposed Lot 1; 2) from the minimum required frontage of 200' to 80.19' of frontage for proposed Lot 1; 3) from the minimum required lot area of 20 acres to 6.00 acres for proposed Outlot A and 4) from the minimum required frontage of 200' to 0' for proposed Outlot A, property located at 30560 OSBORNE RD, Liberty Township. Zoned A: Agricultural District (County).**

(audio position: 13:23)

**PETITIONER**

TERRY LANG of Lang Feeney & Associates, with offices located at 715 S. Michigan St., South Bend, IN spoke on behalf of the petitioner.

**IN FAVOR**

There was no one present to speak in favor of this petition.

**REMONSTRANCE**

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, a petition by TERRY LEE SZCZYPIORSKI & ANDREA CASTLE seeking the following variances: 1) from the minimum required lot area of 20 acres to 16.40 acres for proposed Lot 1; 2) from the minimum required frontage of 200' to 80.19' of frontage for proposed Lot 1; 3) from the minimum required lot area of 20 acres to 6.00 acres for proposed Outlot A and 4) from the minimum required frontage of 200' to 0' for proposed Outlot A was approved as presented, and the Area Board of Zoning Appeals will issue written Findings of Fact.

Daniel J. Caruso - Yes
Robert Hawley - Yes
John O'Brien - Yes
Joe Velleman - Yes
Sidney Shafer - Yes
Michael Urbanski - Absent
Jack Young - Yes

3. The petition of Richard D Carr & Barbara J Carr Trustee & Donald & Jana Ingle seeking the following variance(s): 1) from the minimum required lot area of 20 acres to 0.59 acres for proposed Lot 1; 2) from the minimum required rear setback of 30' to 10' for proposed Lot 1 and 3) from the minimum required 600' of frontage to 365.96' for proposed Lot 2, property located at 66501 & 66521 Miami Hwy, Union Township. Zoned A: Agricultural District (County).

(Audio Position: 18:55)

PETITIONER

Terry Lang of Lang Feeney & Associates, with offices located at 715 S. Michigan St., South Bend, IN spoke on behalf of the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, a petition by Richard D Carr & Barbara J Carr Trustee & Donald & Jana Ingle seeking the following variances: 1) from the minimum required lot area of 20 acres to 0.59 acres for proposed Lot 1; 2) from the minimum required rear setback of 30' to 10' for proposed Lot 1 and 3) from the minimum required 600' of frontage to 365.96' for proposed Lot 2 was approved as presented, and the Area Board of Zoning Appeals will issue written Findings of Fact.

Robert Hawley - Yes
Sidney Shafer - Yes
Michael Urbanski - Absent
Jack Young - Yes
Joe Velleman - Yes
Daniel J. Caruso - Yes
John O'Brien - Yes
ITEMS NOT REQUIRING A PUBLIC HEARING

   
   A. Approval of the Findings of Fact from the January 8, 2020 meeting
      
      Upon a motion by Robert Hawley, being seconded by Jack Young and
      unanimously carried, the Findings of Fact from the January 8, 2020 meeting were
      approved.
   
   B. Approval of the Findings of Fact from the November 13, 2019 meeting
      
      Upon a motion by Jack Young, being seconded by Robert Hawley and
      unanimously carried, the Findings of Fact from the November 13, 2019 meeting
      were approved.

2. Minutes (Audio Position: 23:00)
   
   A. Approval of the Minutes from the January 8, 2020 meeting
      
      Upon a motion by Jack Young, being seconded by Robert Hawley and
      unanimously carried, the minutes from the January 8, 2020 meeting were
      approved.
   
   B. Approve of the Minutes from the October 9, 2019 meeting
      
      Upon a motion by Robert Hawley, being seconded by Jack Young and
      unanimously carried, the minutes from the October 9, 2020 meeting were
      approved.

3. Other Business (Audio Position: 23:45)
   
   A. Discussion and approval of new Area Board of Zoning Appeals bylaws
      
      Ryan Fellows announced that there would be two training sessions taking place.
      One is February 18th, after the Area Plan Commission meeting, and the other is
      after the Area Board of Zoning Appeals meeting on March 11th.
      
      Brandie Ecker pointed out that if four members attend the February 18th training,
      a public meeting needs to be advertized.
Larry MaglioZZi explained that as a trial run, the format of the agenda has changed. He also stated that with less petitions, the staff will try to comment on each petition now to explain the recommendation.

After careful consideration, the following action was taken:

Upon a motion by Jack Young, being seconded by Robert Hawley and unanimously carried, the Area Board of Zoning Appeals bylaws were approved.

4. Adjournment at 2:06 p.m.

RESPECTFULLY SUBMITTED,

[Signature]

MICHAEL URBANSKI,
CHAIRMAN OF THE BOARD

ATTEST:

[Signature]

LAWRENCE P. MAGLIOZZI,
SECRETARY OF THE BOARD