

BOARD OF ZONING APPEALS
MEETING MINUTES
August 13, 2019

Kris Schwickrath: Good evening, everyone. The August 13, 2019 meeting of the Board of Zoning Appeals is now called to order. We'll begin with a roll call.

Adam Rude: Mr. Lisher - here, Mr. Lewis - here, Ms. Schwickrath - here, Mr. Clark - here, Ms. Case - here. We'll show that Mr. Cassidy is absent.

Schwickrath: Okay and then we, at this time, do not have we will not approve the minutes. We'll have to wait until next month. They're not complete. I think that was a rather lengthy meeting, so that's the July, 2019 minutes will be moved, the approval of them will be moved to next month. We have no items under Old Business, so we do have one under New Business this evening.

Rude: The one item under New Business is case #BZA 2019-11 1022 E. Jackson Street development standards variance. The petitioner's name, owner's name and the representative tonight is Steven Ward. Again, the address of the property is 1022 E. Jackson Street. The current zoning classification is R1, single family residential and the request tonight is the approval of one development standards variance from UDO 5.55B1, the setback standards for an accessory structure.

Schwickrath: Okay, thank you. Mr. Ward, would you please come forward and state your name for the record.

Steven Ward: My name is Steven E.G. Ward.

Schwickrath: And you get a chance to tell the board, just give us a summary of the project. I mean we've read the staff report, but just tell us from your point of view what your planning.

Ward: I've got three old buildings I wanna tear down and just put up one big building and it would clean up the area a lot. Clean my back yard and maybe take my privacy fence down and give us more yard to have. And since we live on a corner lot, we have two front yards and the variances, I have to have at least 4 more feet and I'm requesting to have that 4' so I can put this building up. And it's gonna be a half shed and half like carport but there's not gonna be any cars underneath there. I'm gonna try to get my dogs to stay there instead of having....

Schwickrath: Okay, thank you. So what we'll do is we'll ask from each member of the board any questions that they have for you, just so we are clear about all of this.

Ward: Okay.

Schwickrath: So I'll start. Do you feel ready to start? Do you have any questions?

Beth Case: Uh huh. I just have one question about the height. How high is the

Ward: It's only 9 ½ feet to the peak on the outside.

Case: 9 ½? Okay, thank you.

Schwickrath: Thank you. Mr. Clark?

Chris Clark: What kind of materials?

Ward: It's steel.

Clark: It's a steel building? What type of roof does it have?

Ward: Steel.

Clark: As far as is it gonna be a gabled roof?

Ward: Yes, yes. Gabled, just.....

Clark: Okay. Thank you.

Schwickrath: Thank you. Mr. Lewis?

Wade Lewis: No questions.

James Lisher: Just a perhaps a little clarification, Mr. Ward. The 4' additional variance you're asking for is off the Francis Street side, correct?

Ward: Yes. Yes it is.

Lisher: That's what I thought. And you have a fence during part of that street, is that right or not? Is my memory correct?

Ward: Yeah we have a privacy fence around the whole front to the like towards the middle of the house just on the other side of our door.

Lisher: So your intent is not to take it down?

Ward: I'm gonna keep the back part up.

Lisher: Yeah.

Ward: But I'd like to take as much as I can off the side so we can have more ground for our grandkids.

Lisher: Okay. And then the color of the building I assume is some type of appropriate color? You're not talking about pink, purple, or.....

Ward: It's just a blue, a light blue.

Schwickrath: Inaudible comment.

Lisher: Okay.

Ward: I might, if I ever get the chance, I might paint it red, meet the same roof of our house.

Schwickrath: I think, I don't have any questions either. I think that everything has been asked and answered. It was hard for me to see because I didn't stop and walk up your driveway, so driving by, it just seems like it will enhance what kind of get rid of that compound look that you may have going back there even though....

Ward: Yeah. That was because our dogs kept on trying to escape.

Schwickrath: Escape artists....(inaudible)....when that happens. It was a small black and white dog that I saw.

Ward: Yes. In the structure that they're in right now towards the front of the house, they were jumping onto the little dog house that was in there, stretching up to the top of that 6' fence and pulling themselves over.

Schwickrath: Sure.

Ward: And I put chicken wire on the bottom around it, everything and I couldn't understand how they were getting out, but I saw, I was recording it and I was calling him and all of a sudden a little head popped up and they were jumping over.

Schwickrath: Yes.

Ward: So I put a metal roof piece over their dog house up on top of a 6' fence so they can't jump and get up.

Schwickrath; Okay, very clever. Alright, sounds good. I'll close questions from the board at this time and I don't know if you want to ask any questions about this since you're the only member of the public.

(?): Inaudible reply.

Schwickrath: You're....yeah I know, but sometimes you have questions.

(?): Inaudible comment.

Schwickrath: Okay so no public commentary. Since no one here is from the public other than our news reporter (?), so I think we can move to a motion.

Lewis: I'll make a motion to approve the requested setback standard variance from UDO 5.55B1 to allow 16 foot setback in accordance with the plans provided to this board.

Schwickrath: Okay there's a motion.

Case: I'll second.

Schwickrath: Alright, please cast your ballot then for BZA 2019-11.

Rude: This is for case # BZA 2019-11. Ms. Case - yes and Mr. Lisher you forgot to mark one.

Lisher: Oh I probably.....(inaudible)...

Schwickrath: You get some (?), Mr. Lisher.

Rude: Mr. Lewis - yes, Mr. Clark - yes.

Lisher: Gotta, forgot to put the "x".

Rude: Ms. Schwickrath - yes,

Schwickrath: Okay so the motion is approved. Oh sorry, yes, Mr. Lisher a yes on that, so good luck with the project and thank you.

Ward: Thank you.

Schwickrath: I think that'll help you out.

(?): Inaudible Comment.

Ward: Okay, okay so I will.....

(?): Inaudible comment.

Ward: Okay so I have to actually go pay for the, pull the permit tomorrow, right?

(?): Not until it's issued. So we'll call you when it's been issued.

Ward: Oh okay, great. Thank you very much. Thank you.

Schwickrath; Okay, thank you. We do have one item under Discussion.

Rude: Yes. So just to update everyone. A few months back, maybe towards the first of the year, we had talked about electronic message center boards. And one of the requirements of those, one of the requirements on our end of those electronic message centers is to retain a record of all of those EMCs that exist in the city and when that was brought to our attention, we discovered that we had never done that. We had never retained those records and didn't have that database. And that has been one of our interns many projects this summer is to discover where all of those are at across the city and then start to develop that database and that record. And we are about 75% completion, give or take on that so a vast majority of that has been accomplished now so that when there's an issue with those signs and we need to reach out, we can do it in a timely manner rather than sending something through the mail.....(inaudible)...a few days. We can, now we have names, phones, email addresses for all those individuals so we can reach out same day rather than sending violation letters in the mail.

Lisher: You mean if there's some complaint or you need some further information about that (??)?

Rude: Yes. Yeah,....

Lisher: 'Cause the one out near the casino, those people were from Cincinnati I think and if I'm remembering.

Schwickrath: I don't remember.

Rude: That, the big billboard one?

Lisher: Yeah, yeah.

Rude: Yes. I think they are, that one is, but yes, but we now have that directory so when those complaints come in or when we are out and about and we see something wrong, we know who the person is that programs that sign so that we're not sending a letter to some P.O. box in another state and so we're not stopping by and talking to someone that has no knowledge or

ability to fix the sign. So we now have a directory of the exact person we need to reach out to to get that fixed and on a somewhat regular basis we'll be sending out updates to make sure that that's the most current information. But that was something that came to light I believe in a working session of the BZA that that was a provision that we were supposed to maintain that and we had not been maintaining that so now we are almost completely back in compliance. So that's the big update from us.

Schwickrath: The intern is has moved on or is he still here?

Rude: Tomorrow is his last day.

Schwickrath: Oh okay.

Rude: Yes.

Schwickrath: Ball State student?

Rude: Yep.

Schwickrath: Okay yeah we wish to thank him(inaudible)...

Rude: He's done a lot of cool work for us.

Schwickrath: Leg work that you're unable to do, so....(inaudible)...

Rude: Yeah and there's a lot of we use our intern, we've had an intern the last three summers and we always like to use our intern for some of the projects that we want to get accomplished but aren't, they aren't as pressing matters. There's petitions we have to process and staff reports. There's things we have to do to keep the day to day operations moving that take higher priority so we can give our intern some of those other tasks. So they do a lot of the research work. They bring us different options. One of the other tasks that he was working on this summer was just looking into you know the pros and cons and the inner workings of a historic preservation commission and what that could look like and what other how other communities have used those commissions before. That was kind of an interest he had so we let him run with that, see how that how he thinks that could work here in Shelbyville compared to some other cities across the state. So it gives us a chance to dive into those things that we say we wanna do but as soon as something else jumps onto our plate, we have to deal with that first. So....

Schwickrath: And I think we all know (?) once we get started with something, it doesn't turn out necessarily the way we anticipated. And that's okay. We just have to start, but yeah I think that's a good, another good topic so I'm glad he started that conversation for us.

Rude: Yeah.

Schwickrath: Good. Okay anything else?

No reply.

Schwickrath: Motion to adjourn?

(?): So moved.

Lewis: Second.

Schwickrath: Alright, thank you.

Meeting adjourned.