

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
JANUARY 26, 2016
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, Ashley Klingler and Charles Russell Planning

ROLL CALL

ELECTION OF 2016 OFFICERS

Dave Fisher made a motion to re-elect Eric Frey as Chairman.
Wayne Nyffeler seconded the motion. Motion carried by a voice vote of 4-0.

Tony London made a motion to re-elect Dave Fisher as Vice –Chairperson.
Eric Frey seconded the motion. Motion carried by a voice vote of 4-0.

Dave Fisher made a motion to elect Wayne Nyffeler as Secretary.
Tony London seconded the motion. Motion carried by a voice vote of 4-0.

OLD BUSINESS REQUIRING BOARD ACTION

None

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.

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

OLD BUSINESS REQUIRING BOARD ACTION

C/CU-15-16: 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 the expansion of a conditional use approval per Zoning Ordinance Section 3.5(B) to allow the expansion of a golf course (an expanded drive range, fence and a 240 sq. ft. storage shed) 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 development standards variances from Zoning Ordinance Section 9.3(D)(2) to allow (1) a fence to be 70 feet in height, 62 feet taller than the 8 foot maximum in a side yard, (2) 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 60 feet in height, 52 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 and Brad Allen stated their names 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.

Dave Fisher made a motion to approve **C/CU-15-16** based on the findings of facts as presented by staff and the following Commitments:

1. A 15 foot wide landscaped area that includes evergreen trees shall be provided and maintained on the road side of the fence to screen the fence from the street and neighboring properties. The trees shall be installed at the time of the fence construction. The evergreen trees shall be planted to effectively screen the view of the fence from typical eye level when they mature. Prior to their installation a planting plan shall be provided to the Planning Department for approval.
2. A foot wide landscaped area that includes evergreen trees shall be provided and maintained on the south side of the fence to screen the fence from the neighboring property to the south. The trees shall be installed at the time of the fence construction. The evergreen trees shall be planted to effectively screen the view of the fence from typical eye level when they mature. Prior to their installation a planting plan shall be provided to the Planning Department for approval.
3. The fence shall be located a minimum of 60 feet from the center line of 525 West, and minimum of 12 feet from the southern property line.
4. The fence heights will be approved based on the exact heights listed below, not for indicating the approval heights, and a map may be attached if necessary. The detailed fence location is as follows: (1) The portion closest to 525 West is as follows: The first point is 60 feet west from the centerline of 525 West, and 12 feet north from the southern property line of the former home site. (This is the most south-east portion of the fence.) The fence goes north from the point 190 feet; this area of the fence has a maximum height of 50 feet tall After 190 feet, the fence turns-45 degrees to the north –west for a distance of 130 feet. The maximum height of the diagonal portion of the fence is 60 feet tall. (2) The portion closet to the Southern property line is as follows: Start back at the most south-east portion of the fence. Go west 232 feet; the maximum height of this portion of this fence has a maximum height of 70 feet tall. (This area of the fence is the tallest and is closest to the driving tee).

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

Wayne Nyffeler made a motion to approve **C/DS-15-32** variance request number 1 based on the findings of fact as presented by staff. Dave Fisher seconded the motion. Motion passed by a voice vote of 4-0.

Dave Fisher made a motion to approve **C/DS-15-32** variance request number 2 based on the findings of fact as presented by staff. Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 4-0.

Wayne Nyffeler made a motion to approve **C/DS-15-32** variance request number 3 based on the findings of fact as presented by staff. Tony London seconded the motion. Motion passed by a voice vote of 4-0.

NEW BUSINESS REQUIRING BOARD ACTION

C/CU-15-18: Sycamore Apartments

A request by Tom Hooker for conditional use approval per Zoning Ordinance Section 3.20(B) to allow multi-family dwellings in a CC (Commercial: Community) zoning district. The property is located at 1425 Sycamore Street, in the City of Columbus.

C/DS-16-01: Sycamore Apartments

7.3 (C) (3)(c)(iii) to allow an entrance to a multi-family use on a local street to be 81 feet, 19 feet less than required 100 foot separation, from the centerline of an alley. The property is located at 1425 Sycamore Street, in the City of Columbus.

Wayne Nyffeler excused himself due to owning property in the public notice area.

Ashley Klingler presented the staff presentation.

Tom Hooker and Lindsey Hooker stated their names and address into 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.

Tony London made a motion to approve **C/CU-15-18** based on the findings of fact as presented by staff. With the following 2 commitments:

1. The sidewalk along Sycamore Street and 14th Street shall be replaced with 5 foot wide sidewalks located consistent with the recommendations of the Thoroughfare Plan as part of this project.
2. The façade of the buildings shall have design elements that are consistent with the character of the neighborhood, such as the following:
 - Clapboard style siding (including vinyl siding) but excluding Dutch-lap style siding
 - Decorative window and door trim
 - Pediment window and door trim
 - Brackets and other porch trim accents
 - Decorative porch columns
 - Roof overhangs
 - Front porches and/or stoops
 - Shutters
3. Façade design shall be provided the Planning Department for approval. Dave Fisher seconded the motion. Motion passed by a voice vote of 3-0.

Dave Fisher made a motion to approve the Variance for Drive Separation (**C/DS-16-01**) based on the staffs findings of fact, seconded by Tony London. The motion was approved with a vote of 3-0.

C/DS-15-23: Terrace Lake Community Church

A request by Terrance Lake Community Church for conditional use approval per Zoning Ordinance Section 3.5(B) to allow the expansion of a worship facility in an AP (Agriculture: Preferred) zoning district. The property is located at 4260 W. 200 S., in the City of Columbus.

Charles Russell presented the staff presentation.

Tim Allen and Doug Pasma stated their names and address for the record.

The meeting was open to the public.

Jeff Jewett was in support of the variance request.

The meeting was closed to the public.

Tony London made a motion to approve **C/CU-15-09** based on the findings of fact as presented by staff along with the following conditions:

1. The sidewalk along 200 South shall be extended to the wet property line as part of the project.
2. The wooded area shown on the proposed site plan along the west and north property lines shall be labeled as "to remain" and they shall be protected from construction activities and remain on the property as buffering for adjacent residences. Further, a Type B buffer shall be installed on the property lines where the wooded area is not present.
3. The expansion will meet all development standards (parking, lighting, landscaping, etc.) specified for the P (Public/Semi-Public) Zoning District.
4. The applicant shall dedicate the 45 foot right-of-way along 200 South (measured from the road center line) consistent with the specifications of the Columbus Thoroughfare Plan prior to completion and occupancy of the proposed addition.

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

FINDINGS OF FACT

C/DS-15-25: VU National Investment

Wayne Nyffeler made a motion to accept the findings of fact, which was seconded by Tony London. Motion carried by a voice vote of 4-0.

C/DS-15-27: Phillip Burton

Tony London made a motion to accept the findings of fact, which was seconded by Dave Fisher. Motion carried by a voice vote of 4-0.

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

Dave Fisher made a motion to accept the findings of fact, which was seconded by Tony London. Motion carried by a voice vote of 4-0.

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

Wayne Nyffeler made a motion to accept the findings of fact, which was seconded by Dave Fisher. Motion carried by a voice vote of 4-0.

C/DS-15-30: Peter Hildreth

Dave Fisher made a motion to accept the findings of fact, which was seconded by Wayne Nyffeler. Motion carried by a voice vote of 4-0.

APPROVAL OF MINUTES

Dave Fisher made a motion to approve the minutes of the November 24, 2015 as corrected. Wayne Nyffeler seconded the motion. Motion was approved by a voice vote of 4-0.

Dave Fisher made a motion to approve the minutes of the December 15, 2015 as corrected. Tony London seconded the motion. The Motion was approved 4-0.

DISCUSSION

Melissa Begley introduced Deputy City Attorney Alex Whitted and Council member Tom Dell.

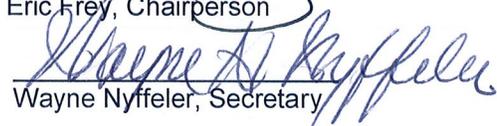
HEARING OFFICER APPROVAL

B/CU-15-12: Wayne Park

A request by the Bartholomew County Park Board for conditional use approval to allow the expansion of a park with the addition of an 18 ft. by 24 ft. (432 square foot) maintenance shed, in the AG (Agriculture: General) zoning district per Zoning Ordinance section 3.6(B). The property is located at 2051 East 550 South, in Wayne Township.

There being no other business the meeting was adjourned.


Eric Frey, Chairperson


Wayne Nyffeler, Secretary

