

**SHELBYVILLE BOARD OF ZONING APPEALS
MEETING MINUTES
May 9, 2023**

Wade Lewis: Welcome everyone to the May 9, 2023 Board of Zoning Appeals meeting. I will call order and take the roll call.

Allan Henderson: Mr. Bradburn - here, Mr. Lewis - here, Mr. Cassidy - here, Ms. Terrell - here.

Lewis: Okay no need for elections, scratch that. Approval of minutes from April?

Doug Cassidy: Motion to approve.

Nicole Terrell - Second.

Lewis: All in favor?

In Unison: Aye.

Lewis: Opposed?

No reply.

Lewis: Alright seeing we have no Old Business, we will get to New Business. We have one item on the agenda, BZA 2023-11. Allan?

Henderson: New Business for tonight is BZA 2023-11 Steven McVey at 340 E. Pennsylvania Street. Mr. McVey is asking for two development standard variances. One from UDO 5.03C1 which is general accessory structure standards which is the separation of an accessory structure from the primary structure and the second is from UDO 5.5F1 minimum side yard setback standards.

Lewis: Petitioner? Mr. McVey, would you like to step to the podium, state your name and tell us a little about your appeal?

Steven McVey: My name's Steven McVey. All I was wanting to do is build a shed on the back of my property. I have a couple present sheds back there but I'd like to build something else. It's not gonna be attached to the house so it'll be next to it but it won't be attached. What I'm gonna do is put a rock board in back of it 'cause I heard that they's worried about it being so close that for a fire, you know 'cause I will be storing gasoline and lawnmowers in there. So I was gonna put rock board on the back of it, steel roofing on the top and put it against the house to eliminate any you know, it won't eliminate fire but it'll be resist it a little bit more.

Lewis: Okay. Alright, I'll open questions up to the board; Nicole, we'll start down there.

Terrell: Did you get, I didn't, what size are you specifying here?

McVey: It's gonna be 12' wide. Front to back, it's gonna be 8'.

Terrell: Alright.

McVey: And it's gonna, I plan for it being like 93" tall and that'll be coming right underneath the gutters. It's gonna be exactly on the side of my house. That's where it's gonna come and I already have probably this much the size of this podium left over in cement but I'm not gonna go into that. I'm gonna leave that open. It's just gonna be to the side of the house.

Terrell: No further questions.

Lewis: Okay, thanks. Doug?

Cassidy: None from me.

Lewis: Vince?

Vince Bradburn: Yep, just a question that you were just getting to I think. How much space will be remaining between the back part of your lot with the alley and the structure you're wanting to....

McVey: There's very little; probably I know they said they want 5' from the house to that but if I did that the opening would pretty close be into the alley and I do have cameras back there but I mean I wouldn't be able to keep a visual on the opening of it.

Bradburn: Would you say less than 5' then?

McVey: Oh yes.

Bradburn: Gotcha.

Henderson: Can I clarify?

Bradburn: Please.

Henderson: So between, you're talking between the edge of the shed and the alleyway?

Bradburn: Correct.

Henderson: There is, we measured it that one day.

McVey: Yeah.

Henderson: There's substantial. It's more than 5'.

McVey: Well, that....

Henderson: He's talking between the house and the shed that he wants to build is gonna be zero but between the shed and the alley there's

McVey: Yeah but like I said if you move that out you know that's why I was wanting to put it and not, doing everything I can you know the like I said with the metal roofing and the metal and the rock board on the back to keep it away from the house if there was anything.

Bradburn: Sure, sure. So we'd say there'd be about 5' or just over 5' remaining or?

Henderson: There's probably 13 or 14.

Bradburn: OKay.

Henderson: From the end of the shed to the alley.

Bradburn: Okay. Gotcha.

McVey: From the back.

Henderson: Right.

McVey: Yeah.

Bradburn: Okay, thank you. No further questions.

Lewis: Okay. The only thing, you mentioned the rock boards so the rock board then would be....

McVey: Yeah.

Lewis:even with your property line or with the house.

McVey: Yeah they all will. I plan to....

Lewis:(inaudible)...come back from the sidewalk, you aren't gonna see anything sticking out? Just....

McVey: No.

Lewis: Okay.

McVey: And the rock board, I like when I inquired, I talked to everybody and then they go with James Hardy board. It's fire resistant and so that's what I was going with.

Lewis: Okay. Since that's all the questions so far from the board, so I'll open questions up to the public. If anyone from the public would like to ask a question or has a comment, please come to the podium and state your name for the record and give us your comment or your question.

(?): (?) That's my dad, (?).

(?): Inaudible comment.

(?): We're the neighbors, 336 East Penn. We just have one question. Which side would it be on, the left or right side of the property?

(?): East or west?

McVey: It won't be on his. It'll be if you're facing the back, it'll be the door and then it'll be off to the left.

Cassidy: So it'd be on the (?) side of his house.

Several people speaking at once; no one is clearly audible.

(?): Okay that's all we need.

Lewis: Thank you. Anybody else? Question or comment?

No reply.

Lewis: Okay seeing none, I'll close questions from the public and open it back up to any other questions from you guys, from the board. If not, I'll entertain a motion.

Cassidy: Go ahead.

Bradburn: I'll do it. Like to make a motion to approve the requested development standard variance from UDO 5.5, is this the right one?

Cassidy: Inaudible comment.

Bradburn: Excuse me; I'm gonna start over. Yeah. Like to make a motion to approve the requested development standard variance from UDO 5.03C1 to eliminate the required 5' separation of accessory structures from primary structures in accordance with the plans provided to this board pursuant to the Findings of Facts presented in the planning staff's report.

Lewis: Do I have a second?

Cassidy: Second.

Lewis: Second; alright if everyone will cast their ballots.

(?): Both of these?

Lewis: Is this for both of 'em?

Henderson: Yeah they're both listed separately on there so we should do both requests.

Bradburn: Do separate.

Henderson: Do separate.

Bradburn: Good deal.

Inaudible mumbling among board members.

Henderson: BZA 2023-11A, the development standard variance from UDO 5.03C1: Mr. Lewis - yes, Mr. Bradburn - yes, Mr. Cassidy - yes and Ms. Terrell - yes.

Lewis: Okay. Motion passes.

Henderson: And lastly, in a separate one for the second.....

Lewis: You wanna do....yeah okay.

Cassidy: I'll make a motion to approve the requested development standard variance from UDO 5.03C1....(inaudible)....5' separation of structure from primary structure in accordance to the plan.

Henderson: That was actually 5.5, the other one.

Cassidy: Okay. (?) said 5.3, so 5.5, I'm sorry.

Inaudible mumbling among board members.

Henderson: This is for BZA 2023-11B, the development standard variance from UDO 5.5: Mr. Lewis - yes, Mr. Bradburn - yes, Ms. Terrell - yes, Mr. Cassidy - yes. Motion carries.

Lewis: Alright, thank you. Mr. McVey, good luck with your project.

McVey: Thank you. I appreciate it.

Lewis: Alright. Alright, any other Discussion for

Henderson:(inaudible)...Discussion for tonight....(inaudible)....anything said about having a meeting in June but as soon as we hear something, we'll let you know.

Lewis: Okay.

Cassidy: Motion to adjourn.

Bradburn: Second.

Lewis; Alright, we're adjourned.

Meeting adjourned.