

MINUTES
BOARD OF ZONING APPEALS
January 7, 2020 at 5:00 o'clock P.M.

Jefferson County Courthouse
Annex Bldg., Surveyor's Office
315 Jefferson St., Madison, IN 47250

MEMBERS PRESENT: MIKE SHELTON, VIRGINIA FRANKS, and DARRELL GINN
and ROBERT J. JACOBSON (arrived late)

VISITORS PRESENT: NANCY EDMONDS, CHRIS VEZINA, DONETTA NEWLAND
and JEAN STIVER

STAFF PRESENT: JEFF DAGHIR, PAT MAGRATH, Attorney, JIM DIERDORF,
Building Inspector/Zoning Enforcement Officer, and LYNETTE
ANDERSON, Secretary

Vice-Chairman Mike Shelton called the meeting to order. A quorum was present with Bob Jacobson absent (arrived around 5:40 p.m.). Darrell Ginn made a motion to approve minutes from November 6, 2019 and December 3, 2019. Virginia Franks seconded the motion. Motion passed unanimously. There were no communications.

New business as follows:

- **Nancy Edmonds-** 7235 W Warman Road, Hanover, IN, Hanover Township, made application and requested a variance from developmental standards from setback from ninety (90) feet setback from center of road to seventy-five (75) feet setback due to septic system. Property is zoned AG. All certified mail return receipt requested cards were turned in. There were no objections. Virginia Franks moved for a motion to approve this application. Darrell Ginn seconded the motion. Motion passed unanimously. **Findings of Fact-**1. The approval *will not* be injurious to the public health, safety, morals and general welfare of the community because *it's an improvement to 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 because *the area is farm land*. 3. The strict application of the terms of the zoning ordinance *will* result in practical difficulties in the use of the property because *of septic system*. **Decision-** The Jefferson County Board of Zoning Appeals voted to *approve* the application for a variance from developmental standards in this matter with members voting as follows: *unanimously approved*. Conditions of Variance from developmental standards are as follows: *None*.
- **Chris Vezina-** 7018 N US 421, Madison, IN, Monroe Township, made application and requested a conditional use to open a canine training facility. Property is zoned AG. All certified mail return receipt requested cards, proof of mailings and one returned envelope were turned in, except for Aaron Demaree, (once the meeting was adjourned, Mr. Vezina found Aaron Demaree's proof of mailing and turned it into the board). There were no objections. Darrell Ginn

moved for a motion to approve this application with the condition of the proof of mailing to Aaron Demaree is turned in. Virginia Franks seconded the motion. Motion passed unanimously.

Findings of Fact- 1. Is in fact a conditional use as established under the provisions of Article V and appears on the Official Schedule of Uses adopted by Section 7.00 for the zoning district involved: *Yes it is; item #340.* 2. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's Comprehensive Plan and/or the Zoning Ordinance: *will be harmonious.* 3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area: *yes.* 4. Will not be hazardous or disturbing to existing or future neighboring uses: *put up fence to deter noise.* 5. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services: *yes.* 6. Will not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic welfare of the community: *no.* 7. Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors: *yes, it will not.* 8. Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares: *yes.* 9. Will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance: *no, will not.* **Decision-** The Jefferson County Board of Zoning Appeals voted to *approve* the application for a conditional use in this matter with members voting as follows: *unanimously approved.* Conditions of the conditional use are as follows: *must bring other green card in and if sold, new owner must reapply.*

- **Chris Vezina-** 7018 N US 421, Madison, IN, Monroe Township, made application and requested a variance from developmental standards from front yard setback. Applicant requested a thirty-four (34) feet setback from right-of-way of the road instead of fifty (50) feet setback from right-of-way of the road. Property is zoned AG. All certified mail return receipt requested cards, proof of mailings and one returned envelope were turned in, except for Aaron Demaree, (once the meeting was adjourned, Mr. Vezina found Aaron Demaree's proof of mailing and turned it into the board). There were no objections. Virginia Franks moved for a motion to approve this application contingent upon State Highway approval and septic permit approval. Darrell Ginn seconded the motion. Motion passed unanimously. **Findings of Fact-**1. The approval *will not* be injurious to the public health, safety, morals and general welfare of the community because *it's an agricultural area.* 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 because *it's an improvement to the area.* 3. The strict application of the terms of the zoning ordinance *will* result in practical difficulties in the use of the property because *not enough right-of-way.* **Decision-** The Jefferson County Board of Zoning Appeals voted to *approve* the application for a variance from developmental standards in this matter with members voting as follows:

unanimously approved. Conditions of Variance from developmental standards are as follows:
needs State approval for right-of-way and needs septic permit approval.

- **Election of Officers-** Virginia Franks moved for a motion to appoint Bob Jacobson to be Chairman and Mike Shelton to be Vice-Chairman for the year 2020. Darrell Ginn seconded the motion. The motion passed unanimously.

Other business/misc items not on agenda as follows:

- Jeff Dagher announced his resignation to the board effective Wednesday, January 8, 2020.

Vice-Chairman Mike Shelton asked if there is anything else that needs to be mentioned or discussed. There was nothing further. Bob Jacobson moved for a motion to adjourn the meeting. Darrell Ginn seconded the motion. The motion passed unanimously. The meeting was adjourned.

Minutes prepared by: Lynette Anderson
Lynette Anderson, Secretary

APPROVED THIS 3 DAY OF March, 2020.

JEFFERSON COUNTY BOARD OF ZONING APPEALS

BY: Mike Shelton
~~ROBERT J. JACOBSON, Chairman - Vice~~
Mike Shelton