

Board of Zoning Appeals Meeting Minutes

Tuesday, August 1st, 2022

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

Call to Order

Bruce Pauley called the August 1st, 2022, 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 Chad Kyker, Bruce Pauley, Ron Edwards, Laurie Gross, Ben Bontrager, Planning Department, Kelly Cook, Recording Secretary, Rob Schein, Dinsmore & Strohl LLC.

Minutes

Bruce Pauley entertained for a motion to approve the July 5th, 2022, meeting minutes. Laurie Gross made a motion to approve. Ron Edwards seconded the motion a vote of 4-0 was in favor motion approved.

Docket #22-51

Habitat for Humanity of Boone County requesting a Development Standards Variance from minimum lot width to replat 2 parcels located at 1324 S. East Street.

Ben Bontrager gave an overview of the variance being requested. The applicant is seeking to replat the two lots at 1324 S. East Street. One lot being 39 feet wide and the other being 80.5 feet wide, splitting into two equal lot widths. This would make the lots more compliance with the UDO lot width requirements. The lot standard (SF3) is 65 feet per lot leaving the two lots at 60 feet wide, rather than the required 65 feet. This being the reason for the variance request.

The property is Zoned "SF-3" Single Family 3.

- I. UDO Section- 4.7.D – Minimum Lot Width - The UDO requires 65 feet minimum lot width in the Single-Family Residential (SF-3) zoning district. The applicant is requesting relief from this requirement in order to allow two lots each with a 60-foot width.

Ben Bontrager asked for questions; there were none.

Liz Qua, with Habitat for Humanity gave an overview of the variance being requested and the need for this piece of property.

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 #22-51 approving the Development Standards Variance request to permit relief from the lot width requirement of the UDO. Chad Kyker seconded the motion a vote of 4-0 was in favor motion approved.

Docket #22-54

Newjac Industrial for GLF Realty, LLC. The property is located at 309/415 S Grant Street, Lebanon, IN 46052.

The property is zoned General Industrial (ID) and comprised of 13.73 acres. The lot size is approximately 600' Wide x 775' in depth.

Ben Bontrager gave an overview of the variance being requested. The applicant is proposing to install a new 6-foot-tall fence north of their existing facility to provide additional security in this area. A significant part of the property north of the building is located the floodway where there are restrictions associated with placement and type of fence. In order to avoid the floodway and associated restrictions, the applicant is proposing to place the fence in a location that is within the front yard for this portion of the fence that is impacted by the floodway. Non-residential fences located in the front yard are restricted to 48 inches in height. The applicant is requesting a variance to allow the additional height for security.

Variance Request – Non – Residential Fence Height UDO Sections 7.14.C.2

Ben Bontrager read through the three statutory criteria.

Applicant, Jeff Zimmerman gave an overview of the request for the variance, NewJac is proposing to put a fence up for safety. Stating they have material that sits out on the property and to keep the public safe.

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

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket #22-54 Development Standards Variance request to permit a 6-foot tall fence located in a front yard subject to the following condition.

1. The fence material would be limited to decorative metal, such as wrought iron, to ensure the fence is no less than 50% open. Chain-link fence shall not be permitted.

Chad Kyker seconded the motion a vote of 4-0 was in favor motion approved.

Docket #22-55

Andy Taylor (Kimley-Horn and Associates) for DP Realty Holdings LLC) the property is located at 401 S. Enterprise Blvd in the Lebanon Business Park.

The property is zoned Planned Business Industrial (PBI) and comprised of 31.93 acres.

Ben Bontrager gave an overview of the variance being requested. The UDO requires that all parking areas for non-residential uses shall be completely curbed. The applicant is requesting relief from the curb requirement for the truck/trailer parking area to allow stormwater to sheet drain into a detention facility on the western perimeter.

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

Ben Bontrager asks for questions there were none.

Applicant, Andy Taylor for DP Realty Holdings gave an overview of the variance being requested and would take any questions from the board.

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 #22-55 Development Standards Variance request to permit relief from the parking curb requirements of the United Development Ordinance. Laurie Gross seconded the motion a vote of 4-0 was in favor motion approved.

Other Business

There was no other business conducted.

Adjourn

A motion was made and seconded to adjourn the meeting at 7:20pm. The Lebanon Board of Zoning Appeals will meet again on September 5th, 2022, at 7:00pm.

Submitted by Recording Secretary

Kelly Cook

Chairman, Bruce S. Pauley

Recording Secretary, Kelly Cook