



City of Tipton Board of Zoning Appeals Special Minutes June 22, 2022

The City of Tipton Board of Zoning Appeals held a special meeting on Wednesday, June 22, 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, Roberta Heinzmann and Cliff Ragan.

Members absent: *Plan Commission appointment.*

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

Staff absent: None.

Modifications to Agenda

None.

Approval of Minutes

Robert Cochrane made a motion to approve the minutes of May 11, 2022, as presented; seconded by Roberta Heinzmann. Motion carried 3-0 with Cliff Ragan abstaining.

Public Hearings

a) CTI-V-13-22 Timothy Six use variance

Steve Niblick provided the staff report.

Robert West came forward to present the petition for a development standard variance to allow the property located at 223 Ash St. to be used as a dwelling in a B-2 zoning district.

No others came forward. Robert Cochrane motioned to close the public hearing; seconded by Roberta Heinzmann. Motion carried 4-0.

Michelle Owens asked Steve Niblick what he meant by “reasonable conditions” in the staff report. Steve Niblick advised that he put that in there so that if there was neighbor opposition, the BZA would be able to make reasonable conditions as a compromise.

David Smith asked that it be noted that none of the performance standards of the underlying zoning will change, and that the variance request will not change the zoning.

With no further board discussion, Roberta Heinzmann motioned to approve the variance request; Michelle Owens seconded. Motion carried 4-0.

b) CTI-SE-14-22 Craig special exception

Steve Niblick provided the staff report for CTI-SE-14-22.

Nathan Althouse came forward to present the petition.

No others came forward. Roberta Heinzmann motioned to close the public hearing; Robert Cochrane seconded. Motion carried 4-0.

Roberta Heinzmann asked if lot one is the larger of the two lots and is not going to be developed. Nathan Althouse stated that the southwest corner falls in the floodplain, so no development could occur in that area. Nathan Althouse stated that approximately 1/3 of lot number one is undevelopable.

Robert Cochrane asked for clarification on criteria G and asked if that is where the BZA will pick up the petition, then, pending approval, the petition would go to the Plan Commission. Steve Niblick explained that criteria G is for the BZA and explained that this portion of the county is focused on agriculture. Steve Niblick explained that a subdivision in this area should be considered with further consideration. Nathan Althouse explained that the majority of area to be subdivided is not tillable because it is wooded or in the floodplain.

With no further board discussion, Robert Cochrane motioned to approve CTI-SE-14-22 as presented; seconded by Roberta Heinzmann. Motion carried 4-0.

c) CTI-V-16-22 Tipton County Highway Department development standard variance

Steve Niblick provided the staff report for CTI-V-16-22.

Bret Morris came forward to present the petition.

Cliff Ragan asked if they have had an issue with theft on the property. Bret Morris stated that they have not had theft but have had issues 4-wheelers and kids riding on the gravel piles.

Robert Cochrane asked if the fence to the west would be between the building and the trees. Bret Morris stated that the fence to the west would be between the building and the trees. Bret Morris stated that the fence to the north along the road would also be between the building and the trees.

Wyatt Johnson came forward to state that he is in support of the petition, and stated that Bret Morris and Tipton County Engineer, Phil Beer, met with him to explain the project. Wyatt

Johnson stated that he has no problem with the project, as long as the fence is placed between the building and the trees. Wyatt Johnson stated that Bret Morris has also offered to remove and replace the dead trees that separate the two properties along the east side of 40th Parallel.

No others came forward. Michelle Owens motioned to close the public hearing; seconded by Robert Cochrane. Motion carried 4-0.

With no further board discussion, Roberts Heinzmann motioned to approve CTI-V-16-22 as presented, with the condition that the trees are planted on the outside of the fence along the west and the north; seconded by Robert Cochrane

Old Business

a) CTI-V-11-22 Morrow Findings of Fact

Robert Cochrane made a motion to approve the Findings of Fact for CTI-V-11-22 Morrow; seconded by Roberta Heinzmann. Motion carried 4-0.

b) CTI-SE-12-22 Dolezal Findings of Fact


Roberta Heinzmann made a motion to approve the Findings of Fact for CTI-SE-12-22 Dolezal; seconded by Michelle Owens. Motion carried 4-0.

Adjournment

There being no other business, Robert Cochrane made a motion to adjourn at 6:36 p.m.; seconded by Michelle Owens. Motion carried 4-0.


Chair

July 13, 2022
Date


Executive Director

July 13, 2022
Date

