

MINUTES
WALTON BOARD OF ZONING APPEALS
Wednesday, June 26, 2019

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

ROLL CALL:

Members present: Jeremy Hall, Mac Martin and Brian Ayers

Member absent: Omar Gonzales and 1 member to be appointed

Staff present: Arin Shaver and Peggy Dillon

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Mr. Hall made a motion to approve the minutes from February 22, 2017 as presented. Mr. Ayres seconded the motion and all were in favor.

Mrs. Shaver reported that proper notification has been met on these cases.

Mr. Martin asked if any members had any contact with the petitioner, advocates or opponents in today's cases. All members said they had not.

All wishing to speak were sworn in.

PUBLIC HEARING:

WBZA #19-01 A petition of Carmen McGraw requesting a Use Variance to allow for a bicycle repair shop. The property is located at 108 W. Dutchess, Walton and is zoned SR, Suburban Residential.

Mrs. Shaver located the property and gave the following information:

- Retail is in the area to the east and south
- Lighting proposed is a 4' lighting post in front of building
- Signage to be 2.5'X4' in the front yard
- Hours of operation given is Mon. – Tues; Thurs. – Sat.
- Current driveway is the access
- Proposing no landscaping
- Number of employees is 1, himself

Mr. Martin questioned the drainage situation for this area. Mr. McGraw stated the water comes down in the front; there is no standing water; the shed is on a hill. Mr. Martin asked if the fence will remain, Mr. McGraw stated yes he is leaving the fence. Mr. Martin asked the location of the sign. Mr. McGraw stated the sign will be 10' off the front and placed into the grassy circle.

Mr. Hall stated concern of the building that has bare wood and asked the plans for it. Mr. McGraw stated it was just painted and sealed. Mr. Hall questioned the lighting and Mr. McGraw stated he has security lights on both the trailers and they are motion censored lights. Mr. Hall asked if there will be designated parking or will they

use the U driveway. Mr. McGraw stated that customers just drop off bikes and come back later when he calls them. Mr. McGraw stated he re-conditions bicycles, trades-ins and sells a very small amount of sporting goods.

Mr. Martin asked for further questions from the Board.

Mr. Hall questioned the landscaping. Mr. McGraw stated his wife may put some landscaping, Mrs. Shaver stated it is not required but he can put in landscaping.

Mrs. Shaver stated that the conditions of approval will run with the property.

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 are obtained and proof be given to the Zoning Administrator.

The following commitments were read:

1. That all parking be neat and orderly; customer parking be clearly marked and signed appropriately.
2. That there be no additional access points.
3. If lighting becomes an issue, petitioner works with staff.

The petitioner agreed to these conditions and commitments.

Mr. Ayres motioned to bring this petition to a vote. Mr. Hall seconded the motion and all members were unanimous to approve #19-01.

The Board completed the findings of fact.

WBZA #19-02:

A petition of Walton Partners, LLC requesting a Variance from Development Standards to allow a building in the rear yard setback and other variances. The property is located at S US Highway 35, Walton, IN and is zoned CB, Community Business.

Mr. Shaver located the property on the site plan and explained the following:

- Building will be constructed and the rear setback required is 25', variance is for 9'
- There is a lot of open area but a lot of this is owned by the railroad

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 are obtained and proof be given to the Zoning Administrator.

Mr. Hall stated concern of a safety issue due to the railroad owning the area by this development. Mrs. Shaver stated this development has 16' of the property before the railroad.

Spencer O'Dell, 4664 Campus Dr. Kalamazoo, MI, representing Walton Partners, explained that this site is an odd shaped site; parking for the business would be out front. Mr. O'Dell asked if the 30 parking spaces will be enough. Mrs. Shaver stated the application states 30 spaces, requirement is 37 spaces, variance would be needed. Mr. O'Dell explained that the application for the building setback states 15' so the variance would be for 10'.

Mr. Martin asked where deliveries will be. Mr. O'Dell stated delivery areas are striped on the site plan, front and in the rear.

Mr. Martin asked if there are any questions from the public, there were none.

A letter from Mike Sailors, Town Council, in favor of the development was read.

Mr. O'Dell agreed to the conditions of approval.

Mr. Hall motioned to approve the variance for the setback and the parking spaces.

Mr. Ayers seconded the motion and all were in favor. The findings of fact were completed.

OLD BUSINESS:

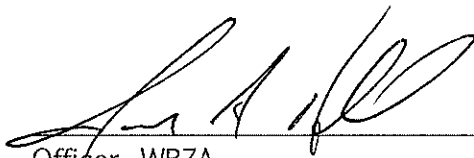
None

NEW BUSINESS:

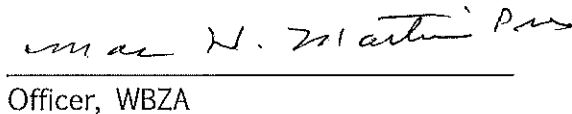
None

ELECTION OF OFFICERS: The current slate of officers is as follows: President; Mac Martin, Secretary, Omar Gonzales. No final vote was taken, thus, this will have to be finalized at the next meeting.

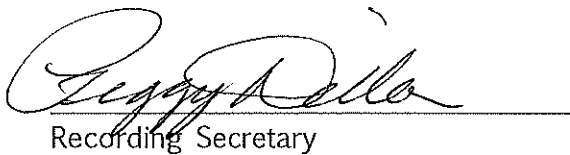
There being no further question or comments, the meeting were adjourned at 7:38PM, June 26, 2019.



Officer, WBZA



Officer, WBZA



Recording Secretary

