Mr. McMillan called the official meeting of the Hamilton County Board of Zoning Appeals – South District to order at 7:04 p.m.

Members Present: Adam Zeller, Charlie McMillan, Jr., David Musselman, and alternates Becky Harger and John Miller. Absent: Chuck Crow and Jim Galloway. Also Present: Charles Kiphart, Director; Aaron Culp, Legal Counsel; and Linda Burdett, Secretary.

Declaration of Quorum: Mr. McMillan declared a quorum with three regular members and two alternate members present.

Guests: See sign-in sheet.

Communications/Reports: Nothing to present.

Approval of Minutes: Mr. McMillan stated that the minutes from the April 24, 2019 meeting were not available.

Old Business: Nothing to present.

New Business: Mr. McMillan began with SBZA-R.V.-0002-05-2019 a requirement variance. This is concerning reducing the required front yard setback of 145.0 ft. down to 85.0 ft. to allow for a 921 +/- sq. ft. addition to an existing home.

John Jay stated his name for the record. My wife Kelly is with me. Our petition is to change the front yard setback for an addition that would be added to the back side of my house. Currently the house is two bedroom and one bathroom. This will bring it up to three bedrooms and two bathrooms. With that we would extend the roof line just between the building and that to include a covered porch area on the back. There would be no east or west property extension along that line. It is all moving farther away from the roadway. We would also be upgrading the current septic system.

As far as public health, safety, morals, and general welfare of the community… I do not believe that this will have any negative impact. There would be no reason for increased traffic, crime or anything. To the contrary, I believe, that upgrading the septic system and moving it to the front yard as approve by the health department would allow for easier access to tie into when sewer systems are available.

As far as the use and value of the property… the adjoining properties are all farmland at the present. The land across the street, I believe, is zoning to be industrial/commercial. I don’t believe adding a single bedroom onto my house would have any financial impact on them. For our home loan
they have done a pre-estimate based off of everything and our appraisal matches what we’re putting into it. The home’s value with our property would go up to $350,000.00. As far as any hardships… without the variance approval there would be a financial hardship on us. Moving into this house we expected from day one to do an addition on the back. It has taken us nine months to get a contractor to move forward. With the economy nobody wants to work on older homes. We have invested a lot of our own money in getting the house. I have upgraded the electrical to current standards. We are in the process of upgrading the rest of the electrical and the plumbing. If the variance was denied, we would be out all that money. Without the addition I don’t see how our family would be able to stay in the home.

Mr. McMillan asked if there was any communication from the health department on the septic. (2) Did you get a copy where the surveyor’s office reported back with no objection to the variance request?

Mrs. Burdett stated that there was something but she couldn’t remember what it was.

Mrs. Harger asked about a regulated drain that went through the property somewhere. Is that what that letter says? (2) It does not cross your property anywhere? (8) Your question about the 50% increase, just eyeballing this I would say maybe we’re close to that. I assume you did the math on it, Mr. Kiphart. Is it more than a 50% increase? (9) Ok. (11) The current square footage is 1,350 and you’re thinking the new addition is the 500 plus the porch.

Mr. McMillan stated that the property has area of minimal flood hazard Zone X. (3) So the health department came out you’re fine with where it’s located. (4) I read 921 sq. ft. +/- is that… (5) So it wouldn’t exceed 50% of the size the house is now? (7) How long have you owned the property? (10) What is the square footage of your home now?

Mr. Jay stated that there is a drain on the south side of the road from them. (2) The only thing that goes across my property is a field tile and that’s probably 300 to 400 feet from the closest edge of my house. (3) Yes. The new system is actually farther away from the well. (4) That may be including the covered porch area which is not going to be enclosed. It’s just an open-air deck area. The bedroom addition is 550 sq. ft. (5) The actual living space added will only be about 550 sq. ft. I’m not sure where the 900 came from… (6) We would not be deviating from that plan. (7) We moved in May of last year. We had six contractors come out and only two called us back with actual amounts for the project. It wasn’t until we applied for the permit that we found out we had to have the variance. (10) The house right now is at 1,350. (11) Yes.

Mr. Kiphart stated that he did include the porch. Anything that is structural. (8) I don’t think so.

Mr. Kiphart asked if the existing house had a basement. (2) Second floor?

Mr. Jay answered, no, sir. Crawlspace. (2) No, sir.

Mrs. Harger asked if they had settled the septic question. Is that a ______?

Mr. McMillan stated that we will talk about a condition on that.
Mrs. Harger stated that it’s just odd that they would want something in the front yard. (2) So that would all fall under the same variance essentially. The septic would too?

Mr. Kiphart stated that the whole house is in the front yard. (2) We’ll have to have the septic permit before we can issue the building permit.

Mr. Miller stated that it does make sense that they would put it in the front yard so if they ever run city lines through there it would be easier to connect to.

Mr. Jay stated that they looked at two locations for the septic because of the current position of where it’s at on the north side of the house. They were going to move it even further away from my house – north – which put it about 10 ft. or so from the property line which put it 250 ft. from the road. Trying to get a vehicle back there to pump it and service it didn’t make sense. Eventually the city will service that area. We talked about it and re-approached the health board and the health board approved the new plans for the front yard. It is all staked and flagged right now for where it would be.

Mrs. Harger asked if anyone knew what 146th Street looked like on the thoroughfare plan. (2) So that could be potentially how wide some day?

Mr. Kiphart stated that it was a primary arterial. (2) It could go up to as much as 150 ft.

Mr. Jay added, to which my house would no longer be there.

Mrs. Harger stated that that would be the case. You couldn’t stay there at all if they came through with that road. (2) I say that because, if your request is approved, I don’t like landowners to feel like this is any guarantee from this board that nothing bad is going to happen because you may make a huge investment and we say ok but then years down the road you have a problem. We can’t foresee the future but widening roads is always a threat.

Mr. Jay stated that that would be With or without the addition. (2) I understood that. The front of the house is maybe 100 ft. from the road. We understand that that’s a booming area, that is will eventually expand, and that would put our house in jeopardy but for the time being it is the perfect place for us. We love being in Hamilton County and it’s close to work for both of us yet still kind of in the sticks. So it’s nice where it is now. We’ll take advantage while we can.

With no further questions from the board… Mr. McMillan opened the hearing to the public at 7:18 p.m. and with no one from the public present… Mr. McMillan closed the public portion of the meeting at 7:18 p.m. Do I have a motion?

Mr. Musselman made a motion to approve SBZA-R.V.-0002-05-2019.

Mr. Zeller seconded.

Mr. Musselman, Mr. Miller, Mr. Zeller stated that they didn’t have a problem with it.
Mr. Zeller stated that they are not coming any closer to the road with it. It will make them more comfortable with the new baby.

Mrs. Harger stated that the hardship was stated as being mostly financial which we are not supposed to take into consideration, but I feel like the hardship is just the size of the property and there isn’t a lot of depth there or anywhere to go. So I feel like it’s a reasonable request to have a three bedroom home in this day and age and that’s the property that they have to work with. So I’m good with that.

Mr. Musselman stated, it’s three and a half acres. Let them build it.

With no further comments from the board… Mr. McMillan called for the vote. **5 yes votes… 0 no votes.** Your variance is approved.

Mr. Kiphart advised the petitioner that they would need an electrical permit for any electrical work that has already been done.

Mr. Jay stated that permit had been pulled by Maynard Electric. They just upgraded the panel and went from overhead to underground.

Director’s Report: Mr. Kiphart stated that the plan commission, the commissioners, and the council are considering appropriating money to upgrade the comprehensive plan probably next year. There is always a possibility that it could start this year.

Legal Counsel Report: No report.

The next BZA meeting will be Wednesday, May 22, 2019. Permission was granted to cancel the meeting if there were no petitions submitted for board consideration.

With no further business to come before the board… **Mr. McMillan asked for a motion to adjourn.**

**Mr. Musselman so moved.**

Mr. Zeller seconded.

With no further comments… Mr. McMillan called for the vote. **5 yes votes… 0 no votes.** Meeting adjourned at 7:25 p.m.

___________________________________
Charlie McMillan, Jr., Chairman

Date: ________________

____________________________________
Linda Burdett, Secretary

Date: ________________