

Huntingburg Board of Zoning Appeals

Minutes of the Regular Meeting

Tuesday, July 27, 2016 at 7:00 P.M. Local Time

The Huntingburg Board of Zoning Appeals met in regular session on Tuesday, July 27, 2016 at 7:00 P.M. in the Council Chambers at the Huntingburg City Hall. Members present were Dave Schipp, Mike Schmett, Amy Lehr and Allan Bauernfiend. Board member Mike Broeker was absent. Others present included: Several members from the community and Planning Director, Paul Lake.

Minutes of the January 19, 2016 Board of Zoning Appeals meeting were reviewed and a motion to approve them was made by Amy Lehr. Seconded by Allan Bauernfiend. The minutes were approved.

Board President Dave Schipp announced that the agenda tonight would not have variance requests related to the proposal from Paragus Development for the re-use of what is known as the 'WTH' building on Fourth Street. Paul provided additional information related to this: Paragus Development has withdrawn their request for rezoning and variances for the project at this time. They will hold a public information meeting with Tri-Cap on Tuesday, August 2nd at 6:00 pm at the YMI. This will allow them to introduce themselves to the community, describe their project and to find out what questions or concerns the community may have. Several members of the community present asked questions about the project and were encouraged to attend the August 2nd meeting and direct their questions to the developer.

The next item on the agenda concerned a development standards variance request from Richard & Barbara Lubbehusen, Robert and Kimberli Kerr and Harry and Joann Switzer. The request is to allow for construction of a single family residence on a one (1) acre lot in the Agricultural Zoning district. AG district requires a two (2) acre lot size to allow for septic systems. In the applicant's case, the home will be connected to the existing city sanitary sewer. Paul explained that the property owners had already requested and received approval for a subdivision of the property from the Plan Commission. President Schipp opened the public hearing for this request at 7:12 pm and requested input from the public. There being none, the public hearing was closed at 7:13 pm. A motion to approve the request was made by President Schipp. Following a second by the board. The requested development standards variance was approved by a vote of 4 in favor to 0 opposed.

Paul summarized the request from Boxer Girl, LLC (Hunters Crossing Subdivision). The developer is requesting a development standards variance to allow for a forty (40) foot right-of-way from the entrance to the subdivision on Chestnut Street west to the first lots inside the subdivision. The small lot subdivision ordinance calls for a fifty (50) foot right-of-way. This does not affect the width of the street but allows for the right-of-way to match property ownership lines as 'Stellar Way' approaches Chestnut Street. Paul indicated that during multiple reviews by him, city departments and engineering firms and developer, this was missed. It does not change any other portion of the approved and recorded subdivision: Lot sizes, locations of the lots and right-of-way are all correct with the exception of the entrance onto Chestnut Street. Paul also indicated that the developer Jane Hendrickson and her Engineer, Mike Neikirk, were present for tonight's hearing.

President Schipp posed a question as to whether this might impact infrastructure within the area and subdivision. Paul indicated that the request does not as it only corrects an error in width of right-of-way on the recorded plat. It does not change where the infrastructure is located. Board member Mike Schmett asked what the street width was at the entrance. Mike Neikirk responded.

As this constitutes a public hearing, President Schipp opened the floor to public comments related to the development standards variances at 7:20 pm. There were several members from the community that live along Redbud and Dogwood Court that wished to discuss drainage concerns. President Schipp asked that they allow the board to complete the hearing and vote on the right-of-way variance before moving into a discussion on the drainage. There being no other comments related to the request, the public hearing was closed at 7:25. A motion to approve the requested development standards variance was made by Mike Schmett. Seconded by Amy Lehr. The variance was approved 4-0.

There were several in the audience who believe the subdivision is creating a drainage/flooding problem for them. Paul discussed what has been done and what is to be done to relieve the problems for the area. There are several items outside of the area which are causing problems within the area. Some will require US Army Corp of Engineers guidance to address. He also pointed out that the rain which fell on July 4th and 5th can be considered historic rains and magnified the downstream problems affect. Neikirk Engineering did an extended area drainage study for the city in the fall of 2015. Mike moved to the back of the room to discuss the problems and some of the mid and long range recommendations to fix the problem.

There being no further business to come before the Huntingburg Board of Zoning Appeals, a motion to adjourn was made by Mike Schmett. Seconded by Dave Schipp. Meeting was adjourned at 7:30.

Submitted by: Amy D. Leke
Secretary

Approved by: Dave Schipp Date: 9-19-16
President