

MINUTES OF REGULAR MEETING

BARTHOLOMEW COUNTY BOARD OF ZONING APPEALS

The regular monthly meeting of the Bartholomew County Board of Zoning Appeals was held on March 28, 2016 at 7:00 p.m., on the fourth floor of the Bartholomew County Governmental Office Building, 440 Third Street, Columbus, Indiana.

Members Present: **Chair, Zack Ellison; Vice Chair, Roger Glick, David Flohr and Jason Newton**

Staff Present: **Melissa Begley, Assistant Planning Director, Allie Keen, Charles Russell, Associate Planners and Bill Klakamp, Asst. Code Enforcement Officer**

County Plan Commission Attorney: **Cynthia Boll**

The meeting was called to order by Chair Ellison. The Board and Staff introduced themselves.

Cynthia Boll administered the oath to all in attendance who would be speaking.

DOCKET NO. B/DS 16-01 APPLEBEE'S

This a request for a development standards variance from Zoning Ordinance Section 7.3)(Part 2)(A) to waive the requirement to install public sidewalks along the frontage of Hartman Drive and the US 31 frontage road. The property is located at 11860 North US 31, in German Township.

Steve Kirkis and John Stroh, Attorney at Law attended the meeting, representing Applebee's.

The Staff report, including preliminary Staff recommendation of approval, Zoning Ordinance and Planning considerations and provisional Findings of Fact/Decision criteria was given by Allie Keen. In addition, she gave a power point presentation of the property.

The meeting was opened to the Public for comment and there being none, the Chair then closed the meeting to the Public.

A motion was made by Jason Newton and seconded by Roger Glick to approve this request with Staff recommendations, including the following commitment:
Pedestrian easements shall be provided along both the east and west property lines of the subject property. The pedestrian easement along the western property line shall be included in the existing 20 foot wide drainage and utility easement. The pedestrian easement along the eastern property line shall be 10 feet in width and adjacent to the existing 40 foot wide private street easement. These easements shall be included on a recorded plat of the subject property and shall allow the construction, maintenance, and use of a public sidewalk within these easements.
The motion passed 4-0.

DOCKET NO. B/CU 16-01 VIRGINIA GLUNT

This is a request for conditional use approval per Zoning Ordinance Section 6.1(D)(1) to allow an accessory dwelling in the AG (Agricultural: General) zoning district. The property is located 1000 feet east of State Road 9 and 2125 feet north of 300 North, in Clifty Township.

Nathan and Sheila Downey attended the meeting. They indicated the accessory dwelling would serve as a place for guests to stay while visiting.

The Staff Report, including preliminary recommendation of approval, zoning, planning and comprehensive plan considerations and findings of fact was given by Charles Russell. In addition he gave a power point presentation of the property.

The meeting was opened for Public comment and there being none the meeting was then closed.

A motion was made by David Flohr and seconded by Jason Newton to approve this request with Staff recommendations. The motion passed 4-0.

DOCKET NO. B/CU 16-02 J&A ASSET MANAGEMENT

This is a request for conditional use approval per Zoning Ordinance Section 3.5(B) to allow the expansion of a Farm (CFO)/CAFO type II) with the additional of a 70 foot (4,900 square foot) building and no additional animals in the AP (Agriculture Preferred) zoning district. The property is located approximately 3800 feet north of the intersection of 800 North and Stafford Road, on the west side of Stafford Road, on the west side of Stafford Rd, in Hawcreek Township.

William Corya attended the meeting.

Melissa Begley gave the Staff Report, consisting of preliminary recommendation of approval, zoning, planning and comprehensive plan considerations as well as findings

of fact/decision criteria. She also gave a power point presentation of the property and surrounding area.

The meeting was opened for Public comment.

Dave Stafford, who owns property surrounding subject property, spoke in favor of the request.

Tom Mee wanted to be sure there were no additional animals being allowed.

He was informed there would be no more animals.

The meeting was then closed to the Public.

Upon a motion made by Roger Glick, seconded by David Flohr this request was approved 4-0 with the condition that the previous applications be withdrawn.

DOCKET NO. B/CU 16-03 WHITE DIAMOND FARMS

This is a request for conditional use approval per Zoning Ordinance Section 3.5(B) to allow an agri-tourism facility (lavender sales) in the AP (Agriculture: Preferred) zoning district. The property is located at 9415 East 800 North, in Flatrock Township.

Steve and Melinda Webb attended the meeting with Brent Ables.

The Staff Report consisting of preliminary recommendation of approval, zoning, planning and comprehensive plan considerations as well as findings of fact/decision criteria was given by Melissa Begley. She also gave a power point presentation of the property and surrounding area.

A letter from Dave and Mindy Houchins was read into the record by Chair Ellison expressing some of their concerns with the proposal.

There was a motion made by David Flohr and seconded by Jason Newton to approve this request with the following conditions:

1. The parking area shall be enlarged to accommodate a minimum of 3 additional parking spaces.
2. 50% of the products sold shall be produced on-site.
3. Educational tours and events and activities that relate to the lavender operation are permitted, such as a lavender soap making classes, lavender candle making classes, etc. Events, such as weddings, graduations, anniversaries, retreats, birthday parties, etc. that are using the site as an event venue and/or the applicants are being paid for the use of the space is not permitted. This does not include private events involving family and/or friends that are common on any property.

The motion passed 4-0.

FINDINGS OF FACT

The following findings were submitted for consideration:

B/CU 15-11 WILDLIFE UTOPIA

Upon a motion made by Jason Newton and seconded by David Flohr the findings were approved as submitted. 3-0 Mr. Glick did not vote as he recused himself from hearing said B/CU-15-11 because he was on the Public notification list.

MINUTES

Upon a motion made by Roger Glick and seconded by Jason Newton the January 25, 2016 minutes were approved as submitted. 4-0

HEARING OFFICER APPROVALS

C/DS 16-02 Columbus Board of Aviation Commissioners

A request by the Columbus Board of Aviation Commissioners for a development standards variance from Columbus AirPark PUD Section V(9)(G)(Table 4) to allow the maximum depth of a lot to be approximately 406 feet, 156 feet deeper than the 250foot maximum depth from Vickers Drive. The property is located on the west side of Vickers Drive, north of Whitney Court, in the City of Columbus.

There being no further business, the meeting was adjourned.



Zack Ellison, Chair



Bill Klakamp, Asst. Code
Enforcement Officer