

**BEECH GROVE BOARD OF ZONING APPEALS
MEETING MINUTES
WEDNESDAY, JULY 1st, 2015**

Julie Weaver called the meeting to order at 1:15 p. m.

ROLL CALL: Attending were, Board Members, Dawn Whalen, Rick Greenfield, Kathy Arsenault, Julie Weaver, Diana Hendricks, Clerk Treasurer Dan McMillan, and City Attorney Craig Wiley.

RULES OF PROCEDURE: Clerk Treasurer Dan McMillan read the Rules of Procedure and City Attorney Craig Wiley swore in those giving testimony at the meeting.

CONTINUED PETITIONS; 2015 – UVB – 003

Petitioner: Tammy and Anthony Hanna 222 Main Street request a variance of use of the Commercial Zoning Ordinance to provide for a tattoo parlor.

City Attorney Craig Wiley raised a conflict with Rick Greenfield he stated he didn't think Board Member, Rick Greenfield should be able to vote on this variance, because of bias and prejudice with this petition. Linda Ahlbrand staff concurs with City Attorney, Craig Wiley. She stated it is up to Rick Greenfield to recuse himself it is not up to the Board to vote on this. William Ayres attorney for the petitioner disagreed with this. He stated Rick Greenfield no longer has an interest in this real estate transaction. The real estate transaction was closed and Rick Greenfield has no vested interest, he has no bias nor is he prejudicial in this case, so therefore he should be allowed to vote on this transaction. He stated there no conflict. Board Member, Rick Greenfield, recused himself from this petition stating that he did not want to take a chance of this petition being appealed. Mr. William Ayres, Attorney for the petitioners, called Tammy Hanna, co-owner of the real estate, and asked if she had talked to the tenant about operating this business under the laws that govern tattoo businesses, and also operate the business within the hours of 8:00am-10:00pm. Mrs. Hanna said, yes. Mr. Ayres asked Mrs. Hanna if they have operated other businesses and have done so responsibly and she stated yes. Mr. Ayres stated for the record that there are no remonstrators at this meeting and there were none at the last meeting and the City has received no remonstrator complaints by mail.

NEW PETITIONS: none

Remonstrators: none

Staff: Linda Ahlbrand, representing Staff, recommends approval subject to the hours of 8:00am to 10:00pm.

Petitioner Rebuttal: none

Remonstrators Rebuttal: none

A voice vote was taken on 2015-UVB-003, 222 Main Street. The vote was 3-1 to deny the variance.

READING OF MINUTES: Clerk – Treasurer Dan McMillan

Dan read the minutes from the June 3rd, 2015 BZA meeting, Julie Weaver made a motion to approve the minutes as presented, Dawn Whalen seconded the motion which was approved by unanimous voice vote.

ADJOURNMENT:

Julie Weaver made a Motion to adjourn. Diana Hendricks seconded the Motion, The Motion was approved by unanimous voice vote. The meeting was adjourned at 1:57 pm.

Diana Hendricks

Dawn Whalen

Rick Greenfield

Julie Weaver

Kathy Arsenault

Dan McMillan, Secretary

Prepared by: Dan McMillan