

Minutes
Board of Zoning Appeals
January 23, 2019

The Board of Zoning Appeals of the City of Washington met on January 23, 2019, at 7:00 pm in the City Council Chambers. Chairman Don Spillman called the meeting to order with the following members present: Bill Summers, Larry Mullen, Greg Haag, Michael Allen, David Gray, Don Spillman and Attorney Tim Dant. Dan Gress was absent. After the roll-call, the Chairman stated a quorum was present.

Also attending were Building Commissioner Don Williams, Code Enforcement Officer Brandt Powden, Plan Commission Secretary Maria Sergesketter and County Assistant to the Plan Director, Sarah Underhill.

Minutes from the Board of Zoning Appeals meeting held on December 26, 2018, were approved with one minor error to be changed. Motion to approve the Minutes was made by Greg Haag and seconded by Larry Mullen. A voice vote was taken, Minutes were approved with all in favor.

Election of Officers: Bill Summers made a motion to nominate Donald Spillman to be re-elected as Chairman and Dan Gress to be re-elected as Vice Chair. Greg Haag seconded the motion. A voice vote was taken, and all members present voted in favor. Motion carried 6-0. Greg Haag made a motion to retain Tim Dant as attorney for the Board of Zoning Appeals. David Gray seconded the motion. A voice vote was taken, and all members present voted to retain Tim Dant as attorney. Motion carried 6-0.

All persons present who desired to speak during the hearings on cases before the Board were sworn in by Chairman Don Spillman.

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

Case C-1-19: Charles & Judy Heller are requesting a Conditional-Use to build 2 Greenhouses for business use, but not used as a retail store. This property is zoned Residential multi-family R-2. The property is located at 1505 Fox Run Drive. Property size is 127 feet by 1024 feet lot. Lot is 36727 TSF. Parcel number for the property is 14-10-35-404-022.000-016. Mr. Heller told the Board of his plans for this property. He recently purchased Sturgeons Garden Center. The green houses would be a storage place

for all the plants from this business just during the off-season. The Health Department did not approve of their 1st plan. After the Health Department looked at his 2nd plan they approved the plan, but strongly recommended that an alternate site be predetermined to place a septic system if the current one fails.

1. Owner must have predetermined area for a new septic system if old one fails and must have it recorded with deed and to also bring in a copy to place in the case file at the Building Commissioners Office. Bill Summers made a motion to add this rule. Larry Mullen seconded. Motion passed 6-0 with all members present voting in favor. Dan Gress was absent.

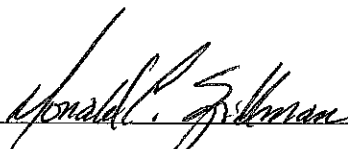
After a discussion about case C-1-19 and hearing all questions Chairman Don Spillman put the case before the board. Secretary Maria Sergesketter took a roll call vote. Motion passed 6-0 with all members present voting in favor with rules/restrictions added to application. Dan Gress was absent.

In order to grant a Conditional Use exception or a Use Variance the Board of Zoning Appeals must determine that one or more of the following criteria exists:

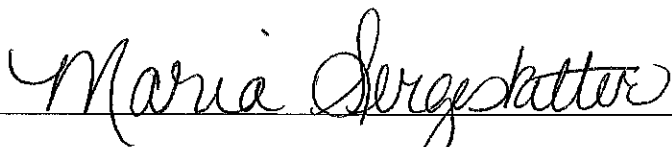
1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community:**
2. **The use and value of the area adjacent to the property included in the variance/conditional use will not be affected in a substantially adverse manner:**

In other business, Building Commissioner Don Williams gave an update on the Madden fence issue. He also updated Board Members that Ride Solutions will be at the meeting in February.

With no other business, the meeting was adjourned.



Donald C. Spillman, President



Maria Sergesketter, Secretary, Assistant County Plan Director