

Board of Zoning Appeals Meeting
June 25, 2019 at 6:00 p.m.
Minutes

The Board of Zoning Appeals held a meeting on June 25, 2019 at 6:00 p.m. in the conference room of the Government Center in Vernon, Indiana.

The **first item** of business was the reading, correction, and approval of the minutes from the May 16, 2019 meeting. After review of the minutes, Brenda Habenicht made the motion to approve the minutes as prepared. Megan Gruden seconded the motion. This passed with 3 members voting in favor and 1 member (Tony Monday) abstaining.

The **second item** of business was the variance request of Lisa Low. She would like to build a 10' x 16' deck at 20 Norris Avenue, North Vernon. The deck will be 23 ft from the center of Platter Drive. A variance of 27 ft is needed to meet the 50 ft front setback requirement. The lot is 44 ft wide along Norris Avenue. A variance of 56 ft is needed to meet the 100 ft lot width requirement. The lot contains 10,383 sq. ft. A variance of 4,617 sq. ft is needed to meet the 15,000 sq. ft lot size requirement. The requirements can be found in Table 6-1: Residential Lot Layouts in the Jennings County Unified Zoning Ordinance.

Commonly known as: 20 Norris Avenue, North Vernon, IN 47265

Legal Description: Platters 1

Map Number: 40-09-34-330-073.000-004

After discussing the request, Tony Monday made the motion to approve the variance. Brenda Habenicht seconded the motion. This passed unanimously with 4 members voting in favor.

The **third item** of business was the variance request of Richard Fippen, being represented by Jeff Royse. Mr. Fippen would like to build a 24' x 46' garage at 1780 N Westhill Dr, North Vernon. The garage will be 65 ft from the center of County Road 175 North. A variance of 10' is needed to meet the 75' front setback requirement. The garage will be 10 ft off the back-property line. A variance of 15 ft is needed to meet the 25 ft back setback requirement. These requirements can be found in Table 6-1: Residential Layouts in the Jennings County Unified Zoning Ordinance. All other setbacks will be met.

Commonly known as: 1780 N Westhill Drive, North Vernon, IN 47265

Legal Description: Two Mile Creek Subd Sec 6 Replat Lot 65

Map Number: 40-10-36-100-003.001-011

After discussing the request, Brenda Habenicht made the motion to approve the variance. Megan Grunden seconded the motion. This passed unanimously with 4 members voting in favor.

The **fourth item** of business was the variance request of Erler Investments LLC, being represented by Jason Sanders. They would like to build 4 duplexes at 41 Hicks Street, North Vernon. The duplexes will be 50 ft from the center of Hicks Street. A variance of 10 ft is needed to meet the 60 ft front setback requirement. Two duplexes will be 42 ft from the center of Gum Street. A variance of 18 ft is needed to meet the 60 ft front setback requirement off of Gum Street. According to FPBH survey, the property is 138 ft wide along Hicks Street. A variance of 12 ft is needed to meet the 150 ft lot width requirement. These requirements can be found in the Jennings County Unified Zoning Ordinance under Table 6-1: Residential Lot Layouts.

Commonly known as: 41 Hicks Street, North Vernon, IN 47265

Legal Description: PAB 4 ½ 86

PAB 4 ½ 86

Map Number: 40-09-33-410-044.000-004

40-09-33-410-045.000-004

After discussing the request, Brenda Habenicht made the motion to approve the variance. Tony Monday seconded the motion. This passed unanimously with 4 members voting in favor.

The **fifth item** of business was the variance request of Glen and Kristi Short. They would like to place a permanent sign at 1806 W Walnut Street, North Vernon. The sign is 32 sq. ft in size. The permanent sign would advertise their business, Five S Builders. Under the Jennings County Unified Zoning Ordinance, an advertising sign like this would not be allowed on Residential Duplex zoned property. They are seeking approval from the board to allow the permanent sign on the residential property. The sign is 2 ft out of the Walnut street right-of-way. A variance of 18 ft is needed to meet the 20 ft setback requirement.

Commonly known as: 1806 W Walnut Street, North Vernon, IN 47265
Legal Description: Lot 4 Silo Pointe Subdivision Phase 1
Map Number: 40-12-04-200-010.008-004

After a lengthy discussion, Tony Monday made the motion to approve the request with the requirement that the wording "Lots for Sale" will be added to the sign and the sign can be left up for one year. Megan Gruden seconded the motion. This passed unanimously with 4 members voting favor.

The **sixth item** of business was the request of Bobby and Dusti Wood. They are purchasing the property on contract from Carlos and Donna Meadows. Mr. and Mrs. Wood would like to place a 1994 Lacasa mobile home at 3570 N County Rd 600 W, North Vernon. Since the mobile home is older than 15 years old, they are seeking approval from the Board of Zoning Appeals to place the home. Tabled

The **seventh item** of business was the variance request of Thomas and Elizabeth Gosman. They would like to place an instant house at 416 N Jason Way, North Vernon. They would like to place the home 20 ft from the center of Jason Way. A variance of 30 ft is needed to meet the 50 ft front setback requirement. The home will be 6 ft off the back-property line. A variance of 19 ft is needed to meet the 25 ft rear setback requirement. The home will contain 864 living square feet. A variance of 86 sq. ft is needed to meet the 950-living sq. ft size requirement. The lot is 7,500 sq. ft in size. A variance of 2,500 sq. ft is needed to meet the 10,000 sq. ft lot size requirement. The lot is only 50 ft wide along Hayden Pike. A variance of 45 ft is needed to meet the 95 ft lot width requirement. The requirements can be found in the Jennings County Unified Zoning Ordinance in Table 6-1: Residential Lot Layouts.

Commonly known as: 416 N Jason Way, North Vernon, IN 47265
Legal Description: Edgewood Pt Lots 35 & 36
Map Number: 40-09-33-420-033.000-004

After discussing the request with Andy Gosman, Brenda Habenicht made the motion to approve the variance. Tony Monday seconded the motion. This passed unanimously with 4 members voting in favor.

The **eighth item** of business was the variance request of SC-H North Vernon 1291 LLC, being represented by Chris Heitz of Heitz Sign Company. They would like to place 6 signs at 2305 N State Hwy 3, North Vernon. Under the Jennings County Unified Zoning Ordinance, the maximum number of signs allowed for this business would be 2 signs. A variance is being requested to allow the additional 4 signs. The proposed freestanding sign will be 40 ft in height. The maximum height allowed for property zoned Commercial Planned Business is 35 ft. A variance is requested to allow the 40 ft tall sign. The freestanding sign is 220.8 sq. ft in size. The maximum square footage for a commercial sign is 60 sq. ft. A variance is requested to allow the 220.8 sq. ft sign. The freestanding sign will be 50 ft from the street right-of-way. A variance of 50 ft is needed to meet the 100 ft setback requirement.

Commonly known as: 2305 N State Hwy 3, North Vernon, IN 47265
Legal Description: Jennings County Plaza Lot 1
Map Number: 40-09-28-300-035.000-004

After discussing the request, Tony Monday made the motion to approve request with the requirement that the sign will be placed on the island. Brenda Habenicht seconded the motion. This passed unanimously with 4 members voting in favor.

The **ninth 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, hydrodipping, 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.

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 a lengthy discussion, Brenda Habenicht made the motion to table the variance until we can get more information. Tony Monday seconded the motion. This passed unanimously with 4 members voting in favor.

The **tenth item** of business was the variance request of David and Nancy O'Mara, being represented by Doug Zohrlaut of Koch Mechanical. They would like to build a 40' x 100' storage building at 2940 N 4th Street, North Vernon. They would like to build the structure 50 ft from the center of 4th Street. A variance of 50 ft is needed to meet the 100 ft front setback requirement. The structure will be 26 ft off the North side property line. A variance of 74 ft is needed to meet the 100 ft setback requirement off of a residential lot. These requirements can be found in the Jennings County Unified Zoning Ordinance under Table 8-1: Industrial Lot Layouts.

Commonly known as: 2940 N 4th Street, North Vernon, IN 47265

Legal Description: PT NE 1/4 NWQ 27 7 8 2.537 acres

Map Number: 40-09-27-200-011.000-004

After a lengthy discussion with Doug Zohrlaut and adjoining property owner Tracey Foster, Brenda Habenicht made the motion to approve the variance. Tony Monday seconded the motion. This passed unanimously with 4 members voting favor. Director Shepherd is going to contact the Water Superintendent of the City of North Vernon regarding the draining issue.

Old Business:

None

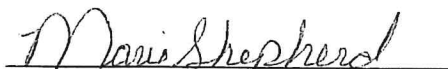
New Business:

None

Adjournment:

With no further business to discuss, Tony Monday made the motion to adjourn. Brenda Habenicht seconded the motion. This passed unanimously with 4 members voting in favor.

Respectfully submitted,



Marie Shepherd, Executive Director
Jennings County Area Plan Commission