

Minutes
Board of Zoning Appeals
July 24, 2019

The Board of Zoning Appeals of the City of Washington met on July 24, 2019, at 7:00 pm in the City Council Chambers. Chairman Don Spillman called the meeting to order with the following members present were Bill Summers, Larry Mullen, Greg Haag, Michael Allen, Dan Gress, David Gray, Don Spillman and Attorney Tim Dant. 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 June 26, 2019 and was 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 V-13-19: Matthew 25 Ministries Inc is requesting a variance from the 35 ft front yard setback to 10 ft setback. This property is zoned Residential Two-Family R-2. The property is located at 1708 W Walnut Street. Property size is 6420 TSF. Parcel number for the property is 14-10-28-304-034.000-017. Jerry Stoll, Matthew 25 Ministries Board member, was present to answer questions. There was a discussion about where the right of way line is located and if they truly want a 10 ft setback. It was discussed to line their house up with the house on the northwest corner. Bill Summers made a motion to amend the setback to line up the front of the new house with the existing house on the northwest corner. The Building Commissioner will decide the accurate variance measurement for a setback. If the existing house is not located in the right of way, the new one will be lined up with it. If the existing house is located inside the right of way, Building Commissioner will determine setback outside of right of way. Greg Haag seconded. After hearing this request, 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 7-0.

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 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.**

Case V-14-19: Chad R & Kim Burris is requesting a variance for a 6-foot vinyl fence on the SE corner of their house, which will extend from the front yard to the rear of the house. This is for privacy and subjects trespassing in their yard. This property is zoned Residential Two-Family R-2. The property is located at 113 N Meridian Street. Property size is 0.25 acres. Parcel number for the property is 14-10-27-304-049.000-017. Chad and Kim Burris were present to answer all questions. Kim Burris gave a brief history on the property. She explained their remaining plans with the property. The Board was appreciative of all the work going into the property. After hearing this request, 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 7-0.

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

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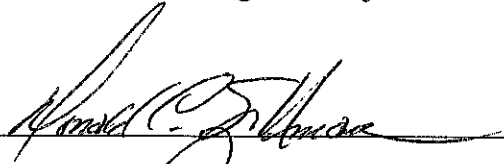
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In other business Building Commissioner Don Williams informed the Board that we potentially have a few cases for next month.

Also, Dan Gress asked if the Building Commissioner can make determinations on cut and dry cases, like V-13-19. This would eliminate having to pay meeting fees

and save time for the citizens. Attorney Tim Dant said he would draw up a form for the BZA to review.

With no other business, the meeting was adjourned.



Donald C. Spillman, President



Maria Sergesketter, Secretary