



CITY OF RUSHVILLE

133 West 1st Street
Rushville, Indiana 46173
(765) 932-3735

MINUTES FOR THE MEETING OF THE RUSHVILLE BOARD OF ZONING APPEALS

June 28, 2017
7:00P.M.

Call to Order: The Rushville Board of Zoning Appeals met on the above date and time at the Rushville Council Chambers at 270 West 15th Street, Rushville, Indiana. President Phil Brashaber called the meeting to order at 7:32 P.M.

ROLL CALL: Phil Brashaber, Jeff Houser, Joe Rathz, and Ross Winters.

Absent: Jack Harmon.

Attorney Grant Reeves, Consultant Shelly Wakefield and Deputy Director Carmen Clark were also in attendance.

MINUTES: Jeff made a motion to approve the May 24th minutes. Ross seconded the motion. All in favor. Motion carried.

Old Business: None.

New Business:

Variance: 17-V-09- Kevin Shook is requesting a rear yard setback of 2 feet from the required 20 feet for a shed. The address is 808 E. Roosevelt Street and the property is zoned R-1, Single Family Residential.

Gregory Shook, 866 E. State Road 44, Rushville, spoke on behalf of his brother Kevin Shook. Kevin was on a family vacation. President Brashaber swore Mr. Shook in before he spoke. The new shed is to replace the old shed which had storm damage. The new shed will be larger than the old shed by 48 square feet. Consultant Shelly Wakefield explained to the board that this would be increasing Kevin's lot coverage by 11%. Shelly stated he was already over and this would be increasing it.

Public hearing: none.

Shelly told the board he already covers 60% of the lot and he is increasing the lot coverage. The ordinance only allows for 30% lot coverage in a R-1 zoning district. Phil stated this isn't the only structure that is within two feet of the grass alley.

Public hearing closed.

Jeff said he was making a motion to accept in favor of the petition. Shelly asked Jeff on the basis? Shelly stated we are going to go through and explain why it is or is not on the factors. Jeff stated he thought he only needed to do

this when going against a variance.

Jeff's motion was the approval will not be injurious to the public health, safety, morals and general welfare of the community. The property included in the variance will not be affected in a substantially adverse manner. The strict application of the terms of this ordinance will result in a practical difficulty. Joe seconded the motion. All in favor. Motion carried for the approval of 17-V-09.

17-V-10 – 17-V-15- Casey's Marketing Company requested a continuance until the July 26th BZA meeting. Joe made a motion to approve the continuance request by Casey's Marketing Company until the July 26th BZA meeting. Ross seconded the meeting. All in favor. Motion carried.


REPORTS:

Deputy Director: None.

Attorney: Grant inquired what the November and December meeting dates were. Carmen stated the meeting dates are November 15th and December 13th.

Consultant: Shelly and Grant discussed with the board the importance of why they need to have detailed Findings of Fact. Shelly informed the board that she will be out of commission for around 3 weeks beginning July 19th. She is having knee replacement surgery.

ADJOURNMENT: Jeff made a motion to adjourn the meeting. Ross seconded the motion. Meeting adjourned at 7:50 P.M.


Phil Brashaber, President

Joe Rathz


Carmen Clark, Deputy Director