

Hamilton County Board of Zoning Appeals – South District
January 22, 2020

Mr. McMillan called the official meeting of the Hamilton County Board of Zoning Appeals – South District to order at 7:01 p.m.

Roll call: Adam Zeller, Becky Harger – alternate, Charlie McMillan, Jr., David Musselman, and John Miller. Absent: Jim Galloway. Also present: Charles Kiphart, Director; Aaron Culp Legal Counsel; and Linda Burdett, Secretary.

Declaration of Quorum: Mr. McMillan declared a quorum with four regular members and one alternate member present.

Communication or Reports: Nothing to present.

Approval of Minutes: Mr. McMillan identified the minutes of the November 13, 2019 meeting. Do I have a motion to approve?

Mr. Zeller moved to approve the minutes from November 13, 2019.

Mr. Miller seconded.

With no corrections being presented to the board... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.**

Election of Officers: Mr. McMillan identified the office of Chairman.

Mr. Zeller nominated Charlie McMillan for Chairman.

Mr. Musselman seconded.

With no other nominations being made... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.**

Mr. McMillan then identified the office of Vice Chairman.

Mr. Musselman nominated Adam Zeller.

Mrs. Harger seconded.

With no other nominations being made... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.**

Mr. McMillan then identified the office of Secretary.

Mr. Zeller nominated Linda Burdett for Secretary.

Mr. Miller seconded.

With no other nominations being made... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.**

Mr. McMillan stated that as of last year the commissioners started recognizing board members and we have two five year pins to be handed out this evening. One goes to John Miller and the other goes to Becky Harger. This would have been Jim Galloway's 30th year if he had been here. Mr. Galloway started from the beginning.

Mrs. Harger and Mr. Miller both thanked Mr. McMillan for the recognition and their pins.

Old Business: Mr. McMillan began with **SBZA-R.V.-0005-06-2019** a requirement variance. It has been brought to our attention that the petitioner wanted to table at this time. He is not going to be ready until March. I say we get a motion to deny the tabling of this request.

Mr. Zeller moved to deny the tabling of SBZA-R.V.-0005-06-2019 a requirement variance.

Mr. Miller seconded.

With no further discussion... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.**

Mr. Culp advised the board that they voted not to table this. If you want to dismiss it, you actually need to have a motion and a second for the dismissal. You would be dismissing it because he hasn't moved forward, and it's been six months.

Mr. Zeller asked Mr. Culp if the board needed to deny the tabling first.

Mr. Culp answered, no, but since he made the request, I think it is appropriate to rule on his request. That way it shows that you did consider what he asked for.

Mr. Zeller moved to dismiss SBZA-R.V.-0005-06-2019 a requirement variance.

Mr. Musselman seconded.

With no further discussion... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.**

New Business: Mr. McMillan began with **SBZA-R.V.-0001-01-2020** a requirement variance concerning allowing an entry room and porch addition to the existing residence within zoning

ordinance required 145 ft. front yard setback. The proposed addition is 110 ft. from the centerline of Cyntheanne Road. Location: **18918 Cyntheanne Road, Noblesville, IN.**

Erika Cawston, of 18919 Cyntheanne Road, Noblesville, Indiana, stated her name and address for the record. I have an exposed doorway on the south side of my house that does not have any coverage from the weather or the wind. We are looking to put a small entry room and a porch on that end of the house to protect the doorway from gusty winds, weather, and rain. If you go to the packet you will see the drawing of the proposed addition. It is all within the existing footprint of the house, so it does not bring the house any closer to Cyntheanne Road.

Mr. Zeller stated that it looked like half of it was enclosed and half of it was open. (2) The east side is open. (3) How long have you been at this residence?

Mrs. Cawston answered, correct. (2) Yes. That is in order to turn the door to the east facing away from the wind. (3) We purchased in November of 2014.

Mr. McMillan asked how old the home was.

Mrs. Cawston stated that it was built in 1958.

Mr. Musselman asked if the addition was going to be sitting on a slab.

Mrs. Cawston stated that they are going to remove the slab and put a foundation in so that it is appropriate to code.

Mrs. Harger asked what kind of materials did she expect the addition to be made of.

Mrs. Cawston stated that there is a portion of her house that has cement board siding. We plan to make it match that so it will have the same siding as what is existing.

With no further questions from the board... Mr. McMillan opened the hearing to the public at 7:11 p.m. and invited anyone from the public who wished to speak for or against the petition to please step forward. And with no one stepping forward to address the board... Mr. McMillan closed the public portion of the hearing at 7:11 p.m. Do we have a motion?

Mr. Musselman made a motion to approve SBZA-R.V.-0001-01-2020.

Mr. Zeller seconded.

Mr. Musselman and Mr. Zeller both said they didn't have a problem with this.

Mr. Miller stated that it's not any closer to the road.

Mrs. Harger stated that it was a very reasonable request. I can see where there is a problem in not having any overhang there when you're trying to get in the door on a rainy or windy day. I can see how that would be a challenge.

With no further comments from the board... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.** Congratulations.

Director's Report: No report.

Legal Counsel Report: No report.

The next BZA meeting will be Wednesday, February 26, 2020.

With nothing further to come before the board... **Mr. McMillan asked for a motion to adjourn.**

Mr. Musselman so moved.

Mr. Zeller seconded.

With no further comments... Mr. McMillan called for the vote. **5 yes votes... 0 no votes.** Meeting adjourned at 7:16 p.m.

Charlie McMillan, Jr. Chairman

Date

Linda Burdett, Secretary

Date