

**TOWN OF NEWBURGH
BOARD OF ZONING APPEALS
MINUTES NOVEMBER 19, 2015**

MEMBERS PRESENT: Jason Brown; Rick Hornbeck; Leanna Hughes; Damien Scheessele

ADMINISTRATIVE PRESENT: Tonya McGuire, Town Council Liaison; Christy Powell, Town Manager; Chris Wischer, Town Attorney; Tavi Wydicks, Acting Zoning Administrator

CALL TO ORDER

Tonya McGuire called the meeting to order. Tonya stated that this is the first meeting since the new appointments. Tonya stated that everyone is in attendance and there is one open chair that needs to be filled. Tonya stated that the first order of business will be to elect the committee chair.

Leanna Hughes moved to elect Jason Brown as chair. Rick Hornbeck seconded the motion and the motion carried.

Jason Brown officially called the meeting to order. All members were in attendance.

MINUTES

Tavi Wydicks stated that the May 2015 minutes had already been signed by the chair, but that the committee needed to officially approve the minutes.

Rick Hornbeck moved to approve the May 2015 minutes. Damien Scheessele seconded the motion and the motion carried.

REPORTS

Planning Commission

Tonya McGuire stated that the Plan Commission meeting for November was cancelled due to lack of business, but the commission will be meeting on December 7, 2015 to review the plat for the Neighborhood Market.

Zoning Administrator

Tavi Wydicks stated that since the last meeting in May 2015, the Town has issued 70 building permits, total fees collected were \$4,895.50, and the total valuation of all projects was \$1,036,986.71.

UNFINISHED BUSINESS

Leanna Hughes asked if the Town had found a secretary for the commissions to take minutes.

Tavi Wydicks stated that she is doing the minutes for Board of Zoning Appeals, Historic Preservations Commission, Plan Commission, and Storm Water Management. Leanna stated that she does not think that it is appropriate, and she would like for the Town to find someone to come in and take the minutes. Chris Wischer stated that until someone is found, the staff will have to continue to do the minutes. Tonya McGuire stated that she is not opposed to hiring someone to take care of the minutes, but the Town needs to make sure that they are receiving the minutes in a timely manner.

NEW BUSINESS

Variance Request for Parking and Sign Requirements – 224 W Jennings Street

Tavi Wydicks stated that Lucid wants to add a coffee bar to the main area on 224 W Jennings Street. Tavi stated that the Town ordinance calls for sixteen parking spaces for an eating/drinking establishment, plus an additional four parking spaces per 1,000 square feet for Re:Creation Design Studio that is also in the building, for a total of approximately twenty-four

parking spaces required. Tavi stated that there are fourteen spaces available. Tonya McGuire stated that they would also be able to count the available spaces on Jennings Street. Tavi stated that the second part of the variance is for the sign requirements. Tavi stated that Re:Creation Design has a sign on the left side of the Jennings side of the building, and Lucid wants a sign that is the same size and placement on the right side of the Jennings side of the building. Tavi stated that the zoning ordinance states that a building used by two or more businesses may have signs with a surface area no more than eighteen square feet and that a business with more than one street frontage is allowed one wall sign per street frontage. Tavi stated that there is street frontage on Jennings and Market streets, however Lucid wants both signs on Jennings, and the total square footage of the signs combined is twenty-four square feet. Tavi stated that the notification requirement has been met. Benjamin Madson from Lucid discussed his request with the committee. Mr. Madson stated that due to the nature of the businesses at 224 W Jennings, he believes the fourteen available spaces are more than enough parking. Mr. Madson stated that Lucid and Re:Creation Design both used the existing Country Store signs, and removed the inserts and replaced them with black and white logos. Jason Brown clarified that there are two individual requests, one for parking and one for the sign. Tavi stated that Lucid is using the existing hardware for the sign and that an email was sent to HPC regarding the sign and the committee approved the sign. Leanna clarified the dimensions and seating area for the coffee bar.

Leanna moved to approve the variance for parking requirements, limited to the use described in the variance petition. Damien Scheessele seconded the motion and the motion carried.

Jason Brown stated that the only concern he has is that the Town will continue to be selective on when they do and do not allow for these variances. Leanna stated that she understands and agrees with Mr. Brown, but she will vote favorably for this variance because they are utilizing the existing hardware. Chris Wischer read the state statutes and ordinance to the committee to clarify what they should be looking at when considering a variance.

Jason Brown moved to approve the sign variance, as outlined in the petition (no bigger, no smaller, and with use of existing hardware). Rick Hornbeck seconded the motion and the motion carried.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

None

ANNOUNCEMENTS

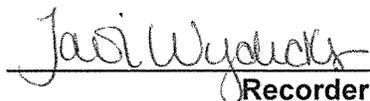
None

ADJOURN

Damien Scheessele moved to adjourn the meeting. Leanna Hughes seconded the motion and the motion carried.



Chair



Recorder