

MINUTES
Board of Zoning Appeals Meeting
August 2, 2021

The public meeting was called to order at 6:00 p.m. at the EMS Building located at 320 Baker Rd.

Members present were: Chairman David Subler, Lester Kueterman, Billie Platfoot, and John Wagaman. Mike Darnell was absent. Also in attendance was Village Administrator Michael Busse and guests Mike Shimp, Kathy Shimp, Marc Dieringer, Karla Dieringer, Erin Shaffer, Mandy Schlater, and Jeremy Lefeld.

A motion to approve the agenda was made by Billie Platfoot, seconded by John Wagaman. Vote: All yeas.

A motion to approve the minutes from the July 6, 2021 BZA meeting was made by John Wagaman, seconded by Lester Kueterman. A vote followed with all members voting to approve.

Chairman Subler administered the oath to all guests in attendance allowing them to testify at the hearing.

The Board was presented with BZA Case No. 21-06. Mr. Busse reviewed the following statement of facts for the Board and explained what the zoning standards are affecting the property.

Mr. Busse stated that BZA Case No. 21-06 is a variance application filed by Hotel Versailles, 21 W. Main Street, to allow for on-premise signage which exceeds the maximum limitations for signage for a single business. Mr. Busse stated that this is a great project for the village and although the signage package as presented exceeds the guidelines in some areas, he felt it is appropriate and not excessive due to the size of the facility. Mr. Busse discussed the location and size of each proposed sign as Board members followed along with their sign package exhibits.

After some discussion a motion was made by Billie Platfoot, seconded by John Wagaman to approve the signage package as submitted. A vote followed with all members voting to approve the variance and signage package as submitted.

The Board was presented with BZA Case No. 21-07. Mr. Busse reviewed the following statement of facts for the Board and explained what the zoning standards are affecting the property.

Mr. Busse stated that BZA Case No. 21-07 is a variance application filed by Marc and Karla Dieringer, 318 South Second Street, to remove and reconstruct an attached 22 X 22 foot carport within 8 inches of the north property line where Versailles Zoning Regulations require a 5-foot side yard setback. The Dieringer's are in the process of purchasing an additional 2 feet of property to allow for the 8-inch setback off the property line. The new carport currently overhangs the north property line by approximately 16 inches.

Mr. Busse informed the Board that an existing carport was removed and construction had commenced on a new replacement carport. Due to a misunderstanding by the homeowner and contractor, a zoning permit was never obtained for the project. The project is currently red tagged and a stop work order has been issued due to the lack of an approved zoning permit.

Erin Shaffer, who is the property owner to the north, was in attendance and informed the Board that she is willing to sell 2 feet of her property to the Dieringer's to allow for the construction to continue.

MINUTES
Board of Zoning Appeals Meeting
August 2, 2021

Erin has applied to her lending institution for approval to sell the aforementioned property, but she has not yet heard back from them.

Mrs. Dieringer provided the Board with a picture of the previous carport. This picture seems to show that the previous carport north wall foundation was not at the same exact location of the new carport.

Board members discussed the fact that the variance request currently under review could not be granted until such time as the additional property is purchased, the Denlinger's property is re-platted, and new pins are set to include the additional property.

After much discussion Lester Kueterman made a motion for conditional approval of the requested variance once the additional 2 feet of property is purchased, the Dieringer's lot is re-platted, and new pins are set. Billie Platfoot seconded the motion. A vote followed with all members voting for the conditional approval.

Mrs. Dieringer asked what the next steps were for the approval process. Mr. Busse stated that once they complete the purchase of the additional 2 feet of property from Erin Shaffer, they will need a professional surveyor to create an exhibit and legal description for the replat. The legal description and exhibit will be presented to the Planning Commission for approval and recommendation to Council. If approved by the Planning Commission and Village Council, it will be filed with the Darke County offices and new property pins can be set by the Dieringer's surveyor. A zoning permit can then be issued and the construction can be completed.

Mr. Busse stated that he will attempt to keep the approval process moving along, but the timeline for approval will be dictated by when he receives the replat exhibit and legal description from the Dieringers.

The Board was presented with BZA Case No. 21-08. Mr. Busse reviewed the following statement of facts for the Board and explained what the zoning standards are affecting the property.

Mr. Busse stated BZA Case No. 21-08 is a variance application filed by Mike Shimp, 642 Hickey Avenue, to construct a 32 X 28 addition to his detached accessory garage building 18 feet from the front (south) property line where Versailles Zoning Regulations require a 30-foot front yard setback on all structures. Mr. Busse informed the Board that Mr. Shimp's property is "L" shaped and it wraps around the north side of the funeral home property. Mr. Busse stated the he had not been contacted by any property owners about this variance request and has no concerns about the Board approving it as submitted.

After a brief discussion a motion was made by John Wagaman, seconded by David Subler to approve the variance request as submitted. A vote followed with all members voting to approve the variance.

The Board was presented with BZA Case No. 21-09. Mr. Busse reviewed the following statement of facts for the Board and explained what the zoning standards are affecting the property.

Mr. Busse stated BZA Case No. 21-09 is a variance application filed by Mandy Schlater, 108 Moore Parkway, to construct a 5-foot-tall pool fence within the required front yard (Second Street) setback where Versailles Zoning regulations require a 5-foot pool fence but also limits the height of a front yard fence to 36 inches.

MINUTES
Board of Zoning Appeals Meeting
August 2, 2021

The Board discussed the fact that Second Street is a dead-end street that ends at Ms. Schlater's south property line. The Board also discussed the fact that proposed pool fence is an aluminum fence is not solid panel construction that can be seen through. Mr. Busse stated that he did not believe that the fence would create any site-distance issues because it is 4 feet behind the sidewalk and it is not a solid privacy style fence.

After some discussion a motion was made by Billie Platfoot, seconded by Lester Kueterman to approve the variance request as submitted. A vote followed with all members voting to approve the variance.

With no further business to conduct, a motion to adjourn the meeting was made by David Subler and seconded by John Wagaman. Vote: all yeas.

The meeting was adjourned at 6:45 p.m.

BZA Chairman

Michael Busse, Secretary