

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
DECEMBER 15, 2015
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Eric Frey Chairperson; Dave Fisher and Wayne Nyffeler and Tony London.

Members absent: Hanna Omar.

Staff Present: Melissa Begley, Emilie Pinkston, Ashley Klingler and Charles Russell, Planning Department; Stephanie Carr Code Enforcement and Aaron Edwards, Deputy City Attorney.

ROLL CALL

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.

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

OLD BUSINESS REQUIRING BOARD ACTION

C/DS-15-25: VU National Investments

A request by VU National investments for a development standards variance from Zoning Ordinance Section 10 (Table 10.1) to allow a freestanding sign for a multiple use lot to have 4 secondary sign elements, 1 more than the maximum 3 sign elements. The property is located at 1455 National Road in the City of Columbus.

Charles Russell presented the staff presentation.

Jeff Rocker and Lisa Held stated their names for the record.

The meeting was open to the public.

There was no public comment therefore the meeting was closed.

Tony London made a motion to approve **C/DS-15-25**. Mr. London stated that criteria #1 has been met because the size of the sign will not be increasing and is not located in the sight visibility triangle and therefore will not create an be unsafe to the public. Criteria #2 has been met because they are not adding additional square footage and will therefore not affect the adjacent properties in an adverse manner. Criteria #3 has been met because the irregular shape of the parcel poses a situation where the wall signage is obstructed from view and impacts the strip centers ability to provide sufficient signage for its tenants, which creates a practical difficulty.

Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 3-1.

Dave Fisher was opposed.

C/DS-15-27: Phillip Burton

A request for a development standards variance for a development standards variance from Zoning Ordinance Section 3.5(C) to allow an agricultural structure to be setback 5 feet from the property line, 25 feet less than the 30 foot minimum side setback requirement. The property is located on County Road 50 North, approximately 2,250 feet West of County Road 580 West, in Harrison Township.

Melissa Begley presented the staff report

Phillip Burton stated his name and address for the record.

The meeting was open to the public.

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

Wayne Nyffeler made a motion to approve **C/DS-15-27** based on the findings of fact as presented by staff and including the condition that the applicant provides documentation to the Planning Department verifying that the structure is not located in the floodway.

Tony London seconded the motion. Motion passed by a voice vote of 4-0.

C/CU-15-28: St. Bartholomew Apartments

A request by the Woda Group for development standard conditional use approval per Zoning Ordinance Section 3.1 (B) to allow multi-family dwelling in the RE (Residential: Established) zoning district. The properties are located at 845 8th Street and 745 Sycamore Street, in the City of Columbus.

C/DS-15-28: St. Bartholomew Apartments

A request by the Woda Group for development standards variance from (1) Zoning Ordinance Section 3.12(C) to allow a primary structure to be setback 1.5 feet from the property line along 8th Street 6.5 feet less than the 8 foot minimum setback and (2) Zoning Ordinance Section 7.1(Table 7.1) to allow 30 on-site parking spaces, 20 less than the 50 space requirement. The properties are located at 845 8th Street and 745 Sycamore Street in the City of Columbus.

Melissa Begley presented the staff presentation.

Nick Surak stated his name and address for the record.

The meeting was open to the public.

James M. Baker, 719 Pearl Street had concerns about vandalism.

Ryan Laurer, 742 Chestnut had questions about the lower income apartments and landscaping.

The meeting was closed to the public.

Dave Fisher made a motion to approve **C/CU-15-15** based on the findings of fact as presented by staff, including the following conditions:

1. The development shall meet the standards that would be required for a multi-family development in the RM (Residential: Multi-family) zoning district in regards to the parking lot design standards and all landscaping standards.

2. The amenity space shall be limited to use by the apartment residents and shall not be used by any other entities or the public.
3. The applicant shall repair and repave the north/south and east/west alleys adjacent to their property consistent with the specifications of the City Engineer.

Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 4-0.

Dave Fisher made a motion to approve **C/DS-15-28**, Variance #1 based on the findings of fact as presented by staff. Tony London seconded the motion.

Dave Fisher made a motion to approve C/DS-15-28, Variance #2 based on the findings of fact as presented by staff. Wayne Nyffeler seconded the motion. The Motion passed by a voice vote of 4-0.

NEW BUSINESS REQUIRING BOARD ACTION

C/DS-15-30: Peter Hildreth

A request by Peter Hildreth for a development standards variance from Zoning Ordinance Section 9.3(C) to allow a fence to be 5 feet in height, 1.5 feet taller than the permitted in a front yard. The property is located on the south side of the intersection of Regency Drive and Prairie Drive and at 5133 Regency Drive, in the City of Columbus.

Emile Pinkston presented the staff presentation.

Peter Hildreth stated his name and address for the record.

The meeting was open to the public.

Brian Good, 4940 Regency Drive was opposed to the variance request.

Mr. Good did not think he should be able to build the fence and be allowed to have animals on his property.

Nate Hughes was opposed of the petition because of the animal smell.

The meeting was closed to the public

Dave Fisher made a motion to approve **C/DS-15-30** based on the findings of fact as presented by staff with the following commitment:

The fence installed within the front yard of the subject property must be a 3-rail decorative fence or other similar product, and in no instance shall the fence be chain link or a privacy fence.

Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 3-1.
Tony London was opposed.

C/CU-15-16: Harrison Lake Country Club

A request by Harrison Lake Country Club for conditional use approval per Zoning Ordinance Section 3.5(B) to allow the expansion of a golf course (an expanded drive range) in the AP (Agriculture: Preferred) zoning district. The properties are located at 588 S Country Club Road and 532 South 525 West, in Harrison Township.

C/DS-15-32 Harrison Lake Country Club

A request by Harrison Lake Country Club for a development standards variances from Zoning Ordinance Section 9.3(D)(2) to allow (1) a fence to be 50 feet in height, 42 feet taller than the 8 foot maximum in a side yard (3) a fence to be 50 feet in height, 46.5 feet taller than the 42 inch maximum in a front yard, and (3) a fence to be 70 feet in height, 62 feet taller than the 8 foot maximum in a side yard. The properties are located at 588 S Country Club Road and 532 South 525 West, in Harrison Township.

Ashley Klingler presented the staff presentation.

Bob Haddad Jr. and Brad Allen stated his name and address for the record.

The meeting was open to the public.

Mark Thompson was concerned about the golf balls coming over to his property and said the old net was not maintained properly, and he had concerns about the cars in the driveway.

Bob Haddad Jr. said they had some additional information and would like to continue the meeting until next month.

The meeting was closed to the public.

Dave Fisher made a motion to continue **C/CU-15-16** and **C/DS-15-32** until the January 26, 2016 meeting.

Tony London seconded the motion. The motion passed by a voice vote of 4-0.

FINDINGS OF FACT

C/DS-15-23: Thompson Furniture

Dave Fisher made a motion to accept the findings of fact which was seconded by Wayne Nyffeler. Motion carried by a voice vote of 3-0.

C/CU-15-14 The Ridge

Wayne Nyffeler made a motion to accept the findings of fact which was seconded by Dave Fisher. Motion carried by a voice vote of 3-0.

C/DS-15-31 The Ridge

Dave Fisher made a motion to accept the findings of fact which was seconded by Wayne Nyffeler. Motion carried by a voice vote of 3-0.

C/DS-15-24: Jackson County Bank

Tony London made a motion to accept the findings of fact which was seconded by Wayne Nyffeler. Motion carried by a voice vote of 3-0.

C/DS-15-26: Chick-Fil-A

Tony London made a motion to accept the findings of fact which was seconded by Dave Fisher. Motion carried by a voice vote of 3-0.

C/UV-15-06: Columbus Power and Elite All-Stars

Tony London made a motion to accept the findings of fact which was seconded by Wayne Nyffeler.
Motion carried by a voice vote of 3-0.

APPROVAL OF MINUTES

The minutes of November 24, 2015 were continued until the January 26, 2015 meeting.

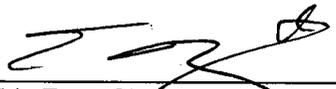
DISCUSSION

There was a brief discussion about the election of officers. They are to be elected at the January 26, 2016 meeting.

HEARING OFFICER APPROVALS

None

ADJOURNMENT: 8:59pm


Eric Frey, Chairperson
Hanna Omar, Secretary