

MINUTES
BOARD OF ZONING APPEALS
May 6, 2020 at 5:00 o'clock P.M.
VIA ZOOM

MEMBERS PRESENT: ROBERT J. JACOBSON, MIKE SHELTON, VIRGINIA FRANKS,
DARRELL GINN and DAVID FERGUSON

VISITORS PRESENT: BRIAN HART, DANIEL JONES, MIKE HAZELWOOD and MIKE
FLINT, Representing Deputy Volunteer Fire Department

STAFF PRESENT: MIKE PITTMAN, Surveyor, PAT MAGRATH, Attorney, and
LYNETTE ANDERSON, Secretary, (Jim Dierdorf-Bereavement
leave)

Chairman Robert Jacobson called the meeting to order. A quorum was present as no members were absent. Since the meeting was held via ZOOM and this was our first electronic meeting, the only items discussed were the application items; minutes from the March 3, 2020 meeting were not discussed.

New business as follows:

- **Brian Hart**, 4452 E Wolf Run Rd., Madison, IN, Madison Township, containing 12.66 acres, requested a variance from developmental standards from the required ninety (90) feet setback from center of road to sixty-six and half (66 ½) feet from center of road. Mr. Hart is adding a 16' x 26' addition to his home. The property is zoned AG. All certified mail return receipt requested cards were turned in. There were no objections. However, the land owner to the back had a concern about the back property line setback being met. The setback for a back property line is thirty-five (35) feet and Mr. Hart measured approximately ninety-eight (98) feet from the back property line. Robert Jacobson said the issue before the board is the center of the road setback and not the back property line. Mr. Hart said he agreed, but he told the neighbor he would mention the neighbor's concern. There was one correspondence in favor of the variance mailed to the Surveyor/Planning & Zoning Office from Jerry & Jo Ann Hall. Mr. Hart told the board the Lauderbaughs (neighbor) called him and said they have no objections to the variance. Virginia Franks made a motion to approve the application. Mike Shelton seconded the motion. The 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 is an addition to existing structure*. 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 will increase the value*. 3. The strict application of the terms of the zoning ordinance *will* result in practical difficulties in the use of the property because *short on center of road setback*. **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*.

- **Daniel Jones**, 2899 E Geyman Rd, Madison, IN, Shelby Township, containing 6.927 acres, requested a variance from developmental standards from the required twenty-five (25) feet setback from side property line to eleven (11) feet from side property line. Mr. Jones wants to build a 40' x 40' x 12' addition to his existing garage. The adjoining property owner of the side property line has no objection to the addition being eleven (11) feet to the property line. The property is zoned AG. All certified mail return receipt requested cards were turned in. There were no objections. Darrell Ginn made a motion to approve the application. Mike Shelton seconded the motion. The 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 *the land is agricultural and does not pose any problems*. 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 *as it is zoned agricultural and it will increase value of properties*. 3. The strict application of the terms of the zoning ordinance *will* result in practical difficulties in the use of the property because *as the setback is not met and the existing garage is already as close as eleven (11) feet*. **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*.
- **Deputy Volunteer Fire Department, represented by Mike Hazelwood and Mike Flint**, 14275 W Mulberry St., Deputy, IN, Graham Township, requested a variance from developmental standards from the required thirty-five (35) feet setback from front yard property line to (twenty-two) 22 feet on the northwest side of the new building and twenty-eight and eighty-five hundredths (28.85) feet on the northeast side of the new building. Also requesting a variance from developmental standards from the required ten (10) feet setback from side yard property line to seven (7) feet from the east side yard property line and six and four tenths (6.40) feet from the west side yard property line. Applicant needs to rebuild the Deputy Volunteer Fire Department as it burned on December 17, 2018. The new fire station will be 10,118 square feet. The property is zoned R-4 Low Residential. All but one certified mail return receipt requested cards were turned in and one proof of mailing was turned in. Mike Hazelwood told the board the new building won't sit much differently than where the old building sat (front of the building); it will be a little longer on each side. There were no objections. Mike Shelton made a motion to approve the motion. Virginia Franks seconded the motion. The 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 will be a blessing to 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 because *it will increase value and helps on insurance costs*. 3. The strict application of the terms of the zoning ordinance *will* result in practical difficulties in the use of the property because *it is short of the approved amount of setback*. **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*.

Other business/misc items not on agenda as follows:

- **Next Meeting:** Lynette Anderson, Secretary, told the board the next meeting will be held via ZOOM on Wednesday, June 3, 2020. The Courthouse will be closed on Tuesday, June 2, 2020 for voting hence moving the June BZA meeting to Wednesday, June 3, 2020. (With COVID-19 restrictions still in place, the meeting will be held via ZOOM)

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

Minutes prepared by: Lynette Anderson
Lynette Anderson, Secretary

APPROVED THIS 3 DAY OF June, 2020.

JEFFERSON COUNTY BOARD OF ZONING APPEALS

BY: Robert J. Jacobson
ROBERT J. JACOBSON, Chairman