

**Shelby County Board of Zoning Appeals
Meeting Minutes
September 14, 2021**

Members Present:

Kevin Carson
Dave Klene
Doug Warnecke
Jim Douglas
Rachel Ackley

Members Absent:

None

Staff Present:

Desiree Calderella – Planning Director
Jody Butts – Board Attorney

Call to Order and Roll Call:

Kevin Carson called the meeting to order at 7:00 pm in Room 208 A at the Court House Annex, Shelbyville.

Approval of Minutes

Doug Warnecke made a motion to approve the minutes from August 10, 2021. Dave Klene seconded the motion. The minutes were approved 5-0.

New Business:

BZA 21-29 – WILLIAM & SHANNON CALLON: DEVELOPMENT STANDARDS VARIANCES – To allow a new single-family dwelling 19-feet from the west property line (minimum 30-foot setback required) [UDO Section 2.12] and a driveway 28-feet from a driveway on adjoining property (60-foot separation required) [UDO Section 5.18 A 2]. Located at 7988 W Shelby 250 S, Franklin, Hendricks Township.

Desiree Calderella read the petition into the record and stated that Staff recommends approval.

William Callon explained that he would prefer to have the house face the road and to use the existing driveway.

The Board opened the hearing for public comment.

Nathan Stickford, who owns property at 8038 W Shelby 250 S, expressed concerns that the existing septic system may not accommodate the new house, that enough space would exist between the house and property line to maneuver machinery to the rear yard without maneuvering over the property line, and about removal of a property line stake.

Alan Gluff, who owns property at 7874 W Shelby 250 S, indicated approval of the variance would improve the surrounding area.

The Board closed the public comment portion of the hearing.

Q: Kevin Carson – Would the Health Department need to approve use of the existing septic system?

A: Desiree Calderella – Yes, the Health Department would review the septic plans during Site Plan review.

Q: Kevin Carson – Have you placed the house in the proposed location to use the existing driveway?

A: William Callon – Yes.

Q: Kevin Carson – Do you know about the stake removed from the property line?

A: William Callon – No, the surveyor measured off a stake in the center of the road.

Q: Rachel Ackely – The front of the house will line up with the house to the east?

A: William Callon – Yes.

Doug Warnecke made a motion to vote on the petition and Rachel Ackley seconded the motion. The petition was **APPROVED 5-0**.

The Board adopted the following findings of fact:

1. The approval will not be injurious to the public health, safety, 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 Shelby County Unified Development Ordinance will result in a practical difficulty in the use of the property.

Old Business

BZA 21-24 – CHARLES WILLIAMS & KAYLEIGH KEENER: USE & DEVELOPMENT STANDARDS VARIANCES – To allow for an event venue in the RE (Residential Estate) District [UDO Section 2.11]. Also, to allow for two primary structures [UDO Section 2.12], grass parking area [UDO Section 5.60 A], and a small commercial sign [UDO Section 5.73]. Located at 3615 W 1200 N, New Palestine, Moral Township.

Desiree Calderella read the petition into the record.

A representative for the petition did not appear.

Jim Douglas made a motion to dismiss the petition. Doug Warnecke seconded the motion. The petition was **DISMISSED 5-0**.

Discussion

Resolution 2021-01: Resolution of the Shelby County Board of Zoning Appeals establishing the policy by which members of the Board of Zoning Appeals may participate by electronic means of communication.

Desiree Calderella provided an overview of the resolution.

Doug Warnecke made a motion adopt the resolution and Jim Douglas seconded the motion. The resolution was **ADOPTED 5-0**.

Adjournment:

With no further business to come before the Board, Jim Douglas moved to adjourn, and Dave Klene seconded the motion. The meeting was adjourned.

President	Date
Kevin Carson	

Secretary	Date
Dave Klene	