

Minutes
Board of Zoning Appeals
March 27, 2019

The Board of Zoning Appeals of the City of Washington met on March 27, 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. Attorney Tim Dant, Bill Summers and Dan Gress 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, Plan Commission Secretary Maria Sergesketter and County Assistant to the Plan Director, Sarah Underhill.

Minutes from the Board of Zoning Appeals meeting held on February 27, 2019, were approved. 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.

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-2-19: Kimberly Alsman is requesting a Conditional-Use to continue operating a State Licensed Day Care. This property is zoned Residential multi-family R-2. The property is located at 1507 Grand Avenue. Property size is 53 feet by 116 feet lot. Lot is 6148 TSF. Parcel number for the property is 14-10-26-301-076.000-017. Kimberly Alsman was present and explained to the Board that the daycare previously had a conditional use in her mother's name. Her mother has passed away and needs to get another conditional use in her name. After a very brief discussion about case C-2-19, 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 variance condition exception.

In IC 36-7-4-918.4 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.**

Case V-4-19: John Miller is requesting a Variance to allow an Accessory Building on a property without a primary structure. This property is zoned Residential multi-family R-3. The property is located at 901 W. Van Trees Street. Property size is .13 acres. Parcel numbers for the property are 14-10-28-404-071.000-017. John Miller was present to talk about his plans and answer questions. The lot was deemed unbuildable for a home by Habitat for Humanity. Mr. Miller will be building closer to the back of the property. After a discussion about case V-4-19, 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 variance condition exception.

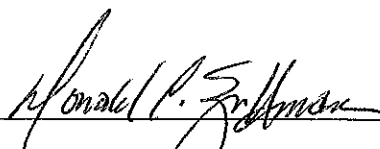
In IC 36-7-4-918.5 it has been determined that the following criteria exists.

- 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.**

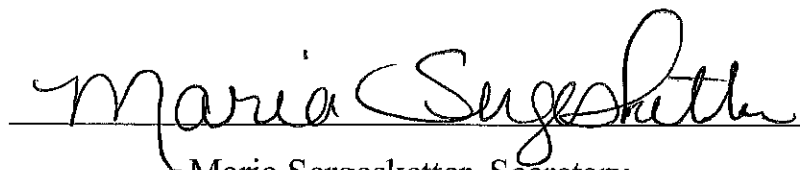
In other business, **Case # V-20-17:** Gary Hart is requesting an amendment to the lot size variance he obtained in 2017 from the 4,260 square feet to 3900 square feet. The address is 1 Harned Ave. The parcel number is 14-10-34-102-077.000-017, it is zoned R-3 Residential Multifamily. After hearing this request, the board discussed it for a brief time. Greg Haag made a motion to approve the amendment. Larry Mullen seconded. There was a voice vote taken. The motion passed 5-0 with Bill Summers and Dan Gress being absent.

Building Commissioner Don Williams informed the Board that the fence issue on 11 Highland Ave should be cleared up by Friday, March 29, 2019 pending weather.

With no other business, the meeting was adjourned.



Donald C. Spillman, President



Maria Sergesketter, Secretary