

BOARD OF ZONING APPEALS

JANUARY 20, 2009

MEMBERS PRESENT: Jim Biles, Steve Moore, Jean Johannigman, Roy Middendorf, Lynne Wells.

President Roy Middendorf called the meeting to orders. The secretary's report was amended as follows. Added to the minutes: The Greensburg Community Church was on the agenda but was not present for the meeting. The issue was tabled until the January meeting. Jean made a motion to approve the minutes as corrected. Steve seconded. All ayes. Minutes approved.

Roy opened the nominations for president of the Board of Zoning Appeals for 2009. Lynne made a motion to keep Roy as president. Steve seconded. Jim made a motion for the nominations to be closed. Lynne seconded. All ayes to close nominations for president. Vote taken by role to accept Roy as president. Jim yes, Steve yes, Jean yes, Lynne yes. Motion carried. Roy opened the nominations for Vice President. Jim nominated Jean for vice president. Lynne seconded. Jim made motion to close nominations for vice president. Lynne seconded. Vote taken by role to accept Jean as Vice President. Jim yes, Steve yes, Roy yes, Lynne yes. Motion carried. Roy asked for a motion to keep Nancy Schimel as secretary. Lynne made a motion to keep Nancy as the secretary for 2009. Jim seconded. All ayes.

ITEM 1: Greensburg Community Church is requesting a permanent variance for the portable classroom building. A handicap ramp has been installed and they would like to keep this building for a few more years. This was tabled at last months meeting. Jeff Beggs representing the church addressed the board. He informed the board the building has been used every Sunday and will be used until a larger project can be done. Kathy informed the board they could grant another one year exception instead of permanent. A discussion took place among the board members whether to grant a one or two year exception. Scott Chasteen, Fire Chief, informed the board that the church has abided by all the fire codes. Lynne made a motion to grant a two year exception on the portable classroom. Steve seconded. Vote taken by role. Jim yes, Steve yes, Jean yes, Roy yes, Lynne yes. Motion carried.

ITEM II: Deanna Pacilio 525 N Broadway St, owner of Pacilio Chiropractic is requesting a special exception for a conditional use of her practice within her residence. This would be a part-time business and would not be open on weekends. Dr Pacilio addressed the board. She explained the appointment scheduling and the reason she wants to be located out of her home. Her work hours would be 9:00 AM through 4:30 PM. Jean asked if there was off street parking. Dr. Pacilio said her and her staff would be parking in the back but the patients would be parking in front of her home off the street. A discussion took place about the parking. Howell Ritter, son of Lee Ritter who lives across the street at 528 N Broadway voiced objection about the parking. His elderly mother and uncle lives across the street and she is afraid that the patients will take their spots in front of their home. Lynne said she has driven Broadway on many days and there is no line of traffic on the west side parking. Scott Chasteen, Fire Chief, doesn't see anything wrong with the parking. Roy asked Fred Hoosier, police officer at the meeting if there was ever a traffic issue on that part of Broadway. Fred said in his 35 years as a police officer there has not. Jean asked Dr Pacilio if granted a one year if that would be good to monitor the parking issue. Dr Pacilio said that would be ok. It would give her a chance to see if the practice out of her home would work. Howell Ritter expressed that he feels this would be a hardship on his mother if her parking space in front of her home was taken and she or his uncle would have to walk far. Lynne reminded Mr. Ritter that off street parking is public parking and that anyone can park there. Scott suggested that Mr. Ritter might look into getting a handicap sign for in front of his mothers home but told him that any one who is handicap could park there. The Mayor said that there are three parking spaces in front of the house and if the Dr could tell the patients to park there. Dr. Pacilio said yes and that the

patient should not overlap very much. Jim made a motion to approve the special exception including meeting all proper fire codes and no more than 20 hours per week and approve signage within code. Steve seconded. Vote taken by role: Jim yes, Steve yes, Jean yes, Roy yes, Lynne yes. Motion carried.

Roy asked the board about moving the time of the meeting to 7:00 pm starting in February. Reason for this is the city attorney comes out of Columbus and the Mayor wants to move the water board to 6:30 pm on the third Tuesday so all three meetings, Water Board, Board of Zoning Appeals, and Plan Commission can be on the same night. All board members said 7:00pm was ok.

Jean made a motion to adjourn:

Meeting adjourned at 7:14pm.

President

Secretary