

**BEECH GROVE BOARD OF ZONING APPEALS
WEDNESDAY, OCTOBER 3, 2012
MEETING MINUTES**

Jennifer called the meeting to order at 1:03 pm.

ROLL CALL: Attending was Board members, Robert Maloof, Diane Hendricks, Jennifer Henry, Rick Greenfield, City Attorney Craig Wiley, Clerk Treasurer Dan McMillan, and Assistant to the Clerk Treasurer, Sheri Morgan. Julie Weaver was absent.

READING OF MINUTES: The May 2nd, minutes were approved as read. Diana made a Motion to accept the minutes as read. Rick seconded the Motion; which was approved by unanimous voice vote. There were no meetings in June, July, August, or September, because of no petitioners.

RULES OF PROCEDURE: Jennifer read the rules of procedure and Craig swore in those giving testimony at the meeting.

UNFINISHED BUSINESS: NONE

SPECIAL REQUESTS: None

CONTINUED PETITIONS: None

NEW PETITIONS:

2012- UVB-005
105 and 109 E. Bellefontaine, 217-247 Schaff Street, 202-224 VanWinkle, 208-224 Paquette. David Retherford Attorney for the petitioner, NRP Group, presented their variance petition.

No remonstrators were present.

Linda Ahlbrand of Department of Metropolitan Development (planning) presented the following recommendations;
Staff recommends approval of A-D of the variance petition.
She recommended denial of E of the variance petition and also stated sidewalks should be provided.
Rebuttal:

David Retherford - sidewalks should only go from Churchman to Schaff Street.

Linda Ahlbrand- sidewalks should go on Churchman and all of Schaff Street.

Mary Hada NRP Group stated that there is a cost factor for doing sidewalks on Schaff Street. It would also take away yards for these sidewalks and she stated the seniors just don't like strangers walking through their backyards she cited this as a safety factor.

Dianna made a Motion to approve variance 2012 UVB - 005 A thru D and the sidewalk from the entrance at Churchman be connected to Schaff Street. Bob seconded the Motion; which was approved by unanimous voice vote.

New Petition:

2012-UVB 006
3020 South Emerson Perry Township CD#25

Corey Schaffer, Petitioner, presented a petition for a manufacturing variance.

Remonstrators: NONE

Linda Ahlbrand of Department of Metropolitan Development (planning) presented the following recommendations:

Staff recommends approval.

Bob made a Motion to approve. Rick seconded the Motion; which was approved by unanimous voice vote.

The next meeting will be on December 5th, 2012 at 1:00 pm.

ADJOURNMENT: Jennifer adjourned the meeting at 1:40 pm.

REOPEN: There was a Motion by Rick to reopen the meeting; Diana seconded the Motion; which was approved by unanimous voice vote.

JoEllen Castettler 660 S. 9th Avenue stated that she received a notice of variance request from a neighbor, and she requested that it be denied. The Beech Grove Variance Board all agreed to that. She checked to see when the building would be removed and she assumed that the big barn would come down. She spoke to Linda and Linda said "it got hung up". Joellen stated she then began hearing noises of construction, and she assumed it was coming down. In June she received a message from Linda that a Certificate of Legal Non-Conforming- Use had been issued. Linda said it had something to do with the zoning and Joellen did not need to be involved, so Joellen did not think she needed to be involved. Next thing she knew was that somehow it had been approved through Indianapolis. She was questioning how this could happen.

Linda Ahlbrand gave a report from staff as follows:

The variance for the Garage, (that was bigger, more square footage than the house) was heard by the Beech Grove Variance Board last year, and was denied and still stands.

After this, the owner obtained a Certificate of Legal Non-Conforming-Use, specifically just for the lot. The owner then developed plans to attach the garage to the house (which is perfectly legal per ordinance). Once they are attached, the house and the garage, it becomes one structure, there is no restriction on the size. The owner found a different way to complete this project, a loophole you might say. He received a building permit from Indianapolis because it was completely legal.

ADJOURNMENT: The meeting was adjourned at 1:50pm.