

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
APRIL 26, 2016
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Eric Frey Chairperson; Tony London, Wayne Nyffeler, Dave Hanna Omar and Dave Fisher

Members absent: None

Staff Present: Melissa Begley, Emilie Pinkston, Allie Keen
Planning Department; Stephanie Carr, Code Enforcement
And Alex Whitted (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.

Alex Whitted, 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-16-09: Richard Tucker

A request by Richard Tucker for development standards variances from (1) Zoning Ordinance Section 3.5(C) to allow an existing barn to have a side setback of 5.5 feet, 24.5 feet less than the required 30 foot setback from an agricultural structure and (2) Zoning Ordinance Section 3.5(C) to allow an existing garage to have a side setback of 11.7 feet, 3.3 feet less than the 15 foot required side setback for an accessory structure. The property is located at 10055 North 50 West, in German Township.

Allie Keen presented the staff report.

Richard Tucker and Ted Darnall stated his name into the record.

Tony London made a motion to approve **C/DS-16-09** variance number 1 based on the findings of fact as presented by staff.

Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 5-0.

Tony London made a motion to approve C/DS-16-09 variance number 2 based on the findings of fact as presented by staff.

Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 5-0.

C/UV-16-02: Cummins Community Garden

A request by Cummins for a use variance per Zoning Ordinance Section 3.2(A) to allow a community garden in the 1-2 (Industrial: General) zoning district. The property is located in the south west corner of 7th Street and Maple Street, in the City of Columbus.

Emilie Pinkston presented the staff findings.

Mark Slayton stated his name into the record.

The meeting was open to the public.

Tom Dell asked about water source for the garden and aesthetics.

Mark Daugherty 876 Valley Branch, Nashville, IN- stated that it was a good project for the neighborhood.

The meeting was closed to the public.

Dave Fisher made a motion to approve **C/UV-16-02** based on the findings of fact as presented by staff.

Tony London seconded the motion. Motion passed by a voice vote of 5-0.

C/DS-16-11: Central Avenue Apartments

A request by Tim & Connie Medaris for development standards variances from (1) Zoning Ordinance Section 7.3 (Part 1)(C)(3)(c)(iii) to allow a driveway entrance to a non-residential use on a local street to be separated 13 feet, 87 feet less than the minimum 100 feet required from the centerline of an alley, (2) Zoning Ordinance Section 8.2(E) to allow a Buffer Yard Type B to be 8 feet wide, 7 feet less than the 15 foot minimum, (3) Zoning Ordinance Section 3.14 (C) to allow a front building setback off of 13th Street to be 1 foot, 9 feet less than the 10 foot minimum setback and (5) Zoning Ordinance Section 3.14 (C) to allow a front building setback off of Central Avenue to be 5 feet, 5 feet less than the 10 foot minimum. The properties are located at 1207-1225 Central Avenue in the City of Columbus.

Allie Keen presented the staff report.

Tim Medaris and Mark Daugherty stated their names into the record.

The meeting was open to the public.

Bob Brown -1925 13th Street was in favor of the request

Tom Dell- wanted to know where the dumpster would be placed.

Steve Forster – thought it was a great idea.

The meeting was closed to the public.

Dave Fisher made a motion to approve **C/DS-11** variance number 1, based on the findings of fact as presented by staff.

Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 5-0.

Dave Fisher made a motion to approve **C/DS-11** variance number 2, based on the findings of fact as presented by staff.

Wayne Nyffeler seconded the motion. Motion carried by a voice vote of 5-0.

Hanna Omar made a motion to approve **C/DS-11**- variance number 3, based on the findings of fact as presented by staff.

Tony London seconded the motion. Motion passed by a voice vote of 5-0.

Tony London made a motion to approve **C/DS-11**-variance number 4, based on the findings of fact as presented by staff.

Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 5-0.

Wayne Nyffeler made a motion to approve **C/DS-11**-variance number 5, based on the findings of fact as presented by staff.

Tony London seconded the motion. Motion passed by a voice vote of 5-0

FINDINGS OF FACT

C/CU-16-01: Flintwood Wesleyan Church

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

C/DS-16-05: Flintwood Wesleyan Church

Hanna Omar 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-16-03: Kroger

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

C/DS-16-04: Jackson County Bank

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-16-06: Trent & Mandy Miller

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-16-07 Dan Bates

Tony London made a motion accept the findings of fact, which was seconded by Hanna Omar. Motion passed by a voice vote of 4-0.

C/CU-16-02: Harrison Lake Country Club

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

C/DS-16-08: Harrison Lake Country Club

Wayne Nyffeler made a motion to accept the findings of fact, which was seconded by Hanna Omar. Motion passed by a voice vote of 4-0.

C/CU-16-03: Ben Yeh

Tony London 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 March 29, 2016 meeting. Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 4-0.

DISCUSSION

None

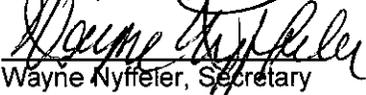
HEARING OFFICER APPROVALS

C/DS-16- 10: Faurecia- A request by Faurecia for development standards variances from (1) Zoning Ordinance Section 3.25(C) to construct a covered walkway structure between 2 properties and have a zero setback from each side property line, 20 feet less than the 20 foot required side setback and (2) Zoning Ordinance Section 9.3(D) (2) to allow a fence to be 6 feet in height, 2.5 feet taller than permitted in a front yard. The properties are located at 830 West 450 South and 950 West 450 South, in the City of Columbus.

C/CU-16-04: New Hope Christian Church- A request by New Hope Christian Church for conditional use approval per Zoning Ordinance Section 3.5(B) for the expansion of a worship facility (a 30 ft. x 30 ft. pole barn) in the AP (Agricultural: Preferred) zoning district. The property is located at 1361 West 400 North, in the City of Columbus.

ADJOURNMENT

There being no other business the meeting was adjourned.


Eric Frey, Chairperson

Wayne Nyffeler, Secretary