

Board of Zoning Appeals

MEETING DATE: December 21, 2021
TIME: 7:00 p.m.
LOCATION: Pendleton Town Hall
100 W. State Street Pendleton, Indiana

ORDER OF BUSINESS

I. CALL TO ORDER

Meeting was called to order by Chairperson Kyle Eichhorn at 7:00 p.m.

II. ROLL CALL AND DETERMINATION OF QUORUM

Board members in attendance in person were Kyle Eichhorn, Jenny Sisson, Aimee Parker and James King. Board member Jamila Zafar attended virtually. A quorum was established. Individuals representing the Town was Planning Director Kayla Hassett, Planning and Zoning Administrator Hannah Urbanski, Clerk Denise Mckee and Shanna Kelly representing the Town Attorney Jeff Graham. Also, in attendance, were Attorney Lynn Gray, Darren Gray and Laurretta Gray.

III. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Motion to Approve the May 18, 2021 Meeting Minutes made by Jenny Sisson; seconded by Aimee Parker; Roll was taken and all members present voted to approve the May 18, 2021 Meeting Minutes; motion so carried.

IV. OLD BUSINESS

No old business to report.

V. NEW BUSINESS

A. Oath of Office for new commission member James King.

Oath of Office was taken by Attorney (and Notary Public) Lynn Gray.

A. V12212021-01: Variance for a garage at 124 North Main Street – Laurretta Gray

- Hannah Urbanski presented the following information, with application and images provided in presentation and Google Drive:
 - Petitioners Laurretta Gray and Darren Gray, both present.
 - Setback Variance for a garage located on the property of 124 N. Main Street.
 - Dimensions of current and proposed garage at 16Wx20Lx15H.

- Approximate current setback from property line: side at 18"; rear 18".
- Propose as indicated in renderings Craftsman style 1 car garage, with 9 ft. wide garage door.
- Color and material to match existing home and preserve the character of the historical neighborhood.
- Staff recommendation to Approve with Conditions, including the following:
 - Approve: New Garage be built using current setbacks of original garage.
 - Condition: Garage be built to Fire Code for Fire Separation Distances.
 - Condition: North property line be located to assure no building on nearby northern neighbors parcel.
- Proposed project will be nice improvement.
- Petitioners will be working on site with local high school students to construct the new garage.
- Attorney Lynn Gray, in representation of Petitioners Laretta Gray and Darren Gray, reported the following:
 - Home has been in the family for 60 years.
 - Home currently occupied by renter and two children.
 - Building trades at PHHS reached out to Laretta Gray expressing interest in the project.
 - Home located in the oldest subdivision in Pendleton.
 - At time originally built, current standards did not apply.
 - Petitioners intend to go with the same footprint.
 - Petitioners have option to repair, but seek better quality.
 - Sent out 59 notices and all neighbors support the project.
 - Only 1 car garage and esthetics to match current home.
 - No other way to move the structure to have access to the garage.
 - Proposal will enhance the home and neighborhood and does not bring harm.
 - All criteria met to meet Variance request.
 - The following discussions took place:
 - Hannah Urbanski commented that Bryce Owens did submit an email in support of the Variance.
 - Attorney Lynn Gray advised that all of the Planning Department conditions are accepted by the Petitioners.
 - Kyle Eichhorn commented that each criteria outlined in the Findings of Fact have been met.
 - Jenny Sisson added that the petition makes sense and that the project will create an enhancement, with added bonus of youth involvement.
 - Kyle Eichhorn stated that if the survey shows no encroachment, then there should not be any issues.
 - Hannah Urbanski stated that the only other condition than the property line was adherence to the fire safety code.
 - Attorney Lynn Gray stated that the garage is currently being used for storage, but will likely be used for storage and parking once finished.

- Hannah Urbanski stated that she conducted a site visit and the current location of the garage is the only way to configure the garage.

Motion to accept V12212021-01: Variance for a garage at 124 North Main Street (Lauretta Gray) with conditions as stated – 1. Approve: New garage be built using current setbacks of original garage; 2. Condition: Garage be built to Fire Code for Fire Separation Distances; 3. Condition: North property line be located to assure no building on nearby northern neighbors parcel, made by Jamila Zafar; seconded by Aimee Parker; roll call taken and all members present and online voted in favor of motion; motion so carried.

VI. ADJOURNMENT

Meeting was adjourned by Kyle Eichhorn at 7:18 p.m.

Next meeting January 18, 2022 at 7 pm.