

MINUTES
BOARD OF ZONING APPEALS
September 1, 2020 at 5:00 o'clock P.M.

Held at the Brown Gym, 100 Broadway, Madison, IN 47250

MEMBERS PRESENT: MIKE SHELTON, VIRGINIA FRANKS, DARRELL GINN and DAVID FERGUSON

VISITORS PRESENT: TAMMY ROSE, ALBERT ROSE, RAY ROSE, GAYLE ROSE, WAYNE KEETON and JEFF FISSE

STAFF PRESENT: MIKE PITTMAN, Surveyor, LYNETTE ANDERSON, Secretary, and by phone, PAT MAGRATH, Attorney

Vice-Chairman Mike Shelton called the meeting to order. A quorum was present with Bob Jacobson absent. Darrell Ginn made a motion to approve meeting minutes of August 4, 2020. David Ferguson seconded the motion. Motion passed unanimously. There were no communications.

New business as follows:

- **Wayne Keeton**, 3521 N China Manville Road, Madison, IN, Milton Township, containing 9.648 acres, requested a variance from center of road. Mr. Keeton is requesting eighty-six (86) feet setback from center of road and wants to build a 6' x 24' porch on the back side of his home. The house was in existence before the ninety (90) feet ordinance was in place. The property is zoned AG. All certified mail return receipt requested cards were turned in. There were no objections. David Ferguson made a motion to approve the application. Darrell Ginn 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 *house is already closer to road.* 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 *will increase value.* 3. The strict application of the terms of the zoning ordinance *will* result in practical difficulties in the use of the property because *of ordinance.* **Decision-** The Jefferson County Board of Zoning Appeals voted to *approve* the application for a variance from center of road in this matter with members voting as follows: *4-0 approved.* Conditions of Variance from developmental standards are as follows: *None.*
- **Derek Fisse**, represented by Jeff Fisse, 3560 N Ryker's Ridge Road, Madison, IN, Madison Township, containing 2.529 acres, requested a variance from center of road. Mr. Fisse is requesting eighty-five (85) feet setback from center of road and wants to build a 28' x 15' addition to his existing building. The property is zoned AG. All certified mail return receipt requested cards were turned in. There were no objections. Virginia Franks made a motion to approve the application. Darrell Ginn 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 *same distance as existing building.* 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 *increase value of area*. 3. The strict application of the terms of the zoning ordinance *will* result in practical difficulties in the use of the property because *ordinance says you can't do this*. **Decision-** The Jefferson County Board of Zoning Appeals voted to *approve* the application for a variance from center of road in this matter with members voting as follows: *4-0 approved*. Conditions of Variance from developmental standards are as follows: *None*.

- **Albert Rose**, 4708 N Scotts Ridge Road, Madison, IN, Milton Township, containing 19.717 acres, requested a variance from center of road. Mr. Rose is requesting forty (40) feet setback from center of road and wants to build a 40' x 24' garage. The property is zoned AG. All certified mail return receipt requested cards and proofs of mailing were turned in. There were no objections from the audience. David Ferguson expressed concern the forty (40) feet is awful close to the road and the map shows a curvature in the road. Mr. Rose explained to the board the layout of his property, septic site, and house site. He also told the board the property just got deeded to him by his Father and is actually 8.41 acres. Mr. Rose stated there is a berm on the road and the land sets higher than the road. There was much discussion on the layout of land, buildings and septic. David Ferguson said he would like to see more pictures and Virginia Franks said she would like to visit the property. Virginia Franks made a motion to table the application until the next meeting. David Ferguson seconded the motion. The motion passed unanimously. The application will be heard at the next meeting.
- Other business/misc items not on agenda as follows:
 - Lynette Anderson, secretary, mentioned to the board to be thinking of names to replace the board members whose terms will be up at the end of this year. Bob Jacobson will not be seeking re-appointment. Virginia Franks' term is also up at the end of this year; however, she is undecided if she will be seeking re-appointment. We need to discuss this in the October & November meetings.
 - **Next Meeting: Tuesday, October 6, 2020, at 5:00 o'clock P.M. Location TBA**
****The October 6th meeting will be held at the 4-H Community Building, 3767 W SR 256, Madison, IN 47250.****

David Ferguson 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 6 DAY OF October, 2020.

JEFFERSON COUNTY BOARD OF ZONING APPEALS

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