

Huntingburg Board of Zoning Appeals
Minutes of the Regular Meeting
Monday, April 17, 2017 at 7:00 P.M. Local Time

The Huntingburg Board of Zoning Appeals met in regular session on Monday April 17, 2017 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. Others present included: Petitioner Kyle Kelley, Rick Powell and Planning Director, Paul Lake.

Planning Director Paul Lake presented a Use Variance request to the Board members. In summary: The petitioner is requesting that they be allowed to operate an auto/truck repair facility (commercial zoning use) in the garage on his property (Residential 2 Zoning District. Paul indicated that Mr. Kelley was unaware at the time he began repair vehicles for others that it required a change in zoning or a use variance. Once it was brought to his attention, he immediately began the petition process. Paul indicated that notices to interested parties were mailed and a notice of public hearing was published in the Huntingburg Press. Paul also informed the board that he had received letters/comments of support (written) which were included in the Board packets. Additionally, he was aware of an interested party that was not in favor of the petition, that he was present tonight and would be providing comments.

The board asked Mr. Kelley several questions concerning his hours of operation, how he got along with his neighbors and what his long-term plans were for growing the business. Mr. Kelley indicated that it initially started as a hobby for him repairing his own vehicles and then grew into doing it for friends and finally doing so as a business. He realizes the current location is too small to truly grow much further and is looking at other larger commercial/industrially zoned properties to move to.

The Public hearing was opened at 7:20 pm and comments from the public were invited. Mr. Rick Powell introduced himself as one of the neighbors living on Walnut Street. His backyard butts up to the city alley which runs north south between 2nd Street and 3rd Street. This alley is the access to the subject garage. He and a few neighbors work nights and believe the garage is noisy and will prevent sleep during the day. A letter indicating their opposition to the request was included in the Board packets. Mr. Powell's wife has health issues which may be further impacted by the operation of the garage. Furthermore, he believes the garage and the gravel on the alley is contributing to the drainage problems which have plagued his back yard for years. He would prefer to see the board Deny the requested Use Variance.

The board asked several follow up questions of both Mr. Kelley and Mr. Powell before closing the public hearing at 7:46 pm. A motion was made by Mike Schmett to approve the Use Variance with the conditions outside storage be kept at a minimum and that hours of operation be kept to: 8 am – 5:30 Monday through Friday and 8 am until noon on Saturday. Dave Schipp seconded the motion. The Use Varaince was approved (4-Ayes, 0-Nays).

There being no further business to come before the Huntingburg Board of Zoning Appeals the meeting was adjourned at 7:50 pm.

Submitted by: Aaron Baurmanfeld
Secretary

Approved by: Dee DeLoach Date: 8-23-17
President