



City of Tipton Board of Zoning Appeals Minutes May 11, 2022

The City of Tipton Board of Zoning Appeals held its regularly scheduled meeting on Wednesday, May 11, 2022. The meeting was called to order by Michelle Owens at 6:00 p.m. The meeting was held at Tipton City Hall, located at 216 S. Main Street, Tipton, Indiana.

Roll Call

Members present: Michelle Owens, Robert Cochrane and Nick Cox (*alternate member*).

Members absent: Roberta Heinzmann & David Clarke.

Staff present: Steve Niblick, Judy Coker, David Langolf Smith.

Staff absent: None.

Modifications to Agenda

Robert Cochrane made a motion to rearrange the agenda so that CTI-SE-12-22 would be heard first, CTI-V-35-21 second, and CTI-V-11-22 third; seconded by Nick Cox. Motion carried 3-0.

Approval of Minutes

Michelle Owens made a motion to approve the minutes of March 9, 2022; seconded by Robert Cochrane. Motion carried 3-0.

Public Hearings

a) CTI-SE-12-22 Dolezal special exception

Steve Niblick provided the staff report.

Christy Dolezal came forward to present the petition for a special exception to have a childcare center in the B-2 zoning district.

Michelle Owens asked if the petitioner had a plan for handling child drop off and pick up. Christy Dolezal stated that they will open at 6:00 a.m. and expect most children to be dropped off between 6:30 a.m. and 9:00 a.m. and indicated that there is plenty of parking for the short time parents are there, with overflow parking available between the buildings. Christy Dolezal noted that there are two entrances into the parking lot, divided by a grass median. Christy Dolezal stated that they plan to continue to use both entrances, with one lane to enter and one lane to exit.

Michelle Owens asked if there will be any alterations to the exterior of the building. Christy Dolezal stated that they will make alterations to the interior of the building, but the only alteration to the exterior will be the addition of a playground. Michelle Owens asked when the playground would be added. Christy Dolezal stated that the playground would be installed whenever they get enough fencing, which should be around June.

Bob Edinger came forward to ask about alterations to the building, Steve Niblick clarified that there would be no alterations to the exterior of the building. Bob Edinger stated that the comprehensive plan does not address childcare but asked if the Doctor's Park area on the comprehensive is labeled for medical use. Steve Niblick stated that he did not look at the Doctor's Park area on the comprehensive plan for its previous use, only for its proposed use. Bob Edinger express concerns about the arrangement for rental from the Board of Commissioners and who gave permission for the application for special exception. Michelle Owens stated that the application was signed by Commissioner President, Dennis Henderson. Bob Edinger stated that he does not think this is a good financial decision for the taxpayers.

Michelle Owens motioned to close the public hearing; seconded by Robert Cochrane. Motion carried 3-0.

Michelle Owens motion to approve the petition as presented; seconded by Robert Cochrane. Motion carried 3-0.

b) CTI-V-35-21 Tipton Ford development standard variance

Steve Niblick shared that at the last meeting, the board asked to extend the petition for another 30 days. Steve Niblick stated that he contacted the petitioner after the last meeting to advise that the petition would be extended for 30 more days, after that time, the petition would be removed for the agenda and the petitioner would need to refile. Steve Niblick stated he reached out to Doug Shepherd, both by telephone and email, before the meeting to enquire about the status. Steve Niblick stated that Doug Shepherd did not respond to the attempts at communication and advised the board to dismiss the petition.

Michelle Owens made a motion to dismiss CTI-V-35-21 for the Tipton Ford use variance from December 8, 2021; seconded by Robert Cochrane. Motion carried 3-0.

Robertta Heinzmann asked what the reason is for the green island. Bob Ross explained that the islands are part of the city standards for green space. Bob Ross stated that there will be a larger green space area located at the end, between the tennis courts.

c) CTI-V-11-22 Morrow development standard variance
Steve Niblick provided the staff report for CTI-V-11-22.

Brett Morrow came forward to present the petition to allow a sign to extend over the public right-of-way.

Michelle Owens asked what the height of the sign would be. Brett Morrow stated that the proposed sign would be 144 inches tall.

Robert Cochrane asked how far the sign would extend from the building. Brett Morrow stated the sign would extend 34 inches from the edge of the building.

Kegan Schmicker came forward to speak in favor of the petition. David Smith asked Kegan Schmicker if he believes this sign is appropriate for the location and one that is not dangerous or a detracting type of signage. Kegan Schmicker believes that the ordinance is probably for safety but believe that the way signs are attached to buildings is more secure, which alleviates that concern.

Michelle Owens made a motion to close the public hearing; seconded by Robert Cochrane. Motion carried 3-0.

Robert Cochrane motioned to approve CTI-V-11-22 Morrow development standard variance; seconded by Michelle Owens. Motion carried 3-0.


Old Business

a) CTI-V-02-22 Tipton Community Schools Findings of Fact
Robert Cochrane motioned to approve the Findings of Fact for Tipton Community Schools; seconded by Nick Cox. Motion carried 3-0.


Adjournment

There being no other business, Michelle Owens made a motion to adjourn at 6:30 p.m.; seconded by Nick Cox. Motion carried 3-0.


Chair


Date


Executive Director


Date

