

**Huntingburg Board of Zoning Appeals
Minutes of the Regular Meeting
Wednesday, July 8, 2020 at 5:30 P.M. Local Time**

The Huntingburg Board of Zoning Appeals met in regular session on Wednesday, July 8, 2020 at 5:30 P.M. in the Council Chambers at the Huntingburg City Hall. Members present were Dave Schipp, Mike Fulkerson, Primo Nino, Nick Stevens. Others present included: Planning Director, Paul Lake, city attorney Phil Schneider, Larry Jeffries (petitioner) and Mr. Jeffries daughter.

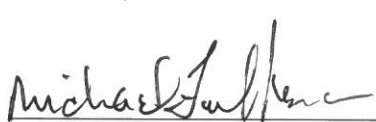
The minutes from the Board of Zoning Appeals meeting held on June 10, 2020 were reviewed and a motion to approve as presented was made by Mike Fulkerson and seconded by Nick Stevens. The minutes for the June 10, 2020 Board of Zoning Appeals meeting were approved.

Planning Director Paul Lake reintroduced the Use Variance request (Docket #2020-UV-1) which the Petitioner Larry Jeffries submitted. The public hearing for this Use Variance Request was opened at 5:53 pm on June 10, 2020, but was continued to July 8t, 2020 to allow Mr. Jeffries additional time to provide better responses to the statutory questions which he must answer and the findings which must be made by the Boards of Zoning Appeals. The public hearing was re-convened at approximately 5:40 pm. The Board thanked Mr. Jeffries for taking time to provide additional information in his responses. The board explained to Mr. Jeffries that the questions for a Use Variance to be granted are straight from state law and that they must agree must that an applicant has be they must agree that each question has been appropriately addressed and meet the required finding. The Board closed the public hearing at 6:12 pm on July 8, 2020. The board then discussed each of the questions and Mr. Jeffrie's responses one by one and indicated whether they believed they could make the required finding. The consensus was that they could not make the appropriate finding for: Question 6 (that the variance did not arise from condition peculiar to the property); and Question 7 (that the applicant had established that the strict application of the terms of the Zoning Ordinance would constitute an unnecessary hardship if applied to the property for which the variance is sought). After explaining to Mr. Jeffries what this meant, Dave Schipp made a motion to deny the Use Variance request. Nick Stevens seconded the motion. The Board of Zoning Appeals denied the variance request 4-0, with Ronald Mundy absent.

Paul informed the board that there were several upcoming Development Standards Variances which would be coming up for consideration. He was waiting to determine whether when the petitions would be completed and ready to be heard. He will let the board know when a meeting is needed.

There being no further business to come before the board, the meeting was adjourned at 6:26 pm.

Submitted by: 
Secretary

Approved by:  Date: 10/28/2020
President