

**Minutes  
Board of Zoning Appeals  
February 23, 2022**

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The Board of Zoning Appeals of the City of Washington met on February 23, 2022, 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, Jim Pfoff, Jon Pierce, David Gray, and Don Spillman. Larry Mullen and Attorney Tim Dant were absent. After the rollcall, the Chairman stated a quorum was present.

Also attending were Building Commissioner Jon Casper, Daviess County Assistant Plan Director Jazmin Murfee, and Plan Commission Secretary Maria Sergesketter.

Minutes from the Board of Zoning Appeals meeting held on January 26, 2022, were approved. Motion to approve the Minutes was made by Greg Haag and seconded by David Gray. A voice vote was taken, Minutes were approved with all in favor.

The following cases were heard by the Board of Zoning Appeals:

**Case SE-5-22 & SE-6-22:** Jeremy Tooley is requesting Special Exceptions. 1. 15' road frontage reduction. 2. 19' front yard setback reduction. This property is zoned Residential two-family R-2. The property is located at 603 apt 1 & 2 & 605 Apt 1 & 2 NW 6<sup>th</sup> Street. Property size is .13 acre. Parcel numbers for the properties are 14-10-27-203-055.002-017 and 14-10-27-203-055.000-017. Jeremy Tooley was present to explain his project. Several remonstrators, Larry & Sonia Watkins, and Clayton & Tania Scott, were present to express their concerns. Their concerns include parking spaces, water run-off, enough space for 2 duplexes and stagnant water. Mr. Tooley addressed as many concerns as he could. He stated that there will be 8 – 10 parking spots for the 2 duplexes. He also stated that he would trench the gutter down spouts out to the ditch at the back of the property therefore not displacing water onto the neighbors. He also informed the remonstrators that he could have built the building closer to the property lines but wanted to be a good neighbor. Chairman Donald Spillman informed the remonstrators that although they have a valid concern about the drainage in the alley, this is not the correct Board to address. Mr. Spillman advised them to contact the Mayor's Office to be placed on the agenda to address the City Council. Building Commissioner Jon Casper also told the remonstrators that he will also investigate this issue as well. With no other questions, Chairman Donald 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.

**Case C-2-22:** Daniel & Ashley Christie are requesting a Conditional-Use to operate a hair salon. This property is zoned Residential two-family R-2. The property is located at 1686 ½ W Old US Hwy 50. Property size is .78 acre. Parcel number for the property is 14-10-33-204-015.000-016. Ashley Christie was present to answer questions about her project. She stated that she is aware of having the State come and inspect the salon and she also added that State Board of Cosmetology will also inspect her salon. Bill Summers asked where a sign would be located if she chooses to put one up? She stated that it would be close to the building, facing Daviess Drive and if she adds lighting it would be directed at the sign, not homes. She also said she could also have the sign lit only during business hours. With no other questions, Chairman Donald 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.

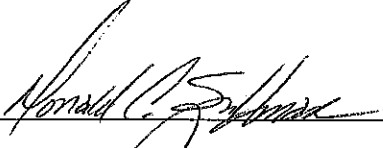
**Case SE-4-22:** Kevin Frette is requesting Special Exceptions. 1. Accessory structure without a primary. 2. Sidewall height would be 12' tall. This property is zoned Residential multi-family R-3. The property is located at 804 E Van Trees Street. Property size is .20 acre. Parcel number for the property is 14-10-26-303-047.000-017. Kevin Frette was present and explained why he wanted to build the Accessory Structure on this property. Chairman Bill Summers stated that Mr. Frette is landlocked at his home and really does not have anywhere to build a building for storage. Remonstrators Darian & Jason Hochstetler were present with concerns of loss of property value and building height. They asked if Mr. Frette could move the building south on the property. Bill Summers asked how the garage would be accessed. Mr. Frette said a driveway would be built off the alley. David Gray asked what size the building would be? Mr. Frette said 30 x 40. He also stated that he did not want to move the building south on the lot since it may interfere with future development. Chairman Don Spillman agreed. David Gray asked if the building could be moved west a little bit? Mr. Frette agreed that it could be moved west about 5 more feet if it was not an issue with the utility line. With no other questions, Chairman Donald 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.

**Case SE-3-22:** Elder Recinos is requesting Special Exceptions. 1. 10' rear setback reduction. 2. 15' front yard setback reduction. 3. Exceeds 35% lot coverage. This property is zoned Residential multi-family R-3. The property is located at 201 Lemon Street. Property size is .23 acre. Parcel number for the property is 14-10-34-201-018.000-017. Mr. Recinos was present to ask the Board for the Special Exceptions he requested. Building Commissioner Jon Casper stated that D & L Construction would be the

contractors for this project. He went out to the property and measured the lot and said everything would fit along with all the required parking. There were questions about how close the neighbors house is to this property. David Gray made a motion to find the property pins and get ahold of Building Commissioner Jon Casper to verify. Greg Haag seconded. With no other questions, Chairman Donald 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.

In other business, Building Commissioner Jon Casper informed the Board about the upcoming Special Meeting on March 9, 2022, following the Plan Commission Meeting. He stated that we will have a couple of cases for March.

With no other business, the meeting was adjourned at 8:45 p.m.

  
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Donald C. Spillman, Chairman or Acting Chairman

  
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Maria Sergesketter, Secretary