

**City of Batesville
Board of Zoning Appeals
Advisory and Planning Commission
Memorial Building
September 4, 2014
7:00 PM**

Planning Members Present: David Raver, Beth Meyers, Darrick Cox, Tony Gutzwiller, Chris Fairchild, Richard Fledderman
Absent: Doug Amberger

Zoning Members Present: Dave Raver, Ken Wanstrath, Mary Kay Cambron, Tony Gutzwiller, Luke Kaiser

Tony Gutzwiller made a motion, seconded by Mary Kay Cambron, to approve the minutes from the 2/6/14 meeting. All ayes so passed.

Dave Raver noted that Mayor Kay Cambron is resigning from the Zoning Board because she is leaving the community. Dave thanked her and wished her well. Mayor Fledderman will be filling the position in the near future.

Darrick Cox made a motion, seconded by Chris Fairchild, to make a favorable recommendation by the Zoning Board and the Planning Commission to Batesville City Council at the 10/13/14 meeting to approve an application from Glen & Karen Lanham to vacate an alley located between 430 & 434 S. Main Street,. This is contingent upon The Lanham's explaining to council the following:

- A clear diagram of the property lines of all those directly impacted by the location of the alley closure.
- A fairly specific plan as to how the closure will take place (at their cost) I.E. fence, railroad ties, etc.
- Clarity as to how the vacated alley property will be divided between two neighbors, the potential need to re-plat the land, etc.

Vote: For 9 Against: 0 Motion carried

Pres. Dave Raver noted that Item # 1 on the agenda to be heard by both planning and zoning (an application from Brad Broughton to subdivide property at 391 Northside Drive Lot 25) will not be heard as well as Item # 2 a presentation on an update of the shell building /infrastructure and the Merkel Road Project by a representative of CMC & VS engineering.

Larry Gutzwiller, 315 Hillcrest Ave., came before planning and zoning to inform them of his desire to vacate an alley behind his residence known as Ripley Street. A portion of the alley seems to be closed on the west side while parts seem to be open on the east side of the street. Mr. Raver noted that records will be checked to see if Ripley Street has been vacated. If not he advised Mr. Gutzwiller to start the formal process to vacate with the city building commissioner.

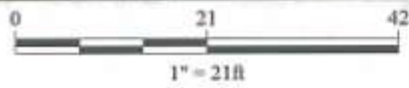
Tony Gutzwiller made a motion, seconded by Ken Wanstrath, to adjourn. All ayes so passed.

Meeting adjourned at 7:45 PM.

Dave Raver, Pres.

Attest:

Ronald C. Weigel, Clerk-Treasurer



To: City Council

On Sept. 4, 2014, the BZA and Planning Commission heard a request from Karen Lanham to close down a portion of the alley that connects Alvina Street to Main Street. The portion of the alley that would be closed down is located between 430 & 434 South Main Street. This portion of the alley actually serves as their driveway entrance from South Main. The Lanham's primary concern involves safety for the kids that live in these two houses. Once past their driveways, the alley makes a sharp, somewhat blind turn to the left, this creates a hazard when cars coming from that opposite direction enters their driveways on the way to Main Street.

Thirty four (34) area property owners were notified about the hearing, including all the houses that use the alley to get to their garages and/or houses. One neighbor appeared at the meeting to express support for abandoning the portion of the alley as requested and no one appeared at the meeting to oppose it and no letters were received opposing it. All those who border the alley can still come and go from Alvina Street plus another connecting alley to Beech Grove.

We are not aware of any utility issues that would be created nor city needs that would be compromised by vacating this portion of the alley. Because of all these facts, particularly the lack of opposition by the neighbors that use the alley daily, the committees voted 9-0 to recommend to Council to approve the request to vacate the Main Street end of the alley as requested by the Lanham's.

We recommended to the Lanham's that they be prepared to explain the following to council when they appear before you;

- 1 - a clear diagram of the property lines of all those directly impacted by the location of the alley closure.
- 2 - a fairly specific plan as to how the closure will take place (at their cost), i.e., a fence, railroad ties, cedar trees, etc.
- 3 - clarity as to how the vacated alley property will be divided between the two neighbors, the potential need to re-plat the land, etc.