

**Minutes
Special Meeting
Board of Zoning Appeals
September 16, 2019**

The Board of Zoning Appeals of the City of Washington met on September 16, 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, Greg Haag, Michael Allen, Dan Gress, David Gray, and Don Spillman. Larry Mullen and Attorney Tim Dant were absent. After the roll-call, 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.

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 V-17-19: Mike Boyd is requesting an outside storage variance. This property is zoned Residential Multi-Family R-3. The property is an empty adjoining lot located next to 1987 Troy Road. Property size is 47.17 acres. Parcel number for the property is 14-13-10-100-005.000-016. Kasey Igleheart and Dennis Helms were present to answer any questions. Mr. Igleheart explained that they are asking for a temporary Variance with a 5-year time limit. They are entering into a contract to store steel bundles (11 ft long x 3 ft tall) for a solar company. The approximate 9 acres used as the laydown area will be 750 feet off the road with a berm that would gradually be 10 feet tall due to the dig-out of the ground. He also stated that the only trucks that would be hauling materials in/out would be their trucks. He said that there would be an influx of traffic up front then the steel would sit for a few years then gradually be dispensed throughout the 5-year period. Jerry James, a neighbor, was present. He wasn't in favor of this project due to the extra dust and noise. Mr. Igleheart said that trucks will not be going fast enough to engage Jake-brakes and there is also a 5-mph speed zone in the parking lot. Greg Haag mentioned adding dust control measures. Dan Gress said that the first 200 feet getting treated would be the most beneficial. Mr. Igleheart offered to do dust control measures every other month. Upon discussion of the case it was determined that the original variance needed amending. Dan Gress made a motion to add the following to the Variance:

1. Dust Control Measures for the first 200 feet of the driveway every other month for this project only.

Bill Summers seconded. A voice vote was taken, and Motion passed 6-0 with all members present voting in favor of the amendment added to the variance. Mr. Gerald Jones, a neighbor, had questions about taxes and thought that his property might be rezoned as well. It was

explained to him that only the Boyd property would be rezoned, not his property. After further discussion about case V-17-19, Chairman Don Spillman put the case before the board. Acting Secretary Maria Sergesketter took a roll call vote. Motion passed 6-0 with Larry Mullen being absent.

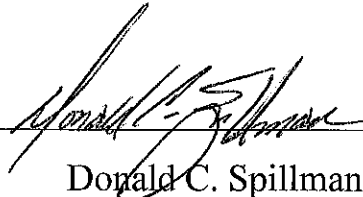
The Board made the following findings of fact in support of the variance condition exception.

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

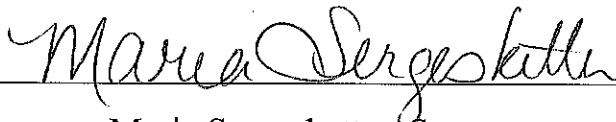
- 1. The approval will not be injurious to the public health, safety, morals and general welfare of the community.**
- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**
- 3. The Strict application of the zoning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

Building Commissioner Don Williams advised the Board of a possible Daycare open on Axtel Avenue. Dana R Stoll advertised on the Daviess County Barter Page for babysitting services approximately 6 weeks ago, Building Commissioner Don Williams contacted her about her business. She stated that she was only babysitting for her nieces and nephews at that time. September 12, 2019 another advertisement for babysitting was placed by Mrs. Stoll. She states in her ad that she is CPR certified, has references and new rates and would like to set up a meet and greet. The Board asked Don to contact her regarding her business.

With no other business, the meeting was adjourned.



Donald C. Spillman, President



Maria Sergesketter, Secretary