

MINUTES OF THE  
**JEFFERSONVILLE BOARD OF ZONING APPEALS**  
MAY 26, 2020

**Call to Order**

Chairman Mike McCutcheon calls to order the Board of Zoning Appeals meeting It is Tuesday May 26, 2020, it is 7:00 pm in the Mayor's Conference Room, Jeffersonville City Hall, 500 Quartermaster Ct., Jeffersonville, Indiana. The meeting was held online via the Zoom web platform and Facebook Live.

**Roll Call**

Members present were Mike McCutcheon, Dave Stinson, Rodger Clarke, and Duard Avery. Christopher Fox joined the meeting at 7:07pm. Also present were Chad Reischl, Planning & Zoning Director; Les Merkley, Planning & Zoning Attorney; Shawn Dade, Secretary; and Shelby Moore, Planning & Zoning staff. Mike McCutcheon and Shawn Dade were in the mayor's conference room. All others present via Zoom. Also present in the City Hall lobby to present public participation was Shelby Moore.

**(Secretary's Note: All plat maps, photos, etc. presented before the Plan Commission on this date can be found in the office of Planning & Zoning.)**

**Approval of Minutes**

Approval of the minutes from April 28, 2020. Rodger Clarke made a motion to approve April 28, 2020 minutes, seconded by Dave Stinson. Roll call vote. Motion passed 4-0.

Mike McCutcheon stated before we get started tonight we have had a couple items that have been tabled. Items BZA-20-14 and BZA-20-26.

**Oath**

Les Merkley issued the oath. When you speak, please state your name and acknowledge you took the oath.

**Old Business**

No Old Business

**New Business**

**BZA-20-14 Development Standards Variance – Tabled**

**BZA 20-25 Development Standards Variance**

Charles and Deeanna Alford filed a Development Standards Variance application for property at 3920 Charlestown Pike. The property is zoned R1 (Residential). The proposed request is for an accessory structure in excess of development standards. The Docket Number is BZA-20-25.

Deanna Alford stated we would like to put up an outdoor above ground swimming pool. The fence has already been installed.

Open public comment. No comment. Closed public comment.

Move to findings.

The Board of Zoning Appeals of the City of Jeffersonville, having heard the application for variance described above, and all opposition from parties claiming to be adversely affected thereby, does now enter the following findings:

1. The variance of the development standards will not be injurious to the public health, safety, morals, and general welfare of 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.
3. The strict application of the terms of the Zoning Ordinance will result in a practical difficulty. This situation shall not be self-imposed, nor be based on a perceived reduction of or restriction of economic gain.

Based on the findings described above, the Board does now approve this application. So ordered this 26<sup>th</sup> day of May, 2020.

Mr. Fox joined the meeting at 7:07pm.

#### **BZA-20-26 Development Standards Variance – Tabled**

#### **BZA-20-27 Development Standards Variance**

Chase Murphy with Murphy Homes filed a Development Standards Variance application for property at 120 Fairview Ave. The property is zoned M1 (Residential). The proposed development is a five (5) lot subdivision. The Docket Number is BZA-20-27.

Chase Murphy with Murphy Homes. There is a pre-platted property on Fairview. We are wanting to plat it with 5 single family residences. We received a favorable recommendation to rezone from M1 to R3.

Open public comment. No comment.

We spoke with Mr. Bennett from 201 Fairview. He had concerns about traffic and drainage. We referred him to the Engineering Department. Mr. Bennett did not reach back out.

Shelby Moore stated on Facebook during the previous meeting, Will Hyatt stated he was in favor of the project.

Closed public comment.

Moved to findings.

The Board of Zoning Appeals of the City of Jeffersonville, having heard the application for variance described above, and all opposition from parties claiming to be adversely affected thereby, does now enter the following findings:

1. The variance of the development standards will not be injurious to the public health, safety, morals, and general welfare of 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.

3. The strict application of the terms of the Zoning Ordinance will result in a practical difficulty. This situation shall not be self-imposed, nor be based on a perceived reduction of or restriction of economic gain.

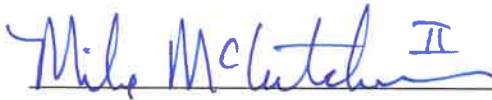
Based on the findings described above, the Board does now approve this application. So ordered this 26<sup>th</sup> day of May, 2020.

**Reports from Director and Staff**

Chad Reischl stated I announced this to the Plan Commission earlier, but next month we are going to kick off our complete zoning code revision. We will be taking the Zoning Ordinance and combining it with the Subdivision Control Ordinance to create a Unified Development Ordinance. We will do this in house, and will be asking for assistance from you all during this. We would like for you all to attend that Plan Commission meeting next month for this kick off.

**Adjournment**

There being no further business to come before the Plan Commission the meeting was adjourned at 7:15 pm.



Mike McCutcheon, Chair



Submitted by: Shawn Dade, Secretary

