

**Minutes  
Board of Zoning Appeals  
November 26, 2019**

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The Board of Zoning Appeals of the City of Washington met on November 26, 2019, at 7:00 pm in the City Council Chambers. Chairman Don Spillman called the meeting to order with the following members present were Larry Mullen, Greg Haag, Michael Allen, David Gray, Don Spillman and Attorney Tim Dant. Members absent were Bill Summers and Dan Gress. After the rollcall, the Chairman stated a quorum was present.

Also attending were Building Commissioner Don Williams, Code Enforcement Officer Brandt Powden and Plan Commission Secretary Maria Sergesketter.

Minutes from the Board of Zoning Appeals meetings held on October 23, 2019 were approved. Motion to approve the Minutes was made by Greg Haag and second by Larry Mullen. A voice vote was taken, Minutes were approved with all in favor.

All persons present who desired to speak during the hearings on cases before the Board were sworn in by City Attorney Tim Dant.

The following case was heard by the Board of Zoning Appeals:

**Case V-22-19:** Landmark Surveying is requesting a Variance for Kush Patel, Hampton Inn. A Variance from the requirement for no more than 1 curb cut per 400 feet of frontage per City Code. This property is zoned Commercial C-4. The property is located at 8 Cumberland Drive. Property size is 1.96 acres. Parcel number for the property is 14-13-03-301-015.003-016. Dennis Helms, Landmark Surveying, was present to answer any and all questions regarding this project. Dennis Helms stated that the property has a frontage of 200 ft and the curb cut is 89.1 ft away from another driveway. The curb cut was put in the best possible location. Plan Commission has previously approved the project in the Overlay zone. The Board discussed it for a brief time. Chairman Don Spillman put the case before the board. Acting Secretary Maria Sergesketter took a roll call vote. Motion passed 5-0 with Bill Summers and Dan Gress being absent.

**The Board made the following findings of fact in support of the conditional-use exception.**

**In IC 36-7-4-918.5 it has been determined that the following criteria exists.**

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**
- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**
- 3. The strict application of the zoning ordinance will result in practical difficulties in the use of the property.**

**Case V-20-19:** Church on the Way is requesting a front set back variance. This property is zoned Residential multi-Family R-3. The property is an empty lot located at 624 W Main Street. Property size is .47 acre. Parcel number for the property is 14-10-27-303-086.000-017 & 14-10-27-303-087.000-017. Ross Wade and Nathan Frederick, John Ross LLC, and Dennis Helms, Landmark Surveying, were present to answer all questions regarding this project. Ross Wade explained that this project would be like the 13<sup>th</sup> & W. Walnut project he completed in Washington, but just more duplexes. He said they would change elevations of the building versus hauling a lot of dirt out to make them all on the same level. Dennis Helms explained that the front set back on Main Street is compliant. Since it is a corner lot, the west side of the property must also follow a front setback, and this is what needs a variance. It will need to be 14 feet versus the required 35 feet. Board Members asked if there was enough parking. Dennis explained that there is enough parking and enough room for their dumpster. The Board discussed it for a brief time. Chairman Don Spillman put the case before the board. Acting Secretary Maria Sergesketter took a roll call vote. Motion passed 5-0 with Bill Summers and Dan Gress being absent.

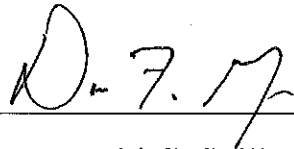
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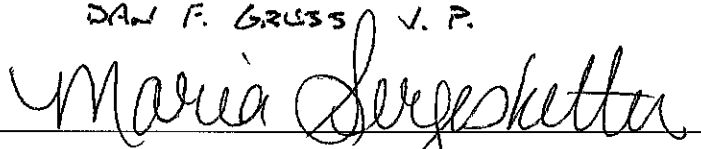
- 1. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**
- 2. The strict application of the zoning ordinance will result in practical difficulties in the use of the property.**

In other business Building Commissioner Don Williams informed the Board that there will be a meeting in December following the Plan Commission meeting.

With no other business, the meeting was adjourned.



~~Donald C. Spillman, President~~  
Dan F. Gress V. P.



Maria Sergesketter, Secretary