

MINUTES OF THE
JEFFERSONVILLE BOARD OF ZONING APPEALS

July 28, 2020

Call to Order

Chairman Mike McCutcheon calls to order the Board of Zoning Appeals meeting It is Tuesday July 28, 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, Christopher Fox, Dave Stinson, Rodger Clarke, and Duard Avery. Also present were Chad Reischl, Planning & Zoning Director; Les Merkley, Planning & Zoning Attorney; Shawn Dade, Secretary; and Shelby Moore, Planning & Zoning staff. Mike McCutcheon was 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 June 30, 2020. Mr. Fox made a motion to approve June 30, 2020 minutes, seconded by Mr. Clarke. Roll call vote. Motion passed 5-0.

Mr. McCutcheon stated before we get started tonight we have had an item to be tabled. Item BZA-20-13.

Approval of Findings of Fact

Mr. Fox made a motion to approve the Findings of Fact, seconded by Mr. Clarke. Roll call vote. Motion passed 5-0.

Oath

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

New Business

BZA-20-35 Development Standards Variance

Neal Kamer filed a Development Standards Variance application for property at 2524 Coopers Lane. The property is zoned R2 (Residential). The proposed development, Gaily Subdivision, consists of four residential lots. The Docket Number is BZA-20-35.

David Blankenbeker stated he took the oath. I am here with Mr. Kamer. This has been approved by the Plan Commission last month for the preliminary plat. This will be 4 lots, and be single family homes. They will be 4 bed 2 bath homes, and priced between \$225K-\$250K. We need a few variances. We are slightly under the minimum lot size. The average lot size would be enough, but there is a detention area and parking area. Also the driveway needs to be closer than allowed for

safety reasons. The minimum lot frontage is not actually the width, its just that these front on a private road, and zero feet of frontage on a public road.

Open public comment.

Ronald Hetz asked what I want to know is about the retention pond. Where is that going to drain to? What is that going to be? That will border my property within feet. Where is that going to drain to? Is it going to hold water, or is it going to drain it away?

Closed public comment.

David Blankenbeker stated the plans that are submitted show two drainage basins, one at the front and one at the rear. These are preliminary, as we have not yet gone to the drainage board. They will have to approve our plans. These are detention basins not retention basins, and will be dry 99% of the time. It only holds during and immediately after a heavy rain event. They will drain the runoff will leave the site at the same rate as it does now. It will leave on the same low side. With regards to maintenance, there will be for the HOA to maintain.

Chris Fox asked how big the turnaround is going to be?

David stated it is about the same size as a parking space – 10x20.

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 28th day of July, 2020.

BZA 20-36 Development Standards Variance

Andrew Schad filed a Development Standards Variance application for property at 1711 E 10th Street. The property is zoned C1 (Commercial). The proposed development is an office building. The Docket Number is BZA-20-36.

Andrew Schad stated he took the oath. We have an old bank building that is a uniquely shaped lot. We are wanting to access the easement where the storage building abut to put in new parking spaces with wheel stops. Also, I need relief from the setback and will be adding new landscaping, and am trying to clean the property up.

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 28th day of July, 2020.

Reports from Director and Staff

Chad Reischl stated the last zoning code update was in 2001. Earlier this year the mayor stated updating the zoning code was a priority. Last year we sent out RFQ to assess the costs to the city. The costs were between \$100K and \$200K. Then COVID hit. While it is difficult and time consuming, I feel the Planning staff has the expertise to do the update in house. We feel it is doable. While my sense the pace of development is not slowing, but we don't know how the future will go. So I want to introduce my plan to create a new Unified Development Ordinance. *(Secretary's note – Chad Reischl shared his screen and shared a presentation.)*

Adjournment

There being no further business to come before the Plan Commission the meeting was adjourned at 7:28 pm.



Mike McCutcheon, Chair



Submitted by: Shawn Dade, Secretary