

Board of Zoning Appeals

MEETING DATE: May 17, 2022
TIME: 7:00 p.m.
LOCATION: Pendleton Town Hall
100 W. State Street Pendleton, Indiana

ORDER OF BUSINESS

I. CALL TO ORDER

Meeting was called to order by President Kyle Eichhorn at 7:00 p.m.

II. ROLL CALL AND DETERMINATION OF QUORUM

Board members attending in person were Kyle Eichhorn, Jenny Sisson and Jerry Burmeister. Board member James King attended virtually (via Zoom). A quorum was established. Individuals representing the Town were Town Manager Scott Reske, Planning and Zoning Administrator Denise Mckee, Clerk Stephanie Buck, Town Attorney Jeff Graham. Others attending in person included Steve Bucci, Sandi Butler and JoAnn Karaffa-Owens with Fire Chief Chris Nodine attending virtually (via Zoom).

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

Motion to Approve the April 19, 2022 Meeting Minutes made by Jenny Sisson; seconded by Jerry Burmeister; Roll call vote was taken and all members present voted to approve the April 19, 2022 Meeting Minutes; motion so carried.

V. OLD BUSINESS

A. Condemnation hearing for 116-120 W State St – Steve Bucci

- Town Manager Scott Reske reported that Brett Mabrey, Fire Chief Chris Nodine, Jim Cook and himself inspected the property for progress on May 16, 2022. Reske also provided an update on progress made by Steve Bucci to seal the building. Reske recommended an additional 30 days based on progress made, and to re-address at the next meeting at which time structural issues would be discussed. Reske further stated that the 2019 Engineering Report recommended repairs to be completed by the first winter, in which none have been done to date. Reske added that the 2019 Engineering Report outlined immediate repair needs before the first heavy snow as current conditions create stress load. Reske further reported that the back of the building is worse than the front, however, explained that it can create a domino effect danger as tied to the front of the building. There were questions and discussion confirming progress on the building.

- Steve Bucci, building owner, reported that he has made substantial progress and intends to complete the improvements requested. Bucci expressed his appreciation for the recommendation of 30 additional days. He asked that the businesses be permitted to move back in to the front of the building due to his opinion that it is safe in the front. James King requested clarification on structural issues regarding the front and back. Scott Reske reiterated that the front and back sections are dependent on each other, and that a potential collapse to the back would also affect the front. Jenny Sisson addressed Bucci, acknowledging his concern for the business owners, but stressed the Town's responsibility to the public and liability for their safety. Fire Chief Chris Nodine voiced agreement about the concerns of safety and liability to the community and that he was not comfortable with businesses and patrons occupying the building at this time. Bucci asked Town Attorney Jeff Graham's opinion. Graham agreed with Sisson and Nodine, and that a structural expert needs to assess before allowing occupants.

Kyle Eichhorn requested a motion to approve a 30-day extension for Steve Bucci to continue improvements and to return to the June Meeting. Jenny Sisson made said motion, seconded by Jerry Burmeister. Roll call vote was taken and approved by all members present; motion carried.

VI. NEW BUSINESS

No new business to discuss

VI. ADJOURNMENT

Meeting was adjourned by Kyle Eichhorn at 7:18 p.m.

Next meeting June 21, 2022 at 7 pm.