

Board of Zoning Appeals Meeting
August 15, 2019 at 6:00 p.m.
Minutes

The Board of Zoning Appeals held a meeting on August 15, 2019 at 6:00 p.m. in the conference room of the Government Center in Vernon, Indiana.

Present: President Bobby Burns, Brenda Habenicht, Eli Brown, Inspector Matt Bauguess and Director Marie Shepherd.

The **first item** of business was the reading, correction and approval of the minutes from the July 18, 2019 meeting. After review of the minutes, Eli Brown made the motion to approve the minutes as prepared. Brenda Habenicht seconded the motion. This passed with 3 members voting in favor.

The **second item** of business was the "Special Use" request of Michael Montgomery, being represented by Theresa Surratt. The request is to operate a business at 1400 Buckeye Street, North Vernon on Heavy Industrial zoned property. The business includes: auto/motorcycle/atv/kart repair, fabrication, vehicle restoration, tire store, monster truck driving school, hydro dipping, parting out vehicles for parts, working on wrecked/salvaged vehicles, woodworking shop, martial arts studio, and a show room for the speed shop. The "Special Use" request is to allow the outside storage/parking of vehicles, the outside storage of skids and old tires, testing the karts in the parking lot and holding car shows in the parking lot. The request is also being made to allow banners and flags at the site; as well as, the outside display of products. There is also an organization that gives out clothing to those in need that is using a small area in the front of the building. (This item was tabled at the June 25, 2019 meeting and the July 18, 2019 meeting.)

Commonly known as: 1400 Buckeye Street, North Vernon, IN 47265

Legal Description: PT SEQ 34 7 8 4.616 acres

Map Number: 40-09-34-410-001.000-004

After discussing the variance request, Brenda Habenicht made the motion to approve the request with the following conditions: Operating solely as an auto repair/tire shop with no more than 15 cars parked outside. The hours of operation is Monday – Saturday from 8:00 a.m. to 6:00 p.m. Eli Brown seconded the motion. This passed unanimously with 3 members voting in favor.

The **third item** of business was the variance request of the Lord of Life Lutheran Church, being represented by Dutch Stamper. They would like to place a 40 sq. ft freestanding sign at 3300 N State Highway 3, North Vernon. They would like to place the sign on the edge of the state right-of-way for both Highway 3 and Highway 50. A variance of 20 ft is needed to meet the 20 ft setback requirement listed in the Jennings County Unified Zoning Ordinance under chapter XIV. Signs.

Commonly known as: 3300 N State Hwy 3, North Vernon, IN 47265

Legal Description: PT NW ¼ SEQ 21 7 8 1.335 acres

Map Number: 40-09-21-400-038.000-004

After discussing the variance request, Brenda Habenicht made the motion to approve the request. Eli Brown seconded the motion. This passed unanimously with 3 members voting in favor.

The **fourth item** of business was the variance request of Brian Howard. He would like to place a 20' x 21' carport at 111 Platter Dr, North Vernon. The Carport will be 5' off the East property line. A variance of 5' is needed to meet the 10' side setback requirement, as per Table 6-1 Residential Lot Layouts in the Jennings County Unified Zoning Ordinance. All other setbacks will be met.

Commonly known as: 111 Platter Dr, North Vernon IN 47265

Legal Description: Marshall Manor 3

Map Number: 40-09-33-440-051.000-004

After discussing the variance request, Brenda Habenicht made the motion to approve the request. Eli Brown seconded the motion. This passed unanimously with 3 members voting in favor.

The **fifth item** of business was the variance request of Jeffrey Burke. He would like to build a 40' x 88' building at 2715 N County Rd 550 W, North Vernon. He would like to build the structure 30 ft from the center of County Rd 550 West. A variance of 45 ft is needed to meet the 75 ft front setback requirement. The structure will be 1 ft off the North side property line. A variance of 24 ft is needed to meet the 25 ft side setback requirement. The setback requirements can be found under Table 6-1: Residential Lot Layouts in the Jennings County Unified Zoning Ordinance. All other requirements will be met.to

Commonly known as: 2715 N County Rd 550 W, North Vernon

Legal Description: PT SE ¼ NWQ 26 7 7 1.76 acres

Map Number: 40-10-26-200-007.004-011

After discussing the variance request, Eli Brown made the motion to approve the request. Brenda Habenicht seconded the motion. This passed unanimously with 3 members voting in favor.

The **sixth item** of business was the variance request of Richard and June Schepman, being represented by Drew Schepman. They would like to build an 80' x 80' agricultural building with a 20' x 80' lean-to at 9825 S County Rd 900 W, Crothersville, IN 47229. They would like to build the structure 70' from the center of State Highway 250. A variance of 42.5' is needed to meet the 112.5' front setback requirement found in the Jennings County Unified Zoning Ordinance under Table 6-1: Residential Lot Layouts.

Commonly known as: 9825 S County Rd 900 W, Crothersville, IN 47229

Legal Description: PT SEQ 30 5 7 1.54 acres

Map Number: 40-17-30-400-022.001-008

After discussing the variance request, Brenda Habenicht made the motion to approve the request. Eli Brown seconded the motion. This passed unanimously with 3 members voting in favor.

The **seventh item** of business was the variance request of Nathan Biehle. Mr. Biehle would like to operate his heating and air business out of a 40' x 78' building at 1050 S County Rd 450 W, North Vernon. The building will be 300 ft from his home. Under the 2008 Amendments to the Jennings County Unified Zoning Ordinance, a home-based business must be with 100 ft of the home. A variance is requested to allow the business 300 ft from his home.

Commonly known as: 1050 S County Rd 450 W, North Vernon

Legal Description: PT NEQ 13 6 7 11.941 acres

Map Number: 40-11-13-100-011.002-011

After discussing the variance request, Brenda Habenicht made the motion to approve the request. Eli Brown seconded the motion. This passed unanimously with 3 members voting in favor.

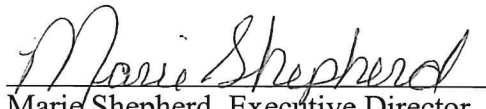
Old Business: None

New Business: None

Adjournment:

With no further business to discuss, Eli Brown made the motion to adjourn. Brenda Habenicht seconded the motion. This passed unanimously with 3 members voting in favor.

Respectfully submitted,

A handwritten signature in cursive script, reading "Marie Shepherd", written over a horizontal line.

Marie Shepherd, Executive Director
Jennings County Area Plan Commission