

**City of Batesville  
Board of Zoning Appeals  
Advisory Planning Commission  
Memorial Building  
October 4, 2012  
7:00 PM**

Planning Members Present: Dave Raver, Doug Amberger, Tim Macyauski,  
Absent: Chris Fairchild, Tony Gutzwiller, Kevin Chaffee, Richard Fledderman

Zoning Members Present: Dave Raver, Ken Wanstrath, Doug Amberger, Mary Kay Cambron,  
Darrick Cox

City Clerk-Treasurer: Ron Weigel

Ken Wanstrath made a motion, seconded by Darrick Cox, to approve the minutes from the previous meeting. All ayes so passed.

Mary Kay Cambron made a motion, seconded by Darrick Cox, to approve an application by O'Reilly Automotive LLC for a Pylon Sign Variance 151.35 (C) (3) 16' height maximum, zoned B2, located at 100 E. Hwy 46 E. (old CVS building), contingent upon receiving proof of publication from O'Reilly Automotive LLC.

A four (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: 5 Against: 0
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: 5 Against: 0
3. 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
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: 5 Against: 0

Variance Granted

Ken Wanstrath made a motion, seconded by Tim Macyauski, to adjourn. All ayes so passed.

Meeting adjourned at 7:07 PM.

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Dave Raver, President

Attest:

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Ronald C. Weigel, Clerk-Treasurer