

Shelby County Board of Zoning Appeals
Meeting Minutes
October 8, 2019

Members Present:

Kevin Carson
Jim Douglas
Rachael Ackley

Members Absent:

Doug Warnecke
Dave Klene

Staff Present:

Desiree Calderella – Planning Director
Mark McNeely – Board Attorney

Call to Order and Roll Call:

Kevin Carson called the meeting to order at 7:00 pm in Room 208 A at the Court House Annex, Shelbyville.

Approval of Minutes

Kevin Carson made a motion to approve the minutes from September 11, 2019. Rachel Ackley seconded the motion. The minutes were approved 3-0.

Old Business

None.

New Business:

BZA 19-29 – BRADLEY E FIX: DEVELOPMENT STANDARDS VARIANCE – To allow for construction of a 3,200 sq. ft. pole barn (the total square footage of all accessory structures on a lot cannot exceed 2X the footprint of the residence in the RE (Residential Estate) District). Located at 2589 E McKay Rd, Shelbyville.

Desiree Calderella read the petition into the record and indicated that Staff recommends approval.

Bradley E Fix had no additional comment.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Mr. Fix indicated that he planned to use the barn to store a trailer, tractor, and similar equipment. He indicated that he spoke with neighbor Judy Lauziere and that she had no concerns.

Rachael Ackley made a motion to vote on the variance. Jim Douglas seconded the motion. The petition was **APPROVED 3-0**.

The Board adopted the following findings of fact:

1. The approval will not be injurious to the public health, safety, and general welfare of the community.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
3. The strict application of the terms of the Shelby County Unified Development Ordinance will result in a practical difficulty in the use of the property.

BZA 19-30 – JOHN & MARY FISHER: DEVELOPMENT STANDARDS VARIANCE – To allow for installation of a residential driveway less than 100-feet from intersecting streets. Located at 3525 S 800 E, Waldron.

Desiree Calderella read the petition into the record and indicated that Staff recommends denial.

Mr. Fisher provided the Board with a diagram showing the proposed driveway. He explained that the current 20-foot wide entrance adjoins the property line and that no one has hit the property post from the intersection. He explained that the proposed 20-foot drive would adjoin the existing entrance. He indicated that an electric pole prevents placement of the driveway 100-feet from the intersection.

Rachel Ackley indicated that she did not see any trees, bushes, or similar materials that would interfere with visibility at the intersection.

Kevin Carson indicated that vehicles may slide into the driveway from the intersection.

Mr. Fisher provided examples of other driveways located at intersections in the County.

Kevin Carson indicated that 800 E does not experience heavy traffic.

Rachael Ackley made a motion to vote on the variance. Jim Douglas seconded the motion. The petition was **APPROVED 3-0**.

The Board adopted the following findings of fact:

1. The approval will not be injurious to the public health, safety, and general welfare of the community.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
3. The strict application of the terms of the Shelby County Unified Development Ordinance will result in a practical difficulty in the use of the property.

Discussion:

Patrick Black Violation

Desiree Calderella stated that she had visited the Black property on Oct. 3rd and did not see any change in the condition of the property. She stated that she had sent Mr. Black an email requesting that he identify three cars to remove from the property before her November site visit, and that she would send him a fine if he did not comply with the request.

Jean Danenfelsler Violation

Desiree Calderella stated that she had not received a certified mail receipt and therefore has hand delivered a letter to the residence on Oct. 7th.

Adjournment:

With no further business to come before the Board, Rachel Ackley moved to adjourn, and Jim Douglas seconded the motion. The meeting was adjourned.

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| President | Date |
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| Secretary | Date |
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