



CLARK COUNTY BOARD OF ZONING APPEALS August 19, 2020

The regularly scheduled meeting of the Clark County Board of Zoning Appeals was held on Wednesday, August 19, 2020, starting at 5:00 p.m. in the County Council Room, Room 418, Fourth Floor, Clark County Government Building, Jeffersonville, Indiana.

The following Board Members and Staff members were present at the meeting:

Duard Avery
Michael Killen
Keith Coats
Guy Guernsey
David Nachand-Attorney
Stacia Franklin-Executive Director
Jason Stanley-Building Commissioner
Cathy Denison-Administrative Assistant

The following member was absent from the meeting:
Kim Baker

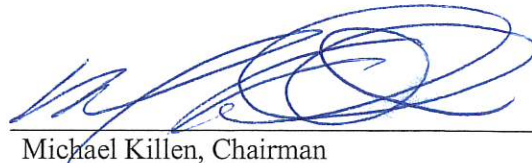
The following appeared on the BZA Agenda:

1. The meeting was called to order by Michael Killen at 5:00 p.m.
2. Michael Killen asked for a motion to approve the minutes from the July 15, 2020 meeting. A motion was made to approve by Keith Coats . A Motion was seconded by Guy Guernsey . Motion carried 4-0.
3. David Nachand read the rules.
4. BZA-11-20: Ian & Isaiah Bowling, 13208 Starlight Ct., Memphis, have filed a petition for a Use Variance to operate a gutter business on an A-1 zoned parcel located at 14855 SR 60, Borden, Indiana. Attorney, John Kraft represented the petitioner. Handing out information regarding the business, Mr. Kraft noted that the pole barn in which the business is being conducted was existing on the parcel when the Petitioner purchased the property in 2017. The handout showed the property was purchased in 2020; the pole barn was already in place on the parcel. Mr. Kraft also prepared a Finding of Fact. The petitioner is using the barn for storage of equipment. There will be no signage regarding the business. Stacia Franklin read the list of adjoiners. No one was present. Michael Killen asked for a Motion. Duard Avery made a Motion to Approve, Guy Guernsey seconded the Motion. Motion carried 4-0.
5. BZA-12-20: Janelle Fitzpatrick, 2323 Charlestown Pike, Jeffersonville, has filed a petition for a Development Variance to place a home on a lot that is less than 40,000 square feet located at 8610 Stoney Point Rd.Charlestown, In. Ms. Fitzpatrick purchased the lot in Nov. 2017 which was a mobile home on that lot with the future plans to build a home. The lot was for sale and the purchasers were advised that the parcel was less than one acre. The purchaser's plan is to put a modular home on the property. Stacia Franklin read the names of the adjoiners. No one was present. Ms. Franklin then read the Findings of Fact. Michael Killen asked for Motion. Keith Coates made the Motion to Approve, Duard Avery seconded the Motion. Motion carried 4-0.

6. BZA-13-20: Brock & Kelsey Dawson, 501 E. Market St., Salem, have filed a petition for a Development Variance to place a residential dwelling less than 950 square feet on a parcel located at 10-06-02-500-013.000-027, Underwood, Indiana. Brock stated the parcel is adjoining Clark State Forrest. The Petitioners want to place a small cabin-like structure on the parcel for a temporary weekend get-a-way. It will have electric but not septic or HVAC. They are also planning to purchase the adjoining parcel which they have plans to eventually built and use this structure as a "man-cave". Stacia Franklin read the list of adjoining. No one was present. Ms. Franklin also read the Findings of Fact. Michael Killen asked for a Motion. Guy Guernsey made a Motion was made to Approve. Keith Coates seconded the Motion. Motion carried 4-0.
7. BZA-14-20: William Bower, 12830 Nabb-New Washington Rd., Nabb, Indiana, has filed a petition for Development Variance to place an accessory structure prior to a primary structure on an R-2 Zoned parcel located at 10-12-03-200-182-000.034. Nabb, Indiana. Stacia Franklin stated that the Petition requested to table the Petition to the next meeting on Sept. 16, 2020. Keith Coates made the Motion to Approve, Guy Guernsey seconded the Motion. Motion carried 4-0.
8. BZA-05-20: Wendy Jean and Lauren Staten, 5713 Blue Ridge Rd., Charlestown, Indiana, have filed a petition for a Special Use to operate a boarding kennel located at 5713 Blue Ridge Rd., Charlestown, In. Lauren came forward to represent the Petitioners. Handouts were passed out to the Board. The purpose of the kennel is for large breed dogs, not to have over 10 dogs at one time. They plan to build 6 kennel runs, an area for exercise, and an enclosed building heated and air conditioned. Both the Petitioners work with Great Danes rescue and have experience in fostering large breed dogs. The building has security and sound proof glass and sound absorbing panels. They have agreed to assist in road maintenance of the shared drive, offering to pave the road. Drop off and pick up times will be limited to specific morning and evening hours. Traffic has been addressed and having limited capacity of 10 dogs will keep daily traffic to a minimum. They are aware that a few of the adjoining have expressed their concerns. Stacia Franklin read the adjoining land owners. Charles B. Jones, Jr., 5715 Blue Ridge Rd., has a concern with traffic due to their home being at the end of the driveway. He also stated his concern about safety with the dogs biting if loose. He is in the process of building a new home in an adjoining parcel and concerned about property value decreasing. Letters were also referenced that were mailed regarding concerns from neighbors. Larry Harbin, 5026 Blue Ridge Rd., Hibernia, Secretary/Treasurer of the Hibernia Cemetery Assn. He and the Petitioners have met together to work out any concerns. The Board of the Cemetery voted that they are not opposed to having the kennel. Stacia Franklin also spoke to the topic Animal Control. All animals must be on a leash or under control of a run. Ms. Staten stated they have discussed paving the driveway to help maintain the driveway. Stacia Franklin read the Findings of Fact. Michael Killen asked for a discussion, noting the kennel would be in a good location since it is surrounded by trees and a large field. Michael Killen asked for a Motion. Keith Coates made a motion to approve with conditions that there would only be 10 dogs maximum boarded. Duard Avery seconded the Motion. Motion was approved 3-1-0 with Guy Guernsey abstaining.
9. BZA Business: There was no other business. The meeting was adjourned at 6:12p.m.



Stacia Franklin, Executive Director



Michael Killen, Chairman