

MINUTES
WALTON BOARD OF ZONING APPEALS
Wednesday, April 22, 2015

The meeting of the Walton Board of Zoning Appeals was called to order by Patti Raderstorf at 7:00 PM in the Walton Town Hall, 100 S. Depot Street, Walton, IN.

ROLL CALL:

Members present: Mike Sailors, Aaron Deeter; Patti Raderstorf; and Mac Martin

Member absent: Mike Robison

Staff present: Chris Gaumer and Peggy Dillon

Public in attendance: See sign in sheet

AMENDMENT TO THE AGENDA:

Chris Gaumer asked that the Agenda be amended to include Bylaw Revisions during New Business. Mac Martin motioned to amend the Agenda as presented. Aaron Deeter seconded the motion and all were in favor.

ELECTION OF OFFICERS: Mr. Deeter motioned to retain the current slate of officers as follows: Patti Raderstorf, president; Mike Sailors, vice-president; Mac Martin, secretary. Mike Sailors seconded the motion and all were in favor.

ACTION ON MINUTES:

Mr. Deeter made a motion to approve the minutes from October 14, 2015 as presented. Mr. Martin seconded the motion and all were in favor.

Chris Gaumer reported that proper notification has been met on this case.

Mrs. Raderstorf asked if any members had any contact with the petitioner, advocates or opponents in today's case. All members said they had not.

All wishing to speak were sworn in.

PUBLIC HEARING:

WBZA #15 - 01 A petition of Corn Fed Diesel, Inc. requesting a modification to the approved conditions of approval for WBZA #10-04, Special Exception, for 7 vehicles outside at any given time increased to 20 vehicles. The property is located at 6491 E. 650 S. Walton and is zoned AG, Agricultural.

Chris Gaumer explained the following:

- The Special Exception for the commercial garage will still be allowed after this meeting whether it is approved or denied
- The proposal is for more vehicles, 20, outside due to his business increasing

Mr. Martin stated that he has noticed many more vehicles outside of this business.

Mr. Martin asked if there is adequate space to increase the parking area and whether the parking area will be stone.

Petitioner, Justin Sell, 5344 W. 400 N. explained that the parking area will be expanded and stoned for the additional vehicles.

Mrs. Raderstorf stated her concerns that they have not complied with the conditions of approval on the following issues:

1. The number of vehicles has increased
2. The vehicles are outside longer than 7 days
3. The access lanes are not clearly marked

Justin Sell explained that vehicles are not able to leave until the repairs are finished and paid for. Mr. Sell stated that after a vehicle is diagnosed, it has to wait several weeks before parts are delivered.

Mr. Gaumer stated that the vehicles are kept in an orderly manner,

Mrs. Raderstorf asked if a privacy fence could be installed and Jacob Sell stated that many vehicles would still be seen over the fence.

Mr. Gaumer stated that staff has not received complaints from the neighbors.

Jacob Sell stated that a fence would probably not help but they are willing to add more landscaping in the area.

A letter written from Ann Leach was read with concerns of noise level; fire protection; ground water protection and appearance of the property.

Mrs. Raderstorf asked for further questions from the Board, there were none.

Judy Lucas, 3145 E. 600 S. stated that she has no problem with this business but is concerned of the access to their property to the north.

Jacob Sell stated that the parking expansion will help their access.

Jacob Sell stated that are willing to bring in landscaping and put in traffic stops if necessary.

Rick Lucas, 3145 E. 600 S. spoke in favor of the business.

Mr. Sailors stated that the Corn Fed Diesel business does purchase degreaser products from his business and recued himself from the vote.

The following conditions of approval were read:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

The following commitments were read:

1. That there be no outdoor storage of merchandise such as tires, lubricants and there shall be no outdoor storage of discarded auto parts.
2. That only 20 vehicles be stored outside at any given time.
3. That any parts, supplies, and/or equipment be stored in the building or out of public view.
4. All vehicle be parked in a neat and orderly manner
5. The access area be increased.

The petitioners agreed to these conditions and commitments of approval.

Mr. Martin motioned that this petition be approved for the expansion for 20 vehicles with the conditions as stated. Mr. Deeter seconded the motion. Roll call vote was unanimous to approve WBZA #15-01. The Board completed the findings of fact.

OLD BUSINESS:

None

NEW BUSINESS:

Bylaw Revisions:

Mr. Gaumer explained the amendments to the bylaws that included:

- Eliminate Roberts Rules standard
- Recording Secretary will be appointed
- Applications filed to the Zoning Administrator
- Certificate of Mailing
- Recusals better defined
- Withdrawals of petitions
- Continuance procedures
- Indiana Code changes
- Petitioner signs the recorded commitments

Mr. Gaumer instructed the Board to review the changes and stated that they will be voted on at the next meeting.

There being no further question or comments, the meeting were adjourned at 7:40PM, April 22, 2015.

Officer, WBZA

Officer, WBZA

Recording Secretary