



City of Tipton Board of Zoning Appeals Special Meeting Minutes June 25, 2020

The City of Tipton Board of Zoning Appeals held a special meeting on Thursday June 25, 2020. The meeting was called to order by Michelle Owens at 6:00 p.m. The meeting was held at the Tipton County 4H Building.

Roll Call

Members present: Jake Heard, Adrian Roach, Roberta Heinzmann and Michelle Owens.

Members absent: Christina Kring

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

Staff absent: None.

Public Hearings

a) CTI-V-03-20 HAND, Inc.

This petition was tabled at the June 10, 2020 Board of Zoning Appeals meeting.

Jake Heard made a motion to vote on the three variance requests; seconded by Adrian Roach.

Michelle Owens stated that the first variance request that they would vote on would be the reduction of parking spaces from 18 to 12. Motion denied 3-1 by roll call.

Roll Call-

Adrian Roach – No

Jake Heard – No

Michelle Owens - Yes

Roberta Heinzmann – No

Michelle Owens stated that the second variance request they would vote on would be reducing the minimum square footage of 8,000 square feet per family to 4,450 square feet per family. No action was taken on this motion by a 2-2 roll call vote.

Roll Call-

Adrian Roach – Yes

Jake Heard – No

Michelle Owens - No

Roberta Heinzmann – Yes

David Smith advised the board that no action was taken on this motion. So, unless someone on the board wanted to make a different motion, this motion would come back until it is approved or denied, either as it is or in some variant form of it.

Michelle Owens stated that she would set that motion aside, and go ahead and vote on variance number three, which is to have a 10-foot buffer yard without fencing. Motion carried 4-0 by roll call vote.

Roll Call-

Adrian Roach – Yes

Jake Heard – Yes

Michelle Owens – Yes

Roberta Heinzmann – Yes

Concerning the motion to reduce the minimum square footage per family from 8,000 square feet to 4,450 square feet, Michelle Owens asked the board if there would be anything that would change anyone's mind on their vote with any type of clarification or discussion. Adrian Roach stated that the reason he voted the way he did is because the majority of the properties in that location are not following the 8,000 square foot standard. Adrian Roach stated that he believes that if we are not following this to a T, then we should let this go through. Michelle Owens stated that, though this has not been followed by the other homes, the requested reduction is a major percentage versus a minimum percentage. Jake Heard stated that going from 8,000 square feet to almost have at 4,000 square feet is an awful big jump.

Michelle Owens asked if anyone from HAND would like to make a change in their square footage per unit. Andrea Davis came forward and pointed out that the existing condos on the east end are 5,129 and 4,976, which is very similar to their request. Andrea Davis stated that they could reduce their number of units from nine to eight, which would put their square footage at 5,000 square feet, making them almost identical with the other multi-family units at the other end of the street. Michelle Owens asked what the reduction of one unit would bring the square footage to. Andrea stated that reducing by one unit would bring it to 5,009. Michelle Owens asked if reducing by one unit would allow for more parking. Andrea Davis stated that with nine units, they were required to have 18 parking spaces, but with eight units they would be required to have 16 parking spaces. Andrea Davis stated that because they did not get the variance approved for a reduction in parking spaces, they would work those spots into the site plan.

Michelle Owens asked if HAND would have to go back to the donor. Andrea Davis stated that they would have to go back to the state so that they could rescore the application for eight units instead of nine. Andrea Davis stated that she believes they would get the funding. Davis believes that the state would reduce the amount of funding, but that it would still be enough to do the project.

Michelle Owens stated that considering the information that was presented, she would like to take a vote on number two, with the adjustment that each unit would be 5,009 square feet, and that there would be eight units instead of nine. No action was taken on this motion by a 2-2 roll call vote.

Roll Call-

Adrian Roach – Yes

Jake Heard – No

Michelle Owens – No

Roberta Heinzmann – Yes

Michelle Owens asked if they could still move forward since the parking variance was not approved. Steve Niblick stated that he believes so because all that has been provided so far is a sketched plan. Steve Niblick stated that they could still reduce the size of the units to make open space for parking. Steve Niblick stated that whatever the board approves or denies is what HAND will make their design from. Steve Niblick stated that once HAND receives their approval or denial from the board, they will design their plan to fit that, and then take that to the Plan Commission to review the details.

Steve Niblick reminded the board that HAND can come in and place five units with 10 off-street parking spaces and a fence without board approval. The fact that they want to vary that is why they need the board's approval.

Adrian Roach stated that he wants the board members who voted against this to consider that they have agreed to come in and match what is already there.

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Adrian Roach stated that with the reduction of the one unit, they are falling in-line with what is already there. Adrian Roach stated that concessions have been made for these two units that are already there so he doesn't understand how the board could try to keep them out when they are in-line with what is already there, square footage wise.

Jake Heard asked if it were reduced to five units, would the board need to consider this variance request. Michelle Owens stated that they probably wouldn't get the funding.

Michelle Owens asked if we know of anywhere else in the city limits where there is a home or duplex of 5,000 square feet that has a variance. Steve Niblick respond that he is not aware of any off the top of his head, but he does know that the TWG senior housing units had to get a variance for density and for parking. Steve Niblick stated that he could not remember the actual numbers, but he does remember that they were asking for about a 50% reduction in parking, but that was

not granted. Steve Niblick stated that the board did grant them some relief on the parking requirements, but not for what they were asking.

Michelle Owens stated that the condominiums that are currently out there, each duplex is on almost half an acre, and the total acreage for this project is just under an acre. So, four of these condominiums sit on just under an acre.

Michelle Owens asked if there is a possibility for HAND to at least match the 5,129 sq. feet of the units on the other end with only eight units. Andrea Davis stated that because we are not talking about the size of the units, but the size of the land. Andrea Davis stated that they arrived at 5,009 by taking the size of the land and dividing it by the number of units, and they can't make the land any bigger.

Adrian Roach stated that if you were to take an average of the two duplexes, you would be off 44 square feet of what they are proposing. Adrian Roach stated that this is already in the subdivision so that is how he is voting.

Michelle Owens asked Jake Heard if, regardless of a reduction down to seven units for a total of 700 ft., would you still not be in favor. Jake Heard stated that that is correct, and that while he understands what Adrian is saying, he was not on the board when the other units were put in. Jake Heard stated that if he were on the board at that time, he would not have been in favor of it then.

Michelle Owens stated that she would like to make a motion to take a vote on the number two variance for seven units instead of eight, and that would be 5725 square feet per unit versus 8,000 square feet. Motion carried 3-1 by roll call vote.

Roll Call-

Adrian Roach – Yes

Jake Heard – No


Michelle Owens – Yes

Roberta Heinzmann - Yes

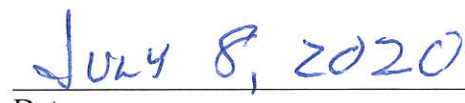
Adjournment

There being no other business, Roberta Heinzman made a motion to adjourn at 6:36 p.m.; seconded by Jake Heard. Motion carried 4-0.


Chair


Date


Executive Director


Date