

**MINUTES
BARTHOLOMEW COUNTY BOARD OF ZONING APPEALS
MONDAY, OCTOBER 23, 2023, 7:00pm
COUNCIL CHAMBERS, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA
AND WEBEX**

Members in Person: David Flohr, Michael Speaker, and Eric Scheidt

Members via Webex: None

Members Absent: Roger Glick and Arnold Haskell

Staff in Person: Melissa Begley, Andres Nieto, Kyra Behrman, Holly Harris and James Shoaf, County Deputy Attorney

Staff via Webex: None

Mr. Flohr opened the meeting at 7:00pm with a brief explanation of the board and its responsibilities. All available options to participate were gone over and proof of adequate public notice for all cases on the agenda was confirmed.

Mr. Shoaf, County Deputy Attorney, administered an oath to all who were in attendance that would be speaking during the meeting.

OLD BUSINESS REQUIRING BOARD ACTION:

None

NEW BUSINESS REQUIRING BOARD ACTION:

BUV-2023-003: The Annex - A request by Cari Roberts for a use variance approval to allow a restaurant in the AG (Agriculture: General) zoning district per Zoning Ordinance Section 3.6(A). The property is located at 9250 South State Road 58, in Ohio Township.

BDS-2023-005: The Annex - A request by Cari Roberts for a development standards variance from Zoning Ordinance Section 10 (Table 10.1) to allow a freestanding sign that is a maximum of 120 square feet in size and 12 feet in height. The property is located at 9250 South State Road 58, in Ohio Township.

Ms. Cari Roberts, 9550 South State Road 58, Columbus, Indiana 47201, and Ms. Molly Alviar, 8890 South State Road 58, Columbus, Indiana 47201, represented the applicant.

Mr. Nieto presented for the Planning Department.

Mr. Flohr asked the board if there were any questions for Mr. Nieto.

Mr. Scheidt asked a question in regards to clarification on the use of the easement. Mr. Nieto answered this and Mrs. Begley also stated that the Plat of property may answer this more clearly. Mr. Scheidt stated that the applicants may be able to answer this.

Mr. Flohr asked if the petitioner if there was anything to add.

Ms. Roberts stated that what they are trying to accomplish is to clean this area up, provide a few small jobs and they really want to appease the community without causing any harm. Ms. Roberts stated that there was a presentation and this was shared with the group/board.

Mr. Flohr asked the board if there were any questions for the petitioner.

Mr. Scheidt asked Ms. Roberts if this property in question had access to the easement that was discussed earlier and it was answered that there was access to this easement and that she owns the property behind.

Mr. Flohr opened the meeting to the public.

Mr. Randy Moss, 9320 South State Road 58, Columbus, Indiana 47201, stated that he is against this project. He feels that if this was approved, then he fears that others businesses will come to the area. Mr. Moss shared that he moved to the country for the quiet and privacy and he would like to keep it that way. He worries about the noise with the outside activities.

Ms. Linda Stevens, 9425 South State Road 58, Columbus, Indiana 47201, shared that she has concerns with the traffic and the possibility of the increase with dangers of this road, especially with new comers and the unfamiliarity of the road. She made a comment about the county chip and sealing this road, which she didn't understand why. She questioned what else may come, sharing that she heard rumors that they were going build an event center on the property behind. She shared that she worries the extra lights and the noises, especially loud music on Fridays and Saturdays. She stated that she disapproves of this project.

Mr. Harold Nicholas, 9290 South State Road 58, Columbus, Indiana 47201, shared that this is a great concept but not for this area. He has concerns with how this project may affect his personal activities on his property. He also has concerns with the roads and traffic. He shared that he did not feel this was going to be good/profitable for this area.

Mr. Philip Soladine, 9425 South State Road 58, Columbus, Indiana 47201, asked where the entrance was going to be. This was answered and shown to the group. He shared that this is a very dangerous, blind area for traffic to be pulling in and out. Mr. Soladine stated that this may be something to consider.

Mr. Flohr asked if there was anyone that wished to speak on WebEx. There was no one who wished to speak on WebEx.

Mr. Flohr closed the meeting for public comment.

Ms. Roberts stated that she wanted to answer some questions that was asked in regards to the building of a reception hall/event center. She answered that this property in question, was where her son was going to build a home and that stakes had been placed out from the Health Department for a septic, but these had been taken down.

Mr. Scheidt asked about the music and noise. Ms. Roberts stated that there weren't any plans to have outdoor music. Mr. Scheidt stated that the board is very familiar with State Road 58 and shared that the County isn't the one that handles this road and that the State and it would appear that they didn't have any concerns since INDOT did not respond to Planning.

Mrs. Begley shared that there was some conditions addressed such as the septic system. Ms. Roberts shared that someone was coming tomorrow morning to check/gain information for the septic and they would go from there. The other conditions addressed were a buffer, the conditional use being limited to this auxiliary building and nothing further. It was stated that there needs to be an additional condition for any additional lighting that may be added to include a 90 degree cut-off angle. There was further discussion to the signage and the limits. The condition for the signage to allow a freestanding sign that is a maximum of 50 square feet in size and no more than 15 feet in height.

Mr. Flohr closed the meeting.

Motion: Mr. Scheidt made a motion to approve the use variance agreeing with the Staff report that all criteria has been met including the conditions that were provided. Mr. Speaker seconded the motion. The motion passed with a roll call vote of 3 in favor and 0 opposed.

Motion: Mr. Scheidt made a motion to approve the development standards variance agreeing with the Staff report that all criteria has been met with the condition for the signage to allow a freestanding sign that is a maximum of 50 square feet in size and no more than 15 feet in height. Mr. Speaker seconded the motion. The motion passed with a roll call vote of 3 in favor and 0 opposed.

FINDINGS OF FACT:

BCU-2023-006: HENRY CHATEAU

Motion: Mr. Speaker made a motion to approve the findings. Mr. Scheidt seconded the motion. The motion passed with a roll call vote of 3 in favor and 0 opposed.

BCU-2023-011: LAVENDER LANE

Motion: Mr. Scheidt made a motion to approve the findings. Mr. Speaker seconded the motion. The motion passed with a roll call vote of 3 in favor and 0 opposed.

BCU-2023-012: CONSOLIDATED GRAIN & BARGE

Motion: Mr. Speaker made a motion to approve the findings. Mr. Scheidt seconded the motion. The motion passed with a roll call vote of 3 in favor and 0 opposed.

APPROVAL OF MINUTES:

Minutes of the September 25, 2023 meeting

Motion: Mr. Scheidt made a motion to approve the minutes of the September 2023 meeting. Mr. Speaker seconded the motion. The motion passed with a roll call vote of 3 in favor and 0 opposed.

DISCUSSION:

None

HEARING OFFICER APPROVALS:

None

ADJOURNMENT: 7:45pm

Motion: Mr. Speaker made a motion to adjourn. Mr. Scheidt seconded the motion. The motion passed with a roll call vote of 3 in favor and 0 opposed.

David Flohr, Chairperson

Eric Scheidt, Secretary