

Board of Zoning Appeals Meeting Minutes

Monday, October 4th, 2021

To: Minutes to Meeting

From: Recording Secretary

Subject: Meeting Minutes

Call to Order

Bruce Pauley called the October 4th, 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, Marc Vanaman, Chad Kyker, Ron Edwards, Laurie Gross, Kelly Cook, Recording Secretary. Also, present Chris Bloomer, Krieg DeVault LLC.

Approval of Minutes

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

Old Business

This item has been withdrawn by the applicant.

Docket 21-48: Dustin Kessler requesting a Development Standards Variance to construct a detached garage to be located at 422 E. Main Street. The is Zoned "MF" Multi-Family Residential.

- i. UDO Standard 7.10.A.4.a-Side Setback

New Business

Docket 21-54: David Jones representing Key Car Wash requesting Development Standards Variances for an electronic message board sign and an off – premise sign. The property is located at 1800 N Lebanon Street. The property is Zoned "PBC" Planned Business Commercial and within the Thoroughfare Overlay District.

- i. UDO Standard 7.7.H.2.c – Electronic Message Board Sign
- ii. UDO Standard 7.7.H.2.d – Off-Premises Signs

Ben Bontrager gave an overview of the variances being requested.

Variance #1 – Electronic Message Board Sign – The applicant is seeking to permit an electric message board sign larger than 25% of the allowable sign area to permit a 20 SF sign.

Variance #2 – Off Premise Sign – The applicant is seeking to install a sign on the subject property that the UDO defines as an off – premise sign. Off premise signs are not permitted in the PBC zoning district.

Applicant, David Jones for Key Car Wash gave an overview for the variances being requested, stating the hours of operation would possibly be 8am-9pm. The sign will be used for business and public events.

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 21-54: Electronic Message Board Sign. Chad Kyker seconded a vote of 5-0 was in favor motion approved.

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket 21-54: Off Premise Sign. Marc Vanaman seconded a vote of 5-0 was in favor motion approved.

Docket #21-56: Brian & Catheryn Ferguson requesting a Use Variance to operate a music lesson studio and single – family residence located at 403 N Lebanon Street. The property is Zoned “MF” Multi-Family Residential.

i. UDO Standard 4.9.B-Permitted Uses

Ben Bontrager gave an overview of the variance being requested. The applicant is seeking to use a portion of the subject structure for a music studio business. The remaining portion would be for residence living. Single-Family Dwellings and businesses are not permitted use within the MF zoning district.

Applicant, Catheryn Ferguson spoke of the music studio she plans to call Corner Stone with music lessons to be given and hours to be Monday – Thursday until 8pm.

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 #21-56 Ron Edwards seconded the motion a vote of 5-0 was in favor motion approved.

Docket #21-57: William Mattingly representing Mattingly Concrete requesting a Development Standards Variance to permit outdoor storage for their contractor's storage yard located at 516 Indianapolis Avenue. The property is Zoned "ID" General Industrial and within the Thoroughfare Overlay District.

Variance Request – Outdoor Storage

UDO Section 6.1.H

Ben Bontrager gave an overview of the variance being requested. The applicant is seeking to use the subject property in support of their concrete business. The use will involve outdoor storage of equipment and raw material, which is not permitted in the Overlay District.

Applicant, William Mattingly spoke of the variance being request as well as the existing 60 x 60 metal building. This building has been updated with new paint and the surrounding property will be improved. They will be adding a fence with an electric gate along with more lighting to make the area safe and secure. Hours of operation will be 7am-7pm.

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

Chad Kyker questioned a move in date and if the fence could be installed within the original plan of a year. The board proposed the fence be installed in the time frame of 6 months rather than a year from now.

Bruce Pauley entertained for a motion. Laurie Gross made a motion to approve Docket 21-57 contingent that the applicant install the proposed privacy fence along the northeast property line where adjacent to existing residential uses within 6 months of Variance approval.

Chad Kyker seconded the motion a vote of 5-0 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 7:35pm.

Submitted by Recording Secretary

Kelly Cook

Bruce S. Pauley

Kelly Cook