

Sellersburg Board of Zoning Appeals

The minutes as written are not verbatim from the meeting.

Call to Order:

President Vincent C. Thacker, Jr. called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00pm at Sellersburg Town Hall, 316 East Utica St on November 19th, 2018.

Roll Call:

Members present: President Vincent C. Thacker, Jr., Charles Popp, Randall Mobley & Dennis Amos. BZA attorney Jake Elder in attendance. Plan Commission president Martina Webster present and takes notes.

Approval of Minutes:

Randall Mobley motions to approve the Oct 15, 2018 meeting minutes, seconded by Charles Popp. Motion approved 4-aye, 0- nay.

Unfinished Business:

BZA appeals procedures

Motion to table appeals procedures by Charles Popp. Seconded by Dennis Amos. Motion approved 4 aye- 0 nay.

New Business:

Petition 1018-001 401 N Indiana requesting use variance for business Cloud 9. Currently zoned R-1. Attorney Jake Elder confirms the petitioner sent out notices to adjacent property owners.

Motion to close BZA meeting by Mobley, second by Amos at 6:04pm. Approved 4-0. Motion to open public meeting at 6:05pm by Popp, seconded by Mobley. Motion approved 4 aye- 0 nay.

Petitioner advises they purchased the property Sept 1, 2018. Parcel is surrounded by business or rental property. The petitioners have all required permits.

At 6:19 Randall Mobley motions to close public hearing and Amos seconds. Motion approved 4-0. Randall Mobley motions to reopen BZA meeting at 6:20pm, Popp seconds. Motion passes 4-0.

Findings of Fact per IC 36-7-4:

- 1) Popp makes a motion that the variances will not be injurious to public health. Amos seconds. Motion approved 4-0.
- 2) Mobley offers a motion that the variances will not have substantial adverse impact on neighbors. Popp seconds. Motion approved 4-0.
- 3) Mobley makes a motion that the need for a variance arises because of a peculiar facet of the parcel. Amos seconds. Motion approved 4 aye- 0 nay.
- 4) Popp motions that the strict application of zoning ordinances will restrict the use of the property. Amos seconds. Motion passes 4-0.
- 5) Mobley motions that approval of the variance does not substantially conflict with the comprehensive plan. Seconded by Popp. Motion approved 4 aye- 0 nay.

Petition 1018-001 approved with the special condition that the variance is granted for this massage business (Cloud 9) only.

Nov 19, 2018 meeting minutes

Adjourn:

Motion to adjourn by Dennis Amos. Charles Popp seconded. Motion approved 4-aye, 0-nay. Meeting adjourned by President Vincent C Thacker, Jr at 6:35pm.

Vincent C. Thacker, Jr. President

Francis A. Conroy, Vice President

Dennis V. Amos, Member

Randall W. Mobley, Member

Charles E. Popp, Member

Attest: