

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
NOVEMBER 26, 2013
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Eric Frey Chairperson; Bryan Schroer, Lou Marr,
and Tom Wetherald.

Members absent: Hanna Omar

Staff Present: Melissa Begley, Allie Keen, Leanne Wells, Planning Department,
Stephanie Carr and Bill Klakamp, Code Enforcement, (Don
Edwards, Deputy City Attorney).

PUBLIC MEETING

Eric Frey Chairperson opened the meeting with a brief explanation about the Board and its responsibilities.

Proof of advertising for all cases was confirmed. The petitions and staff comments are a permanent record at the Planning Department.

Don Edwards, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

OLD BUSINESS REQUIRING BOARD ACTION

None

NEW BUSINESS REQUIRING BOARD ACTION

C/DS-13-31: Farm Credit Mid-American

A request by Farm Credit Mid-American for development standards variance from (1) Zoning Ordinance Section 10 (Table 10.1) to allow a freestanding sign to be 18.9 feet in height, 10.9 feet taller than the maximum 8 foot height and (2) Zoning Ordinance Section 10 (Table 10.1) to allow a freestanding sign to be 78.77 square feet in size, 28.77 square feet larger than the 50 square foot maximum area. The property is located at the southwest corner of 25th Street and Talley Road, in the City of Columbus.

Brian Schroer had a conflict of interest with the case, and asked to be excused.

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Leanne Wells presented the background information on the request.

Christine Oberst and Brent Dittmer represented the petitioner.

The meeting was open to the public.

There was no one to speak; therefore the meeting was closed to the public.

Lou Marr made a motion to deny **C/DS-13-31** variance 1 based on the findings of fact as presented by staff.

Tom Wetherald seconded the motion.

The motion approved to deny variance 1 by a voice vote of 3-0.

Lou Marr made a motion to deny **C/DS-13-31** variance 2 based on the findings of fact as presented by staff.

Tom Wetherald seconded the motion.

The motion was approved to deny variance 2 by a voice vote of 3-0.

Bryan Schroer returned to the meeting.

C/DS-13-32 Jean Helena Lawson

Jean Helena Lawson is requesting a development standard variance from Zoning Ordinance Section 3.5(C) to allow a new lot to be created with only 1 viable septic site, 1 less than required. The property is located at 7952 South 400 West, in Ohio Township.

A written request was submitted by Jean Helena Lawson to withdraw C/DS-13-32.

Bryan Schroer made a motion to approve the withdrawal, seconded by Lou Marr.

Motion passed by a voice vote of 4-0.

C/DS-13-32: Estep & Company

Estep and Company is a request for a conditional use approval to allow a restaurant in a 1-2 (Industrial: General) zoning district per Zoning Ordinance Section 3.24(B). The property is located at 2665 State Street, in the City of Columbus.

C/DS-13-33: Estep & Company

Estep and Company is a request for a development standards variance from Zoning Ordinance Section 7.1(Part 2) (D) (1) to allow 8 stacking spaces, 2 less than 10 required stacking spaces for a restaurant drive-up window. The property is located at 2665 State Street, in the City of Columbus.

Tom Wetherald had a conflict of interest in both of the cases and asked to be excused.

Melissa Begley presented the background information on the request.

Scott Andrews and Ryan Fitzpatrick represented the petitioners.

The meeting was open to the public.

George Estep was in favor of the petition and had some comments about the stacking issues.

The meeting was closed to the public

Lou Marr made a motion to approve **C/CU-13-19** based on the findings of fact as presented by staff.

Bryan Schroer seconded the motion.

Motion was approved by a voice vote of 3-0.

Lou Marr made a motion to approve **C/DS-13-33** based on the findings of fact as presented by staff.

Bryan Schroer seconded the motion.

Motion was approved by a voice vote of 3-0.

Tom Wetherald returned to the meeting.

C/DS-13-20: Westside Community Church

A request by Westside Community Church to amend a previously granted conditional use application to allow a worship facility in a RS2 (Residential: single Family 2) zoning district to specifically remove the condition requiring a landscape buffer along the southern property line. The property is located at 124 Tipton Lakes Blvd., in the City of Columbus.

Leanne Wells presented the staff presentation.

George Lukas and Dennis Aud represented the petitioners.

There was no one to speak at the public hearing.

Bryan Schroer made a motion to approve **C/CU-13-20** based on the findings of fact as presented by staff with the following commitment: (1) should the property to the south be platted for residential development the buffer should be installed.

Tom Wetherald seconded the motion.

Motion passed by a voice vote of 3-1 with Ms. Marr being the nay vote.

FINDINGS OF FACT

C/CU-13-11: Turkey Rents 1

Tom Wetherald made a motion to accept the findings of fact, which was seconded by Lou Marr. The motion carried by a voice vote of 4-0

C/CU-13-15 Albert Nolting

Bryan Schroer made a motion to accept the findings of fact, which was seconded by Lou Marr. The motion carried by a voice vote of 4-0.

C/CU-13-16 Flintwood Wesleyan Church

Tom Wetherald made a motion to accept the findings of fact, which was seconded by Bryan Schroer. Motion carried by a voice vote of 4-0.

C/DS-13-27 Flintwood Wesleyan Church

Bryan Schroer made a motion to accept the findings of fact, which was seconded by Tom Wetherald. Motion carried by a voice vote of 4-0.

C/UV-13-03 Kris Withers

Tom Wetherald made a motion to accept the findings of fact, which was seconded by Lou Marr. Motion carried by a voice vote of 4-0.

C/DS-13-28 Matthew Battin

Lou Marr made a motion to accept the findings of fact, which was seconded by Tom Wetherald Motion carried by a voice vote of 4-0.

C/DS-13-30: First Assembly of God

Tom Wetherald made a motion to accept the findings of fact, which was seconded by Lou Marr. Motion carried by a voice vote of 4-0.

APPROVAL OF MINUTES

Upon the motion made by Bryan Schroer and seconded by Tom Wetherald the minutes of October 29, 2013 meeting were approved by a voice vote of 4-0.

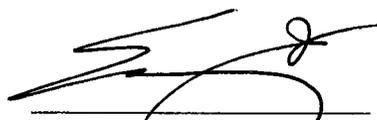
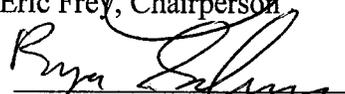
DISCUSSION

None

HEARING OFFICER APPROVALS

None

ADJOURNMENT


Eric Frey, Chairperson

Bryan Schroer, Secretary

