

Minutes
Walton Boards of Zoning Appeals
Wednesday September 28, 2022

The meeting of the Walton Board of Zoning Appeals was called to order by Jeremy Hall, President at 7:21 P.M. in the Walton Town Hall, 100 S Depot Street, Walton, IN.

ROLL CALL:

Members present: Jeremy Hall, Chandler Eurit, and Nick Pickering.

Member Absent: Mac Martin

Staff present: Jamey Harper and Jamie Moore

Public in attendance: See sign in sheet

ACTION ON MINUTES:

The minutes of August 25, 2021 were presented. Mr. Eurit made a motion to approve as presented. Mr. Pickering seconded the motion and all were in favor.

Mrs. Harper reported that proper notification has been met on this case.

Mr. Hall 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 #22-01 A petition of Richard Lee for a Variance from Developmental Standards for setbacks for a new home. The property is located at 301 Church St. Walton, IN. and is zoned NR, Neighborhood Residential.

Mrs. Harper gave the following information:

- Non-Confirming Structures If any confirming structure is damaged by fire, flood, explosion, or other casualty to an extent more than 75% of its pre-damaged value, such structure shall not be restored excepted in conformity with the regulations of the district within which it is located. Any non-confirming structure damaged to a lesser extent shall be subject to approval of required variances by the Board of Zoning Appeals prior to reconstruction or restoration.
- The Board should note that the house on this property has been/in the process of being demolished.
- The previous house was approximately 10 ft from Church St. and 18 ft from Walnut St.
- The previous house looks like it was approximately 4-5 ft from the property line to the north toward Church St.

Development Standards – Neighborhood Residential (NR)

- Front yard setback: 40 feet
 - Supplemental Yard Requirements Principal and accessory structures on lots which abut more than one street shall provide the required front yards along every street. Lots which abut a driveway or other easement of access which serves as a principal means of access for one or more lots must also meet front yard setbacks along said easement.

- Property is located on the corner of Church St. & Walnut St.

Infill Lots Where twenty-five percent (25%) or more of the lots within a block or for a distance within three hundred fifty (350') of the proposed structure on the same side of the street of not within a block are occupied by structures, the average setback of such structures determines the front yard setbacks; However, if there is not any other structure within the block or within three hundred fifty feet (350') in either direction, then the standard setback for the district shall apply.

- Average setback structures within 350 ft along Church St.
- Average setback of structures within the block is 23.7 ft along Walnut St.

Front Yard Setback

Currently 40 ft.

Prosing: 7 ft toward Church St.; 15 ft toward Walnut St.

VDS: 33 ft toward Church St.; No VDS toward Walnut St. with infill Lot average.

- Rear yard setback: 15 ft

Rear Yard Setback

Currently: 15 ft

Prosing: 2 ft

VDS: 13 ft

Mr. Hall asked if the petitioner had any comments to the staff report. Mr. Lee stated that he found out Walnut St. had never been plotted and he is working with the town to get that taken care of as well.

Mr. Hall asked if there have been responses from neighbors, Nyla Buck stepped forward and stated she will sell Mr. Lee 5 ft south of property.

Mr. Hall asks for questions from the Board. There were none

Mr. Hall asked for written correspondence, there was none.

Conditions Of Approval:

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 signed, notarized, and recorded.

Commitments of Approval: There were none

Mr. Hall asked if the petitioner agreed to these conditions. Mr. Lee agreed. Mr. Eurit motioned and Mr. Pickering seconded the motion.

The Findings of Fact were completed.

Roll call vote was a unanimous vote to approve WBZA Case #22-01.

Mr. Hall explained the Appeal process.

REPORTS: NONE

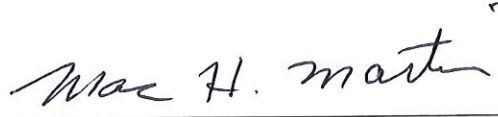
OLD BUSINESS: None

NEW BUSINESS: None

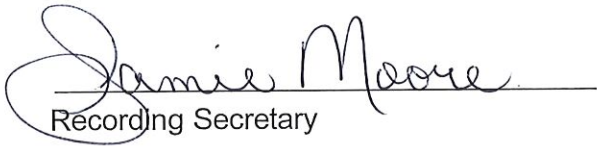
There being no further question or comments, the meeting was adjourned at 7:40 PM,
September 28, 2021.



Officer, WBZA



Officer, WBZA



Recording Secretary

1. The first part of the report
was written by Mr. Lee
and Mr. Smith. The second
part was written by Mr. Lee
and Mr. Smith. The third
part was written by Mr. Lee
and Mr. Smith.

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