

CITY OF PERU BOARD OF ZONING APPEALS



Board of Zoning Appeals
Tuesday, October 28, 2025
6:00PM Common Council Room
35 S. Broadway Peru IN 46970

Called to order: Joe Molyneux
Time: 6:07 PM

ROLL CALL:

Brent Wedding (A), Stephen Kuykendall (P), Joe Molyneux (P), Mike Siblisk (P) Richard Blair (P)

READING & APPROVING PREVIOUS MONTH'S MINUTES

- ❖ Joe made a motion to waive the reading and accept the minutes for July 29, 2025.

1st: Joe Molyneux 2nd: Stephen Kuykendall

Motion Carried

- Joe Molyneux made a motion to amend the agenda and do old business last and to do new business first.
- All in favor 4-0 ~Motion Passed

NEW BUSINESS:

- ❖ Petition for a variance of special exceptions for parcel 52-08-33-115-004.000-016, commonly known as 73 S. Holman St., to place a pre-built 16x28 shed with a loft for living space.
- Joe Molyneux asked if there was anyone present on this matter. Karl Knight stepped forward as the petitioner. Joe asked him to state his name and to give a brief description of his request.
- Karl stated he wants to place a tiny home at the location in question. He stated it should arrive this coming Thursday around 9:30am. He stated he is asking for permission to live in the home as he has been homeless and living in his truck for the last couple of years.
- Joe stated to the board that there are pictures in their packets of what Karl intends to place for them to check out. He then asked Karl if he knew that it would have to meet all the building codes and if he was aware that if the variance was granted it would only be granted to him; if it was ever sold the new owners would have to ask for their own variance.
- Karl stated he was ok with that.
- Joe explained that the reason for needing a variance is the city has an 850 square foot minimum for dwellings and this one. He then asked Karl if he knew it had to be on a foundation and everything,
- Karl stated yes that he would have everything to code. He stated it would have water, sewage and electricity. He stated Don Keys would be helping as he travels a lot. He stated he would only be home on Friday, Saturday, and Sunday's.

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- Lisa Ford then asked Joe if Karl needed to come into the office and change the permit type as Karl had originally obtained a permit to place a storage shed and then applied for a variance after.
- Joe stated yes that Karl should come in and obtain the proper permits.
- Lisa asked Karl to come to the office to proceed, if the variance was granted.
- Joe then asked if there were any questions.
- Richard Blair asked Karl if he would have full water, sewage and insulation.
- Karl answered yes and said it comes pre-insulated, and he planned to make the inside look like a log cabin.
- Richard asked how he planned to heat it.
- Karl answered he was doing electric heat, not space heaters, actual electric heat.
- Joe asked if there were any more questions. There were none.
 - Motion to vote in favor: Joe Molyneux
 - 1st Joe Molyneux 2nd Richard Blair
 - All in favor 4-0 ~ Motion to grant the variance.

OLD BUSINESS:

- ❖ The owners of parcel 52-08-26-201-044.000-016, commonly known as 568 E. 5th Street, would like to address the board pertaining to the variance request submitted and denied on July 29. 2025 meeting.
- Joe stated for the owners of 568 E. 5th to come up to address the board.
- Rosanna stepped up and asked if they could get another 30-day extension for the removal of the shed, due to the fact that the company took forever to schedule the move. She stated she was in complete compliance with everything. She stated she has text messages, phone calls that she emailed to Lisa Ford. She did not realize that she had not communicated enough that she was at the company's whim to get the shed moved. She stated that Dave was hospitalized again twice at the beginning of August. Once for a heart attack and again for a life vest mishap and that set them back a few weeks. She stated again that they were in compliance the whole time and scheduling the move. She stated she has text on September 8, and she called and called the company, and she also had communications on September 9. He stated he received everything on September 11, and we agreed on the contract, and he said he would schedule me. On September 24 I asked for updates, and he responded with "I am currently working on a date to schedule your move. I have a date coming up and will let you know, thanks." So, I couldn't give her a date because they were not giving me a date.
- Joe asked Lisa when the 60 days were up.
- Lisa responded on September 27th.
- Rosanna stated the shed had been moved, they finally got me on the schedule and came and moved it. She then stated when she got the first fee schedule, she called Lisa and Lisa said she could not do anything about reversing them.
- Lisa stated that when she called, she only asked how close they could move the shed to their garage and that all communications are documented.

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- Rosanna asked Lisa if she asked those questions and stated she was talking about the fees. She stated she called Lisa and emailed and thought that was enough, but that apparently wasn't enough.
- Lisa stated that day she spoke to Joe, and he stated Rosanna would have to ask the board, that Lisa nor himself can grant an extension, the board must do that.
- Joe asked what the fees are as of today.
- Lisa stated she did not bring the invoices, but they were emailed to the board.
- Lisa asked Rosanna if she had the last invoice that she received.
- Rosanna stated she had a couple of different invoices. She stated she had the one that was sent to her on October 15th, and it was \$890.
- Joe stated that the fees to date on the invoice were \$890. He stated that one of the points is that right from the beginning you knew you needed a permit, but you didn't get one.
- Rosanna stated no, I didn't. No, I told you because I thought it was pre-built and that I didn't need one.
- Joe stated that she told them the last meeting that they went to Lowe's, and they said, "No, you will need a permit."
- Rosanna said no, that's not what I said, I recall the conversation. I was looking into purchasing one myself and it was Menards, not Lowe's, but when I was looking into building one myself, I knew I would need to get a permit. But because I got a pre-built, I didn't think I needed one. That's exactly what I said, sir.
- David from the audience stated, nobody else corrected.
- Richard Blair stated, they didn't tell you, I remember that.
- Rosanna asked, "I'm sorry, what?"
- Richard stated they didn't tell you when you bought it.
- Rosanna replied, "No, sir. He did not."
- Joe stated, and your husband also stated that he knew the ordinances and had read them.
- Rosanna stated he had since then read them.
- Joe said well he read it, and he said at the meeting.
- David interrupted and said that he stated at the meeting he had never seen one that specifies the square footage or anything about that.
- Joe stated that that had nothing to do with it, that the point was the placement of it on the property line. He stated that they did finally get the permit and things settled and that's no problem, there is no penalty for that. It was the placement of the shed.
- Rosanna stated that she was in compliance, that she did everything the board asked of her and the company dug its feet in moving the shed and she had communicated that. She states she is just asking to extend the deadline 30 days to wipe these fees out. She stated she has kept everything and has always been in compliance. She stated she does her best and if she can't make the deadline she calls. She stated she thought calling and emailing was her telling Lisa she didn't know when they were going to schedule to move the shed. She stated she did not realize that was not enough to get an extension. She did not know she needed to come to the board, in the past she just called and said "hey, I need a few more days."
- Joe stated that it was on different things, that she went through the board of zoning appeals, so they are the ones who would grant the extension.

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- Joe then asked Lisa if she had the emails that were sent.
- Lisa stated yes, she has all the emails.
- Joe asked her to read the one where she sent the request.
- Lisa stated some where calls, that were also logged. Lisa stated she first called and asked how close the shed could be to their garage. I spoke to Bruce and reached back out. That was on 9-11. She did not answer. I then emailed her answering her questions and let her know to reach out if she needed anything else. She responded later, "thank you for the update."
- Rosanna mentioned an email about the shed being moved.
- Joe asked Lisa about that email.
- Lisa stated she told her that over the phone not via email and that it was 3 weeks before the deadline. Lisa stated she sent a letter a week before the deadline to inform them of the deadline and noted when the fining would start if not in compliance with the deadline and could provide copies of the letters. Lisa stated she asked for the extension on 9-30 and that's when she told Rosanna she would have to go to the board for an extension. Before then the only communication was on 9-11 and Rosanna had just asked about placement, nothing about an extension until the 30th, which is when Lisa reached out to Joe, and she was referred to the board. Lisa stated she would have suggested sooner to ask for an extension if she had known she needed more time.
- Rosanna stated she honestly thought it would be just a few more days and he would have it scheduled and moved.
- Lisa stated she understood that she thought they were coming and why she didn't ask then for an extension.
- Rosanna stated she had never delt with our department before and thought what she had done was enough. All she ever had to do in the past was call, she did not know she had to come to the board.
- Lisa stated she did not know until after the deadline when she went by and checked to see if the shed had been moved, because she had sent a letter, that the shed was still there. She stated Rosanna never gave a date as to when it would be moved.
- Rosanna stated that it was because she did not have a date.
- Lisa stated had she communicated that she would have suggested going to the board before the deadline and fines started.
- Rosanna stated she thought the email did state that. She stated those were her exact words. "I don't know when they will schedule me. Everything is in line I don't know when they will schedule me. That was me saying I don't have a date."
- Lisa stated that it was communicated after the deadline.
- Rosanna said, no, that was before. She stated she had tried to email Lisa on September 24, but she had sent it to an incorrect email address, one with Lisa in it not to the zoning email, and by the time it got kicked back and got ahold of Lisa the fee schedule was already out.
- Lisa stated she can provide all the emails and logged phone calls.
- Rosanna mentioned a specific email, she stated I'm talking about what I sent right after I talked to the company and told you I don't know when they will schedule me, we had everything set up the gravel and everything even with all of his heart attacks I was on schedule.

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- Lisa stated that it was a phone conversation and Rosanna had stated they were ready to move it and that was prior to the email Lisa had sent answering her questions on 9-11. Lisa stated 9-11 was the last communication until 9-30 after she received the invoice and then she asked for an extension.
- Joe asked and one more time when are the 60 days up?
- Lisa responded September 27th.
- Joe asked when she reached out.
- Lisa responded on the 30th when she was invoiced.
- Joe asked, and the shed was moved when October? It's only been a couple of days, right?
- Lisa responded yes.
- Rosanna stated she has repeated calls and text to the company, and they were supposed to write a letter today, and I can show several calls and text of me reminding him of that letter to give to you guys to explain why it took so long to schedule this.
- Joe stated that it is all well and good, but they needed to know that and that it was really clear what needed done. So, without actually saying I've got this guy on the hook and he's waiting, we could have discussed that, but you didn't.
- Rosanna stated again I've never delt with you, I thought a call, text and email updating you was enough.
- Lisa stated honestly Rosanna the last time I heard from you was 9-11 and then again on 9-30.
- Rosanna stated, yeah and 9-11 is when I scheduled everything
- Lisa stated and that was me emailing you and you responded, " We are ready to have the shed moved, but I do not know when the company is going to schedule it, I'll keep you updated." And then I never heard from you again until the 30th.
- Rosanna stated she tried reaching out on the 24th and it kicked the email back because I put Lisa in the email and you are zoning only, so after it kicked it back, I emailed and called you again a couple of times.
- Lisa stated the only calls and emails received were the 9-11 and the 9-30, and 9-30 she came to the office and that is when Joe was called. There were no calls or emails between those dates.
- Rosanna stated yeah that sound about right.
- Joe asked if there were any questions from the board.
- Joe made a motion to vote, YES = to keep fines in place NO = to remove the fines.
 - Motion to vote: Joe Molyneux
 - 1st Joe Molyneux 2nd Richard Blair
 - All in favor of removing the fines 4-0 ~ Motion to remove the fines passed.
- Lisa asked to be clear yes was to keep the fines and no was to remove them.
- Joe stated that we are voting not to do the fines
- Stephen stated not to get rid of the fines.

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ADJOURNMENT:

❖ A motion to adjourn the meeting, made by Joe Molyneux

1st: Joe Molyneux 2nd: Stephen Kuykendall

Meeting Adjourned

Time: 6:31 pm