

WHITELAND BOARD OF ZONING APPEALS
SEPTEMBER 5, 2013

THE MEETING BEGAN AT 7:07PM

PLEDGE TO THE FLAG

PRESENT: RICHARD HILL, JUANITA EMERY, ANTHONY PAPPAS

ABSENT: BYRON TEMPLE

OTHERS PRESENT: DENNIS CAPOZZI-TOWN MANAGER/BUILDING COMMISSIONER, NATHAN BILGER-PLANNING AND ZONING DIRECTOR, MICHELLE R. RICHARDS-CLERK/TREASURER, AND STEPHEN WATSON – TOWN ATTORNEY

JUANITA EMERY MADE THE MOTION TO APPROVE THE MINUTES FROM APRIL 4, 2013. RICHARD HILL SECONDED THE MOTION AND PASSED 3-0.

2013-V-1 MICHELLE AND WILLIAM WALLACE: DEVELOPMENT STANDARDS VARIANCE TO REQUEST ENCROACHMENTS INTO REQUIRED SIDE AND REAR YARDS, 640 WOODRUFF STREET. NATHAN BILGER REVIEWED HIS STAFF REPORT WITH THE BOARD. STAFF SUPPORTS THE VARIANCE REQUEST, WITH THE ONE CONDITION THAT THE MINI BARN SHALL BE LOCATED BEHIND THE EXISTING CARPORT (PROPOSED ENCLOSED GARAGE), NO CLOSER TO THE SIDE PROPERTY LINE THAN THE EAST EDGE OF THE CARPORT. MICHELLE R. RICHARDS SWORE IN WILLIAM AND MICHELLE WALLACE, WHO PRESENTED INFORMATION ON THEIR REQUEST. RICHARD HILL OPENED THE PUBLIC HEARING. RICHARD HILL CLOSED THE PUBLIC HEARING.

NATHAN BILGER READ THE FINDINGS

QUESTION #1 PASSED 3-0.

QUESTION #2 PASSED 3-0.

QUESTION #3 PASSED 3-0.

RICHARD HILL MADE THE MOTION TO APPROVE THE VARIANCE REQUEST AS PROPOSED, WITH THE CONDITION MADE IN THE STAFF REPORT AND TO ADOPT STAFF WRITTEN FINDINGS OF FACTS AS THE BZA FINDINGS OF FACTS. JUANITA EMERY SECONDED THE MOTION AND PASSED 3-0.

2013-AA-02 BEESON MECHANICAL SERVICE, ADMINISTRATIVE APPEAL REGARDING THE DURATION OF TEMPORARY PORTABLE SIGNS, 501 MAIN STREET. STEPHEN WATSON EXPLAINED THE PROCESS. NATHAN BILGER REVIEWED HIS STAFF REPORT AND MADE THE BOARD AWARE OF THE TOWN'S CODES. RICHARD HILL OPENED THE PUBLIC HEARING. STEPHEN WATSON SWORE IN LESLIE BEESON, DENNIS CAPOZZI AND CHARLES HOWARD - AUDIENCE MEMBER.

PETITIONER: LESLIE BEESON WITH BEESON MECHANICAL, 501 MAIN STREET, WAS PRESENT AND EXPLAINED THE CHAIN OF EVENTS WITH THE YARD SIGN PLACED ON THE PROPERTY. MRS. BEESON IS REQUESTING: 1. TO BE ALLOWED ANOTHER 39 DAYS IN THE 180 DAY PERIOD THAT BEGAN WHEN THE SIGN WAS FIRST PLACED ON APRIL 26, 2013. 2. WANTS SIGN ORDINANCE UPDATED. 3. TWO PERMITS FREE OF CHARGE DUE TO THE FEES PAID TO FILE THE APPEAL.

BUILDING COMMISSIONER DENNIS CAPOZZI EXPLAINED HIS INTERPRETATION OF THE SIGN CODE, PAST ENFORCEMENT PROCEDURE, AND REASONING FOR THE DENIAL OF THE SECOND SIGN PERMIT.

PUBLIC QUESTIONS: CHARLES HOWARD- SOUTHPOINTE CHURCH ON WEST STREET: POSED QUESTIONS REGARDING THE IMPACT OF THE BOARD'S DECISION ON THE COMMUNITY AT LARGE. THE BOARD CONSIDERED THE QUESTIONS, BUT DID NOT ANSWER THEM DUE TO NOT BEING ON THIS SUBJECT.

THE BOARD DISCUSSED THE INFORMATION PRESENTED AND VARIOUS CODES.
ANTHONY PAPPAS MADE THE MOTION TO DENY THE APPEAL, WITH THE STIPULATION THAT THE PETITIONER COULD PLACE THE EXACT SAME SIGN AS PERMITTED ON APRIL 29TH ON THE PROPERTY FOR THE REMAINING CONTINUOUS 39 DAYS, BEGINNING 9/11/13. JUANITA EMERY SECONDED THE MOTION AND PASSED 3-0.

NATHAN BILGER - WORKING ON CODE UPDATES PROPOSED TO PLAN COMMISSION IN NEXT COUPLE MONTHS: SIGN AND PARKING CODES.
OPEN SEAT ON BOARD OF ZONING APPEALS: THIS SHOULD BE DISCUSSED AT THE OCTOBER COUNCIL MEETING.

THE MEETING ADJOURNED AT 8:55PM.
PASSED BY THE TOWN OF WHITELAND BOARD OF ZONING APPEALS ON THIS _____ DAY OF _____, 2013.

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NAY

RICHARD HILL

RICHARD HILL

ANTHONY PAPPAS

ANTHONY PAPPAS

JUANITA EMERY

JUANITA EMERY

BYRON TEMPLE

BYRON TEMPLE

VACANT

VACANT

ATTEST:

MICHELLE R. RICHARDS, IAMC, CMC