

Zoning Board of Appeals  
 Wednesday, November 6, 2019  
 6:00 PM Town Hall

Edinburgh Zoning Board of Appeals met on November 6, 2019, 6:00 p.m., Edinburgh Town Hall.

Members Present: Keith Sells  
 Richard Pile  
 Ron Hamm

Others Present: Wade Watson, Building Commissioner  
 Dustin Huddleston, Town Attorney

Keith Sells opened the meeting at 6:00 p.m. with roll call. Lloyd Flory was absent.

Richard Pile made a motion to approve the minutes from the July 10, 2019 meeting and Ron Hamm seconded. Motion carried.

Wade Watson presented Case ZB-2019-3 SE - Special Exception to allow the operation of a group child care center at 602 Fairlane Drive, Edinburgh. This request is for Special Exception from Zoning Ordinance Article 156.036; Permitted Uses and Special Exceptions. Wade reviewed the difference between Special Exceptions and Variances. There are specific conditions that must be met and Wade reviewed this with the board along with his findings as listed in his staff report. Wade recommends approval of the petition for a Class A childcare with the following conditions:

1. That this decision is only granted to the Petitioner, and the Special Exception is not transferable to any other property owner(s) not directly associated with the Petitioner;
2. That this decision is null and void should the Petitioner fail to develop the daycare within two (2) years of the date of the BZA Findings of Fact;
3. That the Petitioner acquire all required State and County licenses and maintain compliance with requirements established by Indiana Code Title 12 Human Services; Article 17 Children's Services for the operation of a Child Care Program;
4. That at no time shall the Child Care Program at this location serve more than 12 children, including children of the adult provider;
5. That if at any time this Child Care Program should seek to serve a number of children greater than 12 at this location, that the owner/operator shall first petition the Board of Zoning Appeals for a Use Variance to operate a Group Child Care Center, Class B in a district zoned as R4 Medium Density Residential as established in Zoning Ordinance Article 156.036; Permitted Uses and Special Exceptions.

Richard made a motion to approve the petition as recommended by Wade Watson listed above. Ron Hoffman seconded. Motion carried.

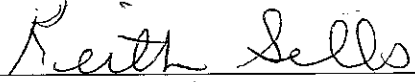
Wade brought up the next case ZB-2019-4 V – Variance to allow construction of a room addition within an area less than the minimum front yard set back requirements at 307 Harrell Drive. This request is a variance from Developmental Standards of Division 11, Article 156.037 of the Town of Edinburgh Zoning Ordinance. Wade presented the case along with his recommendation to approve with the following conditions:

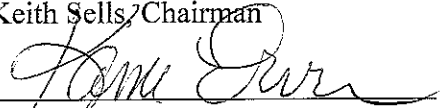
1. That this decision is only granted to the Petitioner, and the Developmental Variance not transferable to any other property owner(s) not directly associated with the Petitioner;
2. That this decision is null and void should the Petitioner fail to develop the subject parcel within two (2) years of the date of the BZA Findings of Fact;
3. That the subject structure be compliant with International Residential Building Codes adopted by the State of Indiana, and all other requirements of the Edinburgh Zoning Ordinances and,
4. That prior to commencement of any construction at the subject parcel, the Petitioner submit construction plans to the Town Building Commissioner for review/approval and new permit issuance(s) by the Building & Zoning Department as applicable.

Petitioner Kelli Clawson commented that they are building the addition for their disabled daughter. William Crawhorn, owner of 102 Glasgow Drive, commented that carports out in front of the homes in that area are worse than a building addition.

Richard made a motion to approve the petition as recommended by Wade Watson listed above.  
Ron Hoffman seconded. Motion carried.

Ron Hoffman made a motion to adjourn and Ron Hamm seconded. Motion carried.

  
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Keith Sells, Chairman

  
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Kami Ervin, Secretary