

PULASKI COUNTY BOARD OF ZONING APPEALS

MEETING MINUTES: JANUARY 26, 2015

COMMISSIONERS MEETING ROOM:

Present: Jim Kuiper, Rick Stone, Pam Chumley, Matt Rausch, Matt Kelsey: David Dare, Building Commissioner: Nate Origer, President, Community Development Commission: David Weber, Building & Zoning Department (non-voting members)

Absent: Kevin Tankersley: County Attorney

Visitors: Attached

- **Call to Order:** President Kuiper called the meeting to order at 6:01 PM.

- Introductions: New member Matt Kelsey introduced himself to Board members.

- Approval of Agenda: Upon a motion by Mr. Stone with a second from Ms. Chumley, Board members voted 5 – 0 to approve the agenda.

- Approval of Minutes: Upon a motion by Mr. Rausch with a second from Ms. Chumley, Board members voted 5 – 0 to approve the November 2014 meeting minutes.

- **New Business: Re-organization: Election of Officers:**

- Mr. Kuiper nominated Mr. Stone for President. Mr. Stone accepted the nomination. Mr. Rausch then nominated Mr. Kuiper for Vice President. Mr. Kuiper accepted the nomination. Nominations from the floor were then closed. Upon a motion by Mr. Rausch with a second from Ms. Chumley, Board members voted 5 – 0 to elect this slate of officers for 2015.

- **Old Business:**

- **Update on Zoning Ordinance Revisions (RATIO):** Mr. Origer updated members on the progress by RATIO staff. They have forwarded some of their thoughts/comments on the ordinance through section 5.8. Board members were asked to review these comments from RATIO staff and to forward any responses/questions to him. Mr. Kuiper brought up the issue of the setback requirements in Medaryville (R-1) being too restrictive for homeowners to build. Mr. Origer said he would forward this to RATIO staff. No other issues or concerns were raised.

- **Amend Rules of Procedure:** Mr. Weber asked if Board members had reviewed the suggested changes he made in the Rules of Procedure. One of these items is the provision that public hearing petitioners place flags and/or signs on their property prior to the public hearing. Significant discussion ensued about the merits of requiring flags/signs for petitioners including comments from visitor Marion Kasten. Mr. Kasten was concerned about notice requirements for

neighbors and access to legal descriptions. Board members stated they had not reviewed all the suggested revisions and suggested this issue be postponed so all members could review the document and place this on the March agenda. No action was taken on this issue.

- Other Business:

- Findings of Fact: Mr. Weber discussed the need for the Board to certify the Findings of Fact document subsequent to a public hearing. He stated best practice and recent case law clearly indicates the need for this certification. He stated he has created a form for this and would forward it to Board members for their review prior to the March meeting.
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- Public Comment:

- Regarding public hearings, Marion Kasten commented that he would like to see or have access to more information including legal descriptions, the intended use of the land, timelines for the project, etc.
 - Terry Young asked Mr. Dare if there are any timelines when issuing a building permit. Mr. Dare responded that building permits are good for one year but can be extended.
 - There were no other public comments.
 - **Adjournment:** Upon a motion by Mr. Kuiper with a second from Ms. Chumley, Board Members voted 5 – 0 to adjourn.
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- Next regularly scheduled meeting: Monday March 23, 2015 @ 6:00 PM
in the Commissioners Meeting Room: