

Owen County Board of Zoning Appeals Minutes

May 15th, 2008

Owen County Courthouse Commissioners Rm.

Members Attended

Mike Branham

Reese Nichols

Benton Pittman

Patty Steward

Members not Present

Vern Souders

Public

Phil Whitlow

Miriam L. Whitlow

Open Meeting

Reese Nichols: Opens meeting with Pledge to the Flag.

Approval of Minutes

Mike Branham: When those people come to you, why don't they go through their covenant's first before they come to us.

D.J. Bault: I told her to check out her covenant before she came.

Mike Branham: After we had our meeting she did in fact call Mr. Stewart and what did he tell her?

D.J. Bault: No

Mike Branham: So it would have saved us all that time in that meeting if she would have done that first. And actually it is the same thing with that gentleman at Locust Lake. If he would have went through, in fact it is so clear in his there is no mistake at all, he had to go through his covenants first. Because he was trying to build a house smaller than what the covenant's call for.

D.J. Bault: He came to this Board first to make sure he would be able to do what he wanted to do and then he was going to go to the association to get their approval.

Mike Branham: He should have went to them first.

Reese Nichols: I think from now on anybody that's got restrictions that comes before that has not already received clearance from their sub-division restrictions, or their covenants with in the sub-division, we are not even going to act on them. Is the Board agreed on that?

The Board all agreed that this would be the proper way to deal with these issues from now on.

Patty Steward: Motions to approve the April 17th Minutes with edits.

Michael Branham: Seconds the motion.

Passes: 3-0 With Benton Pittman Abstaining due to not being at last months meeting.

Old Business

Diane Carter

Patty Steward: Motions to table Diane Carter's variance until it is needed to be presented to us again in the proper fashion.

Michael Branham: Seconds the motion.

Passes: 4-0

New Business

Phil Whitlow

Phil Whitlow came before the Board to ask for a set back variance of 40 foot from Mt. Carmel Rd. The reason for the placement is to be beside his home.

After reviewing the Owen County Ordinance Book Reese Nichols tells Phil Whitlow there was no need for him to be here due to the fact that he will be more than 25 feet from the side and not from the front of their property.

Benton Pittman: Motions that no Variance is needed.

Michael Branham: Seconds the Motion.

Passes: 4-0

Reese Nichols: Motions to refund Mr. Whitlow's fee

Benton Pittman: Seconds the motion

Passes: 4-0

(Issue Begins at 180 on tape)

Other Business

The Board had a discussion on sub-division and the restriction they have. It is the Boards thoughts to have written permission from the sub-division association before any person wanting a variance in that sub-division goes before the Board

Patty Steward: Motions that this Board would like to have anybody coming before us, to have written permission from the sub-division or a platted lot that has covenants have permission before they come to us.

Benton Pittman: seconds the motion.

Passes: 4-0

Adjourning

Benton Pittman: Motions to adjourn

Reese Nichols: Seconds the motion

Passes: 4-0

These minutes are approved on _____,20____

_____,
Michael Branham,

_____,
Reese Nichols,

_____,
Benton Pittman,

_____,
Vern Souders

_____,
Patty Steward