

The Madison County Board of Zoning Appeals met on the above date at 9:00 A.M. with, Mary Jane Baker, Chairperson, presiding.

Members Present: Mary Jane Baker, John Simmermon, Rick Durham, Bill Hobbs, and Rex Etchison.

Also Present: Ken Ellis, Planning Director, Jeff Graham, Attorney, and Elizabeth Bruns, Board Secretary.

Members Absent: None

### **CURRENT BUSINESS**

1. Prayer by Member Durham
2. Pledge of Allegiance
3. Roll call taken with one Member, John Simmermon being absent.
4. Member Durham made a motion to approve the minutes of the April 9, 2013 meeting. Member Hobbs seconded the motion. Vote was unanimous in favor of the motion. **April Minutes Approved.**

John Simmermon joined the meeting at 9:00:17

### **NEW BUSINESS**

1. **Petition:** 2013-V-006  
**Address:** 11882 N 750 W, Elwood, in Pipe Creek Township  
**Location:** 650' north of the intersection of 1175 N and 750 W  
**Petitioner:** Bill Everling  
**Request:** Relief from the GC zoning requirement by reducing the side & rear setback.

Direct Ellis presented his staff report with a favorable recommendation.

Mr. Everling stated he would like to build this barn for storage and said that he talked to him neighbors and they had no problem with my request.

Member Hobbs made a motion to approve 2013-V-006 concurrent with Staff Recommendations and having met all statutory criteria. Member Durham seconded the motion. Roll call taken, vote was unanimous in favor of the motion. **2013-V-006 approved.**

2. **Petition:** 2013-V-007  
**Address:** 7015 N 500 W, Frankton, in Lafayette Township  
**Location:** Northwest corner of the intersection of 500 W and 700 N  
**Petitioner:** Michael & Barbara Rastetter

**Request:** Relief from R2 zoning requirement for connection to public water and sewer lines.

Direct Ellis presented his staff report with a favorable recommendation.

Keith VanWienen with Precise Land Surveying is representing the Petitioner and asked the Board if they had any questions.

Member Durham asked if this met the division standards of the Ordinance and Mr. VanWienen stated yes and they are trying to sell the home.

Member Simmermon made a motion to approve 2013-V-007 and accept the Staff Findings of Fact. Member Durham seconded the motion. Roll call taken, vote was unanimous in favor of the motion. **2013-V-007 approved.**

3. **Petition:** 2013-V-008  
**Address:** 1610 W SR 38, Pendleton, in Fall Creek Township  
**Location:** Northwest corner of the intersection of 150 W and 700 N  
**Petitioner:** Robert & Jennifer Brown  
**Request:** Relief from AG zoning requirements for a reduction in front yard setback.

Direct Ellis presented his staff report with a favorable recommendation.

Member Simmermon pointed out that they already have several buildings within the required setback and the one being requested today would be less invasive than the existing ones.

Stacy Walton with Cross County Consulting is representing the Petitioner.

Member Hobbs made a motion to approve 2013-V-008 concurrent with Staff Recommendations and having met statutory criteria. Member Etchison seconded the motion. Roll call taken, vote was unanimous in favor of the motion. **2013-V-008 approved.**

4. **Petition:** 2013-V-009  
**Address:** 6763 W 210 N, Anderson, in Jackson Township  
**Location:** 1000' east of the intersection of 210 N and 700 W  
**Petitioner:** Scott & Jennifer Zelhart  
**Request:** To legally establish an existing accessory structure in front of the primary structure.

Direct Ellis presented his staff report and explained that Judy, the previous Plan Reviewer, overlooked that this barn would be in front of the home and issued a permit. Director Ellis is now asking the Board to make this a legal structure.

Ms. Zelhart stated that they are on a hill so it would be less practical to place it there. The roof line will match the roof of the house and be the same exact color of the house. Member Hobbs asked what the use of this building would be. Mrs. Zelhart stated personal use.

Member Hobbs made a motion to approve 2013-V-009 forgiving the Staff and that the information is concurrent with Staff Recommendations and meets statutory criteria. Member Simmermon seconded the motion. Roll call taken, vote was unanimous in favor of the motion. **2013-V-009 approved.**

- 5. **Petition:** 2013-V-010
- Address:** 10275 S 50 W, Pendleton, in Fall Creek Township
- Location:** 1200' south of the intersection of 1000 S and 60 W
- Petitioner:** David McKenney
- Request:** Relief from AG zoning requirements for a reduction in side and front setbacks and to allow an accessory structure in front of the primary structure.

Direct Ellis presented his staff report with a favorable recommendation.

Mr. McKenney stated he would like to build this barn for personal storage.

Member Etchison made a motion to approve 2013-V-010 as presented. Member Hobbs seconded the motion. Roll call taken, vote was unanimous in favor of the motion. **2013-V-010 approved.**

**MISCELLANEOUS** – None Presented

Chairperson Baker adjourned the meeting.

Adjournment: 9:43:19 A.M.

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Mary Jane Baker, Chairman

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Elizabeth Bruns, Board Secretary