

Board of Zoning & Appeals Meeting Minutes

Tuesday, September 7th, 2021

To: Minutes to Meeting
From: Recording Secretary
Subject: Meeting Minutes

Call to Order

Bruce Pauley called the September 7th, 2021 Board of Zoning Appeals meeting to order at 7:00pm in the Lebanon Municipal Building.

Call Roll

Noted presence of a quorum. Members present included Bruce Pauley, Laurie Gross, Ron Edwards, Chad Kyker, Ben Bontrager, Planning Department, Kelly Cook, Recording Secretary. Also, present Rob Schein, Krieg DeVault LLC.

Absent Member – Marc Vanaman

Approval of Minutes

Ron Edwards made a motion to approve the August 2nd, 2021 meeting minutes. Chad Kyker seconded the motion a vote of 4-0 was in favor motion passed.

Old Business

New Business

Docket #21-48: Dustin Kessler the property is located at 422 E. Main Street, Lebanon, IN 46052. The property is Zoned “MF” Multi-Family Residential. UDO Standard 7.10.A.4.a – Side Setback

Ben Bontrager gave an overview of the variance being requested. Mr. Bontrager stated the applicant has not submitted all the requested information needed by the Planning Department in order to determine if a hardship is present to warrant the variance request. Staff has recommended denial as it does not appear a hardship is present.

Applicant, Dustin Kessler 422 E. Main Street spoke of the variance request but was unaware he needed to submit more information to the Lebanon Planning Department.

Bruce Pauley opened and closed the public portion of the hearing.

Bruce Pauley entertained for a motion. Chad Kyker made a motion to table Docket #21-48 to the next Board of Zoning & Appeals meeting on October 4th, 2021 to allow the applicant time to submit required information. Ron Edwards Seconded the motion a vote of 4-0 was in favor motion passed.

Docket #21-51: Kris Shepherd property is located at 2150 Elm Swamp Road, Lebanon, Indiana 46052.

The property is zoned Single-Family Residential (SF2) and comprised of approximately 0.2 acres. The subject lot configuration is 80 feet wide by 107 feet in depth.

Ben Bontrager gave an overview of the variance being requested. The applicant is seeking a Development Standard Variance to permit the construction of an addition to an existing garage that does not meet the required accessory structure setback.

Kris Shephard spoke of the variance being requested for the 7 feet setback to add an addition to the existing garage.

Bruce Pauley opened and closed the public portion of the hearing.

Bruce Pauley entertained for a motion. Ron Edwards made a motion to approve Docket #21-51. Chad Kyker seconded the motion a vote of 4-0 was in favor motion approved.

Docket #21-52: Tom Merritt for United Development, LLC. The property is located at 820 State Road 39, Lebanon, Indiana 46052. The property is zoned Planned Business Industrial (PBI) and in the Thoroughfare Overlay District and comprised of 4.29 acres.

Ben Bontrager gave an overview of the previously approved Development Standards Variances that were before the Board of Zoning Appeals on June 1, 2015 and July 6, 2015.

Ben Bontrager gave an overview of the Development Standards Variance to allow architectural metal on 100% of the rear façade rather than limited to 50% per the UDO.

Ben Bontrager asks for questions. Bruce Pauley questioned about a possible sidewalk along the front of the building.

Aaron Hurt, Civil Engineer spoke about the project and addressed the questions. There will a sidewalk added to this building.

Bruce Pauley opened and closed the public portion of the hearing.

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket #21-52 Development Standards Variance request to permit relief from the architectural metal

requirement of the Thoroughfare Overlay District. Ron Edwards seconded the motion a vote of 4-0 was in favor motion approved.

Docket # 21-53: Blue Scope Properties Group LLC requesting 5 Development Standards Variances. The proposed location of the development is a 57.04-acre parcel generally located at 705 – 1055 W. Cox Avenue. The property is Zoned “PBI” Planned Business Industrial and in the Interstate Overlay District.

Ben Bontrager gave an overview of the Variances being requested.

- i. UDO Standard 6.2.E – Interstate Landscape Buffer
- ii. UDO Standard 7.8.J.3 – Parking Lot Perimeter Landscaping
- iii. UDO Standard 7.8.O.5 – Dumpster Location
- iv. UDO Standard 7.6.A.3 – Loading Standards

Applicant Aaron Hurt spoke of the Blue Scope project as there will be a nice amount of landscaping for this development. The dumpsters will be surrounded by a concrete wall and out of sight. They will continue to work with the Planning Department staff.

Bruce Pauley opened and closed the public portion of the hearing.

Bruce Pauley entertained for a motion. Ron Edwards made a motion to approve Docket #21-53. Laurie Gross seconded the motion a vote of 4-0 was in favor motion passed.

Other Business

There was no other business was conducted.

Adjourn

A motion was made and seconded to adjourn the meeting at 7:45pm. The Board of Zoning Appeals will meet next month on October 4th, 2021 at 7:00pm.

Submitted by Recording Secretary

Kelly Cook

Bruce S. Pauley

Kelly Cook