

Minutes
Board of Zoning Appeals
August 28, 2019

The Board of Zoning Appeals of the City of Washington met on August 28, 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, Michael Allen, Dan Gress, David Gray, Don Spillman and Attorney Tim Dant. Greg Haag was absent. 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 July 24, 2019 and was approved. Motion to approve the Minutes was made by Larry Mullen and seconded by David Gray. A voice vote was taken, Minutes were approved with all in favor.

Chairman Don Spillman asked all BZA members if they received and reviewed BZA Resolution 01- 2019. All present Board Members said yes. Motion to approve BZA Resolution 01-2019 was made by Dan Gress 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-15-19: Doug Terrell is requesting 4 variances. A TSF variance, sidewall variance, peak variance and having an accessory building on a parcel without a residence. This property is zoned Suburban Residential S-1. The property is an empty lot located behind 193 E 150 N. Property size is 2.1 acres. Parcel number for the property is 14-10-23-300-047.000-016. Doug Terrell presented the BZA Members with several pictures of the build site. He also explained why he wanted the building in that location. Some questions were asked, and concerns were expressed by the board. They discussed line of sight, fire protection, use of the building and a few more topics. After hearing his responses, 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 4-2 with Greg Haag 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 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-16-19: Nathan Burris and George Norrington are requesting a variance. They are wanting to rehabilitate a 1975 Type III mobile home that has lost its' grandfather clause. This property is zoned Residential Two-Family R-2. The property is located at 304 Vine Street. Property size is 6152 TSF. Parcel number for the property is 14-10-29-404-026.000-017. Mark Graber of M & L Properties spoke on their behalf. M & L Properties currently owns the property and is going to sell the property and trailer to the applicants. Mark presented photos and an estimate of cost of repairs for the trailer. He has renovated many houses and a few trailers. He stated that the applicants would help the General Contractor with general work but not do any of the specialty work. It was asked if he has any other plans if this would be denied and if he thought about putting a newer trailer on this property. He said that he didn't think it would be feasible with the budget. Mark also stated that it was located deep in the west end of town and would be an improvement to the area. Chairman Don Spillman stated that any case the BZA hears, regardless of the location, would be governed fairly and justly by the board. After listening to 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 was denied 0-6 with Greg Haag being absent.

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

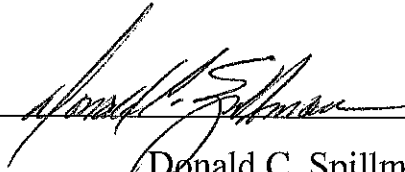
In IC 36-7-4-918.5 it has been determined that the following criteria exists.

- 1. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner.**
- 2. The strict application of the zoning ordinance will not result in practical difficulties in the use of the property.**

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

In other business Building Commissioner Don Williams informed the Board that we will have a special meeting on September 16, 2019.

With no other business, the meeting was adjourned.



Donald C. Spillman, President



Maria Sergesketter, Secretary