

**City of Batesville
Planning & Zoning
Board of Zoning Appeals
Memorial Building
January 6, 2011
7:00 PM**

Planning Members Present: Dave Raver, Herman Struewing, Doug Amberger, Chris Fairchild, Tony Gutzwiller, Tim Macyauski, Rick Fledderman

Zoning Members Present: Dave Raver, Ken Wanstrath, Doug Amberger, Jim Hortemiller, Mary Kay Cambron

City Clerk-Treasurer: Ron Weigel

Mary Kay Cambron made a motion, seconded by Herman Struewing, to approve the minutes from the previous meeting. All ayes so passed.

Chris Fairchild made a motion, seconded by Herman Struewing, to elect Dave Raver, as president, of the Batesville Planning & Zoning Commission. All ayes so passed.

Tony Gutzwiller made a motion, seconded by Chris Fairchild, to elect Doug Amberger, as vice-president, of the Batesville Advisory Planning Commission. All ayes so passed.

Herman Struewing made a motion, seconded by Tony Gutzwiller, to elect Doug Amberger as a representative from the Planning Commission to the Batesville Board of Zoning Appeals. All ayes so passed.

Ken Wanstrath made a motion, seconded by Mary Kay Cambron, to elect Dave Raver, as president, of the Batesville Board of Zoning Appeals. All ayes so passed.

Doug Amberger made a motion, seconded by Jim Hortemiller, to elect Ken Wanstrath, as vice-president, of the Batesville Board of Zoning Appeals. All ayes so passed.

Tony Gutzwiller made a motion, seconded by Chris Fairchild, to grant approval to Cedarwood Development, Inc. for a 3 lot subdivision located at 907 SR 229, Batesville, IN. All ayes so passed.

Doug Amberger made a motion, seconded by Mary Kay Cambron, to approve an application by FCN Bank for a variance 151.40 (B) for a LED Free Standing Identification Sign 151.35 (D) (4) (E) & (G), zoned B2. This approval would be contingent upon a 6 second hold time on display and any complaints would allow the board the right to adjust time for usage (5:00 AM – 10:00PM).

A 4 factor variance from development standards of the zoning code was voted on:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
Vote: For: 4 Against: 0 Abstain: Wanstrath
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
Vote: For: 4 Against: 0 Abstain: Wanstrath
3. The strict application of the terms of the zoning code will result in practical difficulties in the use of the property.
Vote: For: 4 Against: 0 Abstain: Wanstrath
4. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same vicinity and district.
Vote: For: 4 Against: 0 Abstain: Wanstrath

Variance Granted

Ken Wanstrath made a motion, seconded by Mary Kay Cambron, to approve an application from Jeremy Miller for a Variance 151.40(B) on a free standing identification sign 151.35 (D) (G) (1), size and height, zoned R-2. This sign will be a 3' x 48' Granite Sign.
A 4 factor variance from development standards of the zoning code was voted on:

- 5. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
Vote: For: 5 Against: 0
- 6. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
Vote: For: 5 Against: 0
- 7. The strict application of the terms of the zoning code will result in practical difficulties in the use of the property.
Vote: For: 5 Against: 0
- 8. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same vicinity and district.
Vote: For: 5 Against: 0

Variance Granted

Chris Fairchild made a motion, seconded by Tony Gutzwiller, to adjourn. All ayes so passed.

Meeting adjourned at 7:34 PM.

Dave Raver, President

Attest:

Ronald C. Weigel, Clerk-Treasurer