

MINUTES OF REGULAR MEETING
BARTHOLOMEW COUNTY BOARD OF ZONING APPEALS

The regular monthly meeting of the Bartholomew County Board of Zoning Appeals was held on May 23, 2016 at 7:00 p.m., on the fourth floor of the Bartholomew County Governmental Office Building, 440 Third Street, Columbus, Indiana.

Members Present: **Chair, Zack Ellison; David Flohr, Jason Newton and Gilbert Palmer**

Staff Present: **Melissa Begley, Assistant Planning Director, Allie Keen, Charles Russell, Associate Planners and Bill Klakamp Asst. Code Enforcement Officer**

**County Plan
Commission
Attorney:** **Cynthia Boll**

The meeting was called to order by Chair Ellison. The Board and Staff introduced themselves.

Cynthia Boll administered the oath to all in attendance who would be speaking.

B/DS 16-02 ROY ANTHONY FOSTER

This is a request for a development standards variance from Zoning Ordinance Section 3.5(C) to allow an accessory structure to encroach 35 feet into the front setback. The property is located at 14756 N State Road 9, in Hawcreek Township.

The petitioner did not attend the meeting.

The Staff Report consisting of Preliminary recommendation of approval, zoning and planning considerations, and provisional findings, was given by Charles Russell. In addition he gave a power point presentation of the property.

Chair Ellison opened the meeting to anyone wishing to speak for or against this request and there being none, he then closed the meeting to the Public.

Upon a motion made by Gil Palmer and seconded by Jason Newton this request was granted. 4-0

B/DS 16-06 BEST WESTERN

This is a request for a development standards variance from Zoning Ordinance Section 10 (Table 10.1) to allow a freestanding sign to be 43 feet in height, 18 feet taller than the 25 foot maximum. The property is located at 11780 N US 31, in German Township.

Paul Lamby attended the meeting.

Allie Keen gave the Staff report, consisting of preliminary Staff recommendation of denial, zoning and planning considerations and provisional findings of fact, as well as a power point presentation of the property.

Chair opened the meeting to anyone from the audience who wished to speak for or against this request, there being none, he then closed the meeting to the Public.

A motion was made by Jason Newton to approve this request, agreeing with staff's findings of fact #1 and #2. Mr. Newton stated that criteria #3 has been met because The sign at only 25 feet in height would create visibility issues of the Best Western, due to other businesses being in front of the subject property. The taller sign will provide better navigation to the property for people unfamiliar with the area and will improve the already challenging traffic issues along the US 31 frontage road. . The motion was seconded by David Flohr and passed 4-0.

B/CU 16-06 VOGEL SOLAR, LLC

This is a request for conditional use approval per Zoning Ordinance Section 3.5(C) to allow a solar farm (a power generation facility) in the AP (Agriculture: Preferred) zoning district. The property is located on the north and south sides of 900 North between 350 East and 425 East, in Flatrock Township.

Paul Cummings of Crawford Solar, 117 S Main Street, Spencer, Indiana attended the meeting.

Charles Russel gave the Staff Report consisting of preliminary Staff recommendation of approval (all criteria having been met), Zoning intent, planning and comprehensive considerations and provisional finding of fact. He also gave a power point presentation of the property.

Mr. Cummings said this particular type of solar is compatible with agriculture land uses. He briefly described how the poles were installed.

Chair Ellison opened the meeting to the Public for any who wished to speak for or against this request.

The following spoke in opposition to the approval of this request:

Andy Summerford
Carl Messina
Walter Gill
Eric Robinson
Linda Miller
Taylor Summerford
Brand & Katrina Estes
Andrew Honeycutt
Chris Huley
Mary & Mike Liggan

Chair Ellison then closed the meeting to the Public.

Mr. Cummings said he has been in the energy industry for a number of years and solar is the number one new resource for electricity and there it is no denying that it is changing land use.

A motion was made by Jason Newton and seconded by Gil Palmer to deny B/CU 16-06 based on criteria #1 not being met in that it was not proven that the proposal will not be injurious to the public health, safety and general welfare of the community.

FINDINGS OF FACT

The following findings were presented for consideration:

B/CU 16-04 Petro Machine

Upon a motion made by Jason Newton and seconded by David Flohr the findings were approved as submitted.

B/DS 16-03 Petro Machine

Upon a motion made by David Flohr and seconded by Jason Newton the findings were approved as submitted.

B/CU 16-05 S&JW Ventures

Upon a motion made by Jason Newton and seconded by David Flohr the findings were approved as submitted.

B/UV 16-01 Driftwood Utilities

B/DS 16-05 Driftwood Utilities

Approval was continued to the next meeting.

MINUTES

Upon a motion made by Jason Newton and seconded by David Flohr the minutes of the April 25, 2016 meeting were unanimously approved.

HEARING OFFICER APPROVALS

Hearing Officer approvals were as follows:

B/DS 16-04 Ronald & Eileen Jackson

C/DS 16-16 Todd Burbrink
C/DS 16-13 Robert McGuire
C/DS 16-14 Culp Ventures
C/DS 16-18 Cummins CMEP

There being no further business, the meeting was adjourned.



Zack Ellison, Chair



Bill Klakamp, Asst. Code
Enforcement Officer

