

Board of Zoning & Appeals Meeting Minutes

Monday, February 1, 2021

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

Call to Order

Bruce Pauley called the February 1st, 2021 Board of Zoning Appeals meeting to order at 7:00pm in the Lebanon Municipal Building.

Roll Call

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

Approval of Minutes

Laurie Gross made a motion to approve the January 4th, 2021 meeting minutes. Ron Edwards seconded the motion a vote of 5-0 was in favor motion passed.

Docket #21-8: Doug & Mary Beth Searles 1621 Douglas Lane, Lebanon, IN 46052. Requesting a Development Standards Variance to permit relief from the side setback requirement in order to construct a garage and room addition. The property is Zoned SF2 Single-Family Residential.

- i. UDO Section 4.6.D- Lot & Yard Standards

Ben Bontrager gave an overview of the variance being requested.

Ben Bontrager ask for questions.

Chad Kyker questioned the garage rebuild and property addition as one structure. Ben Bontrager stated this would be one entire structure as it is attached the house.

Bruce Pauley question the level of elevation materials.

Doug & Mary Beth Searles spoke of the variance being requested in order to start a renovation project. It was stated that the elevations on the dwelling will not change. The house will be completely updated with all new siding.

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 #21-8. Laurie Gross seconded the motion a vote of 5-0 was in favor motion approved.

Docket #21-9: Mario Crim for All Property Investments. The property is located at 2065 Indianapolis Avenue, Lebanon, IN 46052.

The property is zoned Institutional (IN) and within the Thoroughfare Overlay District and comprised of 1.51 acres.

Ben Bontrager gave an overview of the history of this property. Stating the property is currently vacant and contains an approximately 1800 square foot building and associated parking lot. The property originally housed a gas station and has not has a legitimate permanent use in several years.

Variance Request – Automobile/Motor Vehicle Repair Facility in the Institutional (IN) Zoning District UDO Section 4.17.B

The applicant, All Property Investments presented the intent to make significant improvements to the property. To then occupy the property with an auto repair facility and returning the building back to nostalgic look. The cars being serviced will remain inside the facility and adding a fence for privacy.

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

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket #21-9 Subject to the three conditions 1. Use of Variance is limited to Auto Repair by the applicant 2. At no time will cars be left in disrepair outside of fence area 3. The applicant remove the existing barbed wire fence and repave all parking areas and install proposed landscaping and storage area privacy fence prior to occupancy in the building. Marc Vanaman seconded the motion a vote of 4-1 was in favor motion approved.

Docket #21-10: Mental Health America of Boone County. The property is located at 810 Fordice Road, Lebanon, IN 46052.

The property is 3.41 acres in size and is currently zoned Multi-Family Residential (MF).

The property was formerly the home of the Free & Accepted Mason's Lodge but currently sits empty.

Ben Bontrager gave an overview of the request. The applicant is seeking a Conditional Use approval to allow the reuse of the property for services provided by Mental Health America of Boone County. These uses will be a variety of things from summer camp and Pre-K classes to training of culinary classes for adults.

Pascal Fettig, Mental Health of Boone County spoke of the mission and need for this facility and what their programs do for this community. They are needing to expand as Lebanon continues to grow. Mr. Fettig described the different programs, camps, and events they offer. They also serve woman of domestic violence. The hours of operation would be 6am-6pm, they would strive to good neighbors and plan to add security and surveillance to the outside of the building. Mr. Fettig let it be known their bus was only out front for a temporary time to let their students know of the new location. It will be placed at the rear of the property when not in use.

Ron Edwards questioned the number of attendees. Pascal Fettig stated 15-20 when school is in session. Summertime would bring numbers up to 80-100 students as the building occupies 300 capacity.

Bruce Pauley opened the public portion of the hearing up for questions and comments.

Mike Kincaid 915 N Grant Street, Lebanon, IN 46052. Questioned if Mental Health of America could see any future building or additions going up on the property?

Penny Johnson 821 N Grant Street, Lebanon, IN 46052. Would like a fence installed between her property line and Mental Health of America and she hopes not to have to look at a dumpster.

Bruce Pauley closed the public portion of the hearing.

Ben Bontrager addressed questions from the public. Stating any future add on or builds, would require a permit from the Planning Department.

Dumpster – A dumpster is to be closed in on all four sides and placed at the rear of the property.

Ben Bontrager read into the minutes a letter from Amanda Yauney Grant Street, requesting the bus be moved to a different location.

Chad Kyker questioned the possibility of any noise level with a large number of students during summer hours. Pascal Fettig stated the students are broken down into groups and at no time would 100 students be outside at one time.

Bruce Pauley entertained for a motion. Ron Edwards made a motion to approve Docket #21-10. Marc Vanaman seconded the motion a vote of 5-0 was in favor motion approved.

Docket #21-11: Shawn Baker for Amston Trailer. The property is located at 3083 S. Indianapolis Road, Lebanon, IN 46052.

The property is zoned Single-Family Residential (SF) is within the Interstate Overlay District and is comprised of 6.76 acres.

Ben Bontrager gave an overview of the variance being requested.

Variance Request #1 – Parking Lot Perimeter Landscaping UDO Section 7.8.J.3

Variance Request #2 – Parking Area Paving UDO Section 7.5.C.1

Variance Request #3 – Parking Area Curbing UDO Section 7.5.C.3

Variance Request #4 – Non- Residential Street Buffer UDO Section 7.8.K.2

Chad Kyker questioned the plant and tree height buffer is it elevated.

Ron Edwards questioned the shrub height. Ben Bontrager stated they are following what the city requires and minimum height requirement.

Bruce Pauley questioned the buffer and ask if a fence would be in place.

Shawn Baker with Amston Trailer spoke of the tree growth and fence line were cleared out and cleaned up. There is no fence along the interstate 65 side. If he is required to add this fence he will do so.

Ben Bontrager added they are working on the current tree and shrub buffer along interstate 65 area.

Bruce Pauley opens and closes the public portion of the hearing.

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve all four variances being requested. Mark Vanaman seconded the motion a vote of 5-0 was in favor motion.

Other Business

There was no other business conducted.

Adjourned

A motion was made and seconded to adjourn the meeting at 8:08pm. The Lebanon Board of Zoning and Appeals will meet again on March 1, 2021 at 7:00pm.

Submitted by Recording Secretary

Chairman, Bruce S. Pauley

Secretary, Kelly Cook