

MINUTES

B.Z.A. Meeting

March 28, 2023

These are the **Minutes** from the B.Z.A. meeting that was held on March 28, 2023, at Seymour City Hall Council Chambers and Zoom/GoToMeeting.

The Meeting was called to order at 7:00p.m., by Rob Kaufman (President).

Roll Call was taken and members present were Rob Kaufman (President), Dave Eggers, Karen Munson, Jack Swindell and Skylar Earley. Jeremy Gray (Secretary) introduced Skylar as the new B.Z.A. member. He will be taking Jason Kleber's place on the Board since Jason moved out of City limits.

The Minutes from the January 24,2023 meeting were discussed, there was no February 2023 meeting, and a Motion was made by Jack Swindell to approve the Minutes with Dave Eggers seconding the motion. The Minutes were approved with a voice vote of 5-0.

DOCKET:

B.Z.A. 0-27-22 Chrisley Lewis & Rachel McIntosh Petitioners: Petitioners are requesting a Variance at 1407 Martin Ct. They are wanting to vary from the required 20ft rear setback and 6.5 side setback to be at zero setback to place a shed. They live on a corner lot and are restricted on placement. They have already placed the structure and need the Boards approval to keep it there.

The Petitioners were a "no-show". When asked if they should table the case, Chris Engleking (City Attorney)informed the Board they could table or hear the case without the Petitioners being heard. They have had ample time and opportunities to be heard and the Board thinks that since this is the second time of a no show the Board agreed to go ahead and hear it without them being present.

CORRESPONDENCE : An individual submitted a letter stating they were not against or for but feels this is the only option they have to put a shed.

SPEAK FOR: NO ONE

SPEAK AGAINST: Jenny Rose, who lives at 307 E 14th Street spoke to the Board. She stated she lives next to them and there is no room for it. She feels it is too close to her property and needs to be moved and a smaller one would be better.

Linda Hinton, who lives at 1411 Martin Ct., agreed. She feels it is too big and a smaller one would be better and understands she needs the space for storage but it is just too big.

Questions: Dave Eggers spoke and said he felt the shed was placed without the thought of being legal or the opinion of the City and Boards. He is not a fan of zero setbacks, and he would not feel right to approve this.

Dave Eggers made a Motion to deny with Jack Swindell seconding the Motion. A vote was taken, and it was denied 5-0.

B.Z.A. 0-1-23 Jigar Patel Petitioner: Petitioner is requesting a Land Use Variance at 207 E 13th St. He wants to have 2 residents on 1 lot. He wants to turn an existing building into an apartment. He got an unfavorable recommendation from the Plan Commission on 3-9-23.

CORRESPONDENCE: NONE

SPEAK FOR: NO ONE

SPEAK AGAINST: NO ONE

Mr. Patel spoke to the Board stating he wanted to have an apartment in the structure.

Questions: There were some concerns about safety because it would be in the alley. The Plan Commission felt the alley was not wide enough to have a truck go through if an emergency arose and the B.Z.A. agreed.

Dave Eggers made a Motion to deny with Jack Swindell seconding the Motion. A vote was taken, and it was denied 5-0

B.Z.A. 0-3-23 Kevin Burke Petitioner: Petitioner has requested a Land Use Variance at 714 W 5th St. He is wanting to turn his house into an Airbnb. This got a favorable recommendation from the Plan Commission on 3-9-23.

He spoke to the Board stating the house is where John Mellencamp grew up and feels it would be a good tourist attraction.

Correspondence: NONE

SPEAK FOR: NO ONE

SPEAK AGAINST: Bailey Hughes lives next to the house and has concerns about the safety of the children in the neighborhood. She is afraid of the type of person that will be renting the house out.

James Clay ,lives at 718 W 5th St ,has concerns of the type of people that will rent the house out. He is not for this at all.

Tyler Henkle spoke to the Board stating that he worries about what kind of renters are going in there. He also feels this will take away from the housing shortage that is going on in the city.

QUESTIONS:

Skylar Earley asked if someone was renting it out now and was told yes, but they were aware of what was going to happen if this was approved. He also asked the price he would be charging and was told between \$150 and \$200 a day.

Rob Kaufman asked how many would be able to be there at one time and was told 4 at the most. It would be rented out for no more than 14 days at the most.

Dave Eggers stated he appreciated the neighbors coming in with their concerns. He also does not want to stand in the way of free enterprise and feels the Board shouldn't stop it either.

Mr. Burke told the Board and concerned neighbors he will screen all applications; they can also check on "host "reviews to monitor possible renters. He will also monitor the house and IF there is ever an issue to call him first that he would be there immediately to resolve the problem.

Karen Munson made a Motion to approve with Rob Kaufman seconding the Motion. A vote was taken, and it passed 4-1.

B.Z.A. 0-4-23 Clayton Henderson Petitioner: Petitioner is requesting a Land Use Variance at 207 N 4th St Rd. He is wanting to open a small car detailing business out of an existing garage. He told the Board it would be by appointment only. It was given a favorable recommendation from the Plan Commission 3-9-23.

CORRESPONDENCE: NONE

SPEAK FOR: NO ONE

SPEAK AGAINST: NO ONE

Skylar Earley made a Motion to approve with Dave Eggers seconding the Motion. A vote was taken, and it passed 5-0.

B.Z.A. Gordon & Kathy Simler Petitioners: Petitioners are requesting a Land Use Variance at 436 Persimmon Dr. They have 22 cats and 4 dogs. There was a complaint against them and they were told by the Animal Control officer they would need a Kennel License to keep all the animals. They came to the City to get one and that is when they were told they would need a Variance before a License could be issued. This got a favorable recommendation from the Plan Commission on 3-9-23 with the stipulation that no more animals would be brought into the house.

CORRESPONDENCE: NONE

SPEAK FOR: NO ONE

SPEAK AGAINST: NO ONE

Tyler Henkle spoke to the Board and asked why this would be approved even when all the neighbors do not have an issue with it, but the Board did not take into consideration previous cases when those neighbors had issues. He doesn't want votes determined on what neighbors want or concerns but yet what is the right thing to do.

Questions: Karen Munson asked if they have a field behind them and was told yes. Rob Kaufman asked if the backyard was fenced in and was told yes.

Rob Kaufman made a Motion to approve with Karen Munson seconding the Motion. A vote was taken, and it passed 4-1.

B.Z.A. 0-6-23 Ben Stewart Petitioner: Petitioner is requesting a Variance at 221 Manor Ct. He needs to vary from the required rear setback of 20 ft to be at 1 ft setback to build a pool house.

CORRESPONDENCE: NONE

SPEAK FOR: NO ONE

SPEAK AGAINST: NO ONE

Dave Eggers made a Motion to approve with Karen Munson seconding the Motion. A Vote was taken, and it passed 5-0.

B.Z.A. 0-7-23 Ken Anders Petitioner: Petitioner is requesting a Variance at 248 White Station Rd. He needs to vary from the rear setback of 20 ft to be at 10 ft and from the 9 ft side setback to be at 2 ft . He is building a garage.

CORRESPONDENCE: NONE

SPEAK FOR: NO ONE

SPEAK AGAINST: NO ONE

QUESTIONS: Dave Eggers asked if it would be higher than the primary structure and was told no.

Dave Eggers made a Motion to approve, with the stipulation that the new structure not be higher than their house. Jack Swindell seconded the Motion. A vote was taken, and it passed 5-0.

OTHER MATTER: The Board members wanted to welcome Skylar Earley to the Board again.

ADJOURNMENT: Skylar Earley made a Motion to adjourn with Karen Munson seconding the Motion.

The meeting was adjourned at 7:52 p.m.