

BOARD OF ZONING APPEALS
Wednesday, January 20, 2021
5:00 pm
Town Council Chambers
Variance Petition-Public Hearing

Members Present:

Cindy Spears
Jerry Hoffman
Tom Chiudioni

Members Absent:

Mark Tinch
Tom Hurley

Others Present:

Matt Ray
Erin Hurley
Steve Justin, Petitioner

Jerry Hoffman called the meeting to order at 5:05 pm. Members present were Cindy Spears, Jerry Hoffman, and Tom Chiudioni. Mark Tinch and Tom Hurley were absent.

Tom Chiudioni moved to approve the minutes from the October 21, 2020 meeting. Second by Cindy Spears. All members present voted Aye.

Old Business

There was no old business.

New Business

Justin Variance:

Matt Ray presented a petition from Premium Asset Services, LLC and Platinum Property Group, LLC. Steve Justin appeared representing the owners. They are requesting a development standards variance for their property located at 6263 W. Kilgore Avenue, Muncie. The M-2 zoning standards require a 25 foot side setback and a 25 foot rear setback. There was an error when the footer was dug for a new apartment building and the structure will encroach into those setbacks.

Mr. Steve Justin stated that the footer on the south side of the building extends 10 inches into the setback and on the east side of the building it encroaches by 2 feet 10 inches. Matt Ray added that he met with the owner of Lowrey's Candies next door to the property and explained the variance request.

Jerry Hoffman said that as an architect he understands how these errors can happen. He added that because the lots on both sides of the property are commercial, he doesn't feel there is a problem with the request.

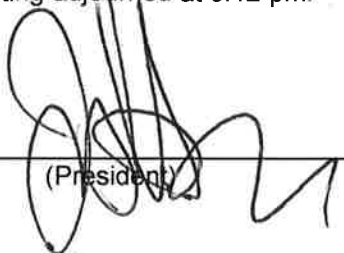
Tom Chiudioni asked about the existing fence. Mr. Justin responded that Lowrey's owns the fence and would like it to remain. There are large trees on both sides of the fence that will also remain as a buffer.

There were no comments from the public.

Jerry Hoffman made a motion to approve the setback variance as requested. Cindy Spears seconded the motion. All members present voted Aye.

Variance approved.

Meeting adjourned at 5:12 pm.



(President)