

**Minutes  
Special Meeting  
Board of Zoning Appeals  
October 6, 2020**

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The Board of Zoning Appeals of the City of Washington met on October 6, 2020, 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, Don Spillman and Attorney Tim Dant. David Gray, Larry Mullen, Dan Gress were absent. After the rollcall, the Chairman stated a quorum was present.

Also attending were Building Commissioner Jon Casper, 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 Attorney Tim Dant.

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

**Case V-30-20:** Philip Knepp is requesting a 5' rear setback reduction and a building size variance. This property is zoned Suburban Residential S-1. The property is located at 175 N 450 E. Property size is 1.028 acres. Parcel number for the property is 14-09-28-304-001.018-001. Philip Knepp was present to answer questions. Greg Haag asked if the reason for the setback variance was due to the size of the building. Building Commissioner Jon Casper stated no, it is being asked to allow room for his home to be built in the future. He also added that we do not issue permits until we see a septic permit. With no other questions or statements, Chairman Donald Spillman put the case before the board. Acting Secretary Maria Sergesketter took a roll call vote. Motion passed 4-0 with David Gray, Larry Mullen, Dan Gress being absent.

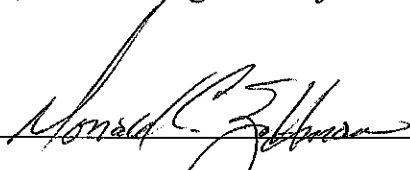
**The Criteria for a Variance from Developmental Standards are set out in IC 36-7-4-918.4 in order to grant a Variance from the City's Developmental Standards the Board of Zoning Appeals must determine that at least one of the following criteria exists:**

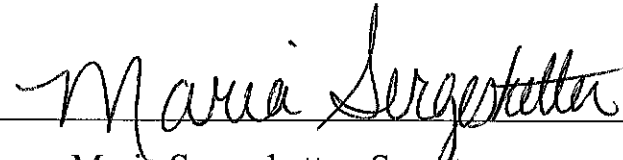
- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:**
  - a. This will be used as a primary residence until his home can be built. It conforms with the neighborhood.**
- 2. The use and value of the area adjacent to the property included in the variance/conditional use will not be affected in a substantially adverse manner:**

- a. **This building will be built in a residential neighborhood.**
3. **The strict application of the zoning ordinance will result in practical difficulties in the use of the property.**
  - a. **The variance will allow the owner to have maximum use of his lot in order to allow for septic and his future home.**

In other business Michael Allen asked about the facts and findings form we use. He was asking if the Board must find all of the items to be true or just one of them in order to pass a variance. Attorney Tim Dant said it should be all three, but he would also look up old cases to confirm. He thought in the past it was just one of the findings had to be proven but in recent years it had changed to require all findings to be proven.

With no other business, the meeting was adjourned.

  
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Donald C. Spillman, Chairman or Acting Chairman

  
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Maria Sergesketter, Secretary