MINUTES
COLUMBUS BOARD OF ZONING APPEALS
AUGUST 25, 2015
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA

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

Members absent: **None.**

Staff Present: **Melissa Begley, Emilie Pinkston, Allie Keen, Charles Russell, Planning Department; Fred Barnett, Code Enforcement Officer 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

None

NEW BUSINESS REQUIRING BOARD ACTION

C/CU-15-11: Bartholomew County Highway Department

A request by the Bartholomew County Highway Department approval per Zoning Ordinance Section 3.20(B) to allow an expansion of a governmental facility (the construction of a salt barn at the County Highway Garage) in a CC (Commercial: Community) zoning district. The property is located at 2452 State Street, the City of Columbus.

C/DS-15-15: Bartholomew County Highway Department

A request by the Bartholomew County Highway Department for a development standards variance to allow an accessory structure (a salt barn) to be 40 feet in height, 15 feet taller than the 25 foot maximum height. The property is located at 2452 State Street, in the City of Columbus.

Danny Hollander stated his name into the record.

Allie Keen presented the staff presentation.

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 continue **C/CU-11** & **C/DS-15-15.**

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

C/AA-15-01 Bostic/Bishop Appeal

Jessica Bostic and Susan Bishopshop have appealed an administrative decision that their chickens are classified as farm animals and are not permitted within the Columbus Corporate Limits.

Jessica Bostic and Howard and Susan Bishop stated their names into the record.

Melissa Begley explained to the Board their role in an Administrative Appeal and also provided a brief explanation on the background of the appeal.

Susan Bishop presented information on the definitions of farm animals and domestic animals.

Fred Barnett, Code Enforcement Officer, gave an explanation for his determination.

There was discussion among the Board and it was decided to allow for the meeting to be opened up for public comment.

Nancy Trish was opposed to the request. She said small lots are not for chickens,
They cluck they are for rural settings.

Melinda Burton was opposed to the request. She said they are a food source. They have salmonella and it gets in your yard.

John Belkin was in favor of the request and said a chicken coop is not an eyesore and
Watching chickens is a pleasure.

Richard Bostic was in favor of the request and said dogs are loud and manpower from the animals care is not an issue.

Mike Robinette was in favor of the variance and said he has 4 chickens.

Peggy Land was in favor and said chickens don't smell and they are not loud.

Pat Holmes was opposed and said where do you draw the line? He said chickens are not clean they have disease and smell.

Christina Dill was opposed and said allowing chickens open the door for other farm animals.

Scott Durnall was in favor of the petition and said chickens are therapeutic and each has its own personality.

Pet Kaiser was in favor and asked if we could encourage an ordinance to allow urban chickens.

Stephanie Struckman was in favor and said only taking 4-6 hens, not a huge operation and dogs bark loudly.

Holly Wood was opposed and wanted to know if she could get a goat.

Tony Holmstead was opposed to the request and talked about avian flu and talked about using mesh.

Dave Fisher made a motion to overturn the decision of the Code Enforcement Officer that a chicken is a farm animal and adopted an interpretation that chickens could be considered domestic animals. Eric Frey seconded the motion. Motion passed by a voice vote of 4-1. Ms. Omar was the nay vote.

FINDINGS OF FACT

C/CU-15-02: Victor Thompson
Wayne Nyffeler made a motion to accept the findings of fact, which was seconded by Dave Fisher. Motion carried by a voice vote of 5-0.

C/DS-15-06: Victor Thompson
Wayne Nyffeler made a motion to accept the findings of fact, which was seconded by Dave Fisher. Motion carried by voice vote of 5-0.

C/CU-15-07: Kathleen Inman

Dave Fisher made a motion to accept the findings of fact, which was seconded by Wayne Nyffeler. Motoion carried by a voice vote of 5-0.

C/DS-15-07: Danny Burns
Dave Fisher made a motion to accept the findings of fact, which was seconded by Wayne Nyffeler. Motion carried by a voice vote of 5-0.

C/UV-15-03: M & D Marketing
Wayne Nyffeler made a motion to accept the findings of fact, which was seconded by Dave Fisher. Motion carried by a voice vote of 5-0.

C/DS-15-12: Debora Chandler
Wayne Nyffeler made a motion accept the findings of fact, which was seconded by Tony London. Motion passed by a voice vote of 5-0.

C/DS-15-14: Joseph Bush
Tony London made a motion to accept the findings of fact, which was seconded by Hanna Omar. Motion passed by a voice vote of 5-0.

C/DS-15-09: John Baron
Tony London made a motion to accept the findings of fact, which was seconded by Wayne Nyffeler. Motion passed by a voice vote of 5-0.

C/DS-15-13: Blairex
Tony London made a motion to accept the findings of fact, which was seconded by Hanna Omar. Motion passed by a voice vote of 5-0.

C/UV-15-04: Columbus Township (Love Chapel)
Tony London made a motion to accept the findings of fact, which was seconded by Hanna Omar. Motion passed by a voice vote of 5-0

MINUTES

Dave Fisher made a motion to approve the minutes of June 23, 2015.
Wayne Nyffeler seconded the motion. Motion passed by a voice vote of 5-0.

Tony London made a motion to approve the minutes of the July 28, 2015 meeting.
Hanna Omar seconded the motion. Motion passed by a voice vote of 5-0.

DISSCUSSION

None

ADJOURNMENT

There being no other business the meeting was adjourned.

Eric Frey, Chairperson

Hanna Omar, Secretary