## **BOARD OF ZONING APPEALS**

## **JANUARY 18, 2011 7:00PM**

**MEMBERS PRESENT:** Jim Biles, Steve Moore, Janet Alloy, Roy Middendorf, Lynne Wells.

Roy Middendorf, President called the meeting to orders. Roy opened the floor for nominations for President for 2011. Jim made a motion to nominate Roy. Janet seconded. Janet made a motion nominations be closed. Jim seconded. All ayes. Vote taken by role for Roy to be President: Jim yes, Janet yes, Steve yes, Lynne yes, Roy yes. Motion carried. Roy opened the floor for nominations for Vice President. Jim made a motion for Lynne Wells to be Vice President. Janet seconded. There were no other nominations. Jim made a motion to close nominations. Steve seconded. All ayes. Vote taken by role for Lynne to be Vice President: Jim yes, Steve yes, Janet yes, Roy yes, Lynne yes. Motion carried.

Item 1 – Daniel and Diane Scheidler, 703 E Main Street is requesting a special exception for a conditional use for an office and display for Wearly Monuments. The property is zoned R-2 one and two family dwellings. This was tabled from December's meeting. Daniel addressed the board with handout amendment from previous meeting. Outdoor display was main concern. Office opened two to three days a week. Traffic would be very light. They moved parking to the back of the house and now have the drive to go around the house. Daniel said the monuments they sell go directly from the company in Muncie to the cemetery. Daniel explained the handout and the placement of the monuments and landscaping. Alvin Blankman, hand Roy Middendorf letter from Charles Brinkley. Alvin is concerned about the changes to the house that would not let it be converted back to a house and that there would be very little yard. Kathy Reynolds, Plan Director, explained what Daniel is asking for. Lynne explained the house will be decorated like a house. Jim Maple has concerns with how the landscaping can be done with the city's easements and is concerned with the tax assessment for his property. Mr. Maple is a no for this project. Roy read the letter from Steve and Nancy Brinkley. Wilder ST, they have no objections except for the trees. Mark Taylor 707 E Main is concerned that the driveway will be used as a bypass for the intersection. He has small children and is afraid for their safety. He also has concerns that this business goes in and next will be example a convenient store. Roy explained that the property is not commercial and explained the board can make stipulations. Keith Meyer said he personally knows Dan and said he is a nice guy and will do a good job. Alvin Blankman knows Dan and is against the project. Bill Wenning said if anyone could clean up Dan could. Bill said it is a bad place to park and backing out is a problem. Herb Scheidler, 519 E Main St, said he has apartments across the street from him and with the constant moving of tenants and the trash that comes with that he would consider a small business a blessing for a neighbor. Scott Chasteen, Fire Chief, met with Dan and just ask the board that all fire codes be considered. Jim made a motion to approve abiding by all fire codes and approved sketches presented by Mr. Schiedler and limited access to both driveways.

Janet seconded. Vote taken by role: Jim yes, Steve yes, Janet no, Roy yes, Lynne yes. Motioned Carried.

Item 2 - Tim Greiwe, 116 E Washington St is requesting to have two businesses located in one building. The location is at the Dawg House Diner. This was tabled from December meeting. Charlie Greiwe addressed the board proposing to use the back of the building as real estate office. Scott and Kathy went to the building and discussed the fire walls need. That has been completed. A special exception is being requested to operate the real estate office. Charlie had pictures that he went over with the board. Kathy informed the board that everything has been done except waiting on fire door to come in. Scott just asked that all fire codes be adhered to. Jim made a motion to approve the special exception adhering to all fired and building codes and sign on side of building with arrow to back of building. Steve seconded. Vote taken by role: Jim yes, Steve yes, Janet yes, Roy yes, Lynne abstained. Motion carried.

Item 3 – Jason Patterson, 714 N Michigan Ave, is asking for a special exception for car lot and retail gun shop. The car lot is already at the location. Chris Tebbe, attorney for Mr. Patterson addressed the board explained what was need for this gun shop at state and federal levels. A new security system has been installed at the location. A letter from Daryl Wagner, property owner across the street, was given to Roy and he read the letter with no opposition. Jason addressed the board and informed them that he has operated the car lot since 2002 and has talked to the neighbors. None of the guns will be in view, there will be no hanging guns and guns will be in a safe at night. Kathy also informed the board that a Federal agent will come to the property and set the hours. Mike Wenning said he knows Jason and he is a reliable person and will do well with this gun shop. Mike thinks it will be a plus for the community. Rick Scudder works for Jason said there has not had any break ins at Wagner's. Rick lives across the street and watches the neighborhood. Jim made a motion to approve the special exception meeting all federal, state law and fire and building codes. Steve seconded. Vote taken by role: Jim yes, Steve yes, Janet yes, Roy yes, Lynne yes. Motion carried. Kathy asked Jason to please see her before putting up any signage.

Item 4 - : Dustin and Hannah Sullivan, 425 S. Broadway St, Greensburg, IN was granted special exception at the October 2010 meeting for a beauty shop in the garage at their home. After the contractor looked at the garage it was not in good enough condition to renovate. Dustin wants to remodel house and use a small bedroom for the beauty shop. Terry Corridan, City Attorney, said no vote was needed.

Janet made a motion to adjourn. Lynne seconded.	Meeting adjourned at 8:11PM.
President	Secretary