

**TOWN OF TOPEKA-WOLCOTTVILLE BOARD OF ZONING APPEALS
JUNE 16, 2020**

THE TOWN OF TOPEKA-WOLCOTTVILLE BOARD OF ZONING APPEALS MET IN REGULAR SESSION ON **TUESDAY, JUNE 16, 2020 AT 6:30 P.M.** IN THE COUNTY OFFICE BUILDING.

CALL TO ORDER: Tyler Young called the meeting to order at 6:35 p.m.

ROLL CALL: Tyler Young, Doug Fought, and Sally Fought. In attendance: Robbie Miller, Dustin Click, and Brittney Johnston.

ADOPT AGENDA: Doug Fought made a motion to adopt the agenda. Sally Fought seconded the motion. A vote was taken, motion carried and the agenda was adopted.

MINUTES OF PREVIOUS MEETING: Doug Fought made a motion to approve the minutes of the previous meeting. Sally Fought seconded the motion. A vote was taken, motion carried and minutes of the previous meeting were approved.

COMMUNICATIONS: None

NEW BUSINESS

LAND USE VARIANCE

(Public Hearing)

HILL, CHARLES/KEYSER, GREGORY & ROBIN ~ By: Gregory Keyser (20-LUV-20):

Johnson Twp., Sect. 34, T10N R10E, zoned U-1. Located at 107 Meyers St, Wolcottville.

Application is for a proposed 2,482.5' sq. ft. building for personal storage in a U-1 zone without a residence.

Robbie Miller introduced the petition and reviewed the site plan.

Greg Keyser, 15202 Wild Meadow Place, Leo, was present as the petitioner. Mr. Keyser explained he intended to purchase the property if he would be able to place a pole barn on the property. Mr. Keyser's intent was to use the existing slab for a post frame building, and the building would be used for personal storage.

The board discussed the site plan.

A roll call vote was taken:

Land Use Variance

1. The approval will not be injurious to the public health, safety and general welfare of the community.

The proposed auxiliary structure is to be constructed on a vacant lot in a U-1 zone that has been left vacant and unused for several years. The variance requested does not interfere with neighboring properties, does not increase traffic or create hazardous situations to the public. The proposed structure fits within required setbacks.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The proposed auxiliary structure would utilize what has been a vacant lot for many years making better use of existing property. The proposed structure fits within the required setbacks thereby not intruding on adjacent landowners use and enjoyment of their properties. No remonstrators appeared.

3. The need for the variance arises from some condition peculiar to the property involved
The geographical location of the property as it currently sits in a U-1 zone would prevent the proposed auxiliary structure to be constructed on the vacant lot as it currently exists without the construction of a residence.
4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.
Petitioner would be unable to construct proposed auxiliary structure on the vacant lot as it currently exists without the requested variance. Strict application would require the construction of a home on said lot in order to construct the proposed auxiliary structure.
5. The approval does not interfere substantially with the Comprehensive Plan
While the comprehensive plan encourages residential development, the property in question has remained vacant and has not been utilized for residential property for many years. If not for the proposed development for accessory usage, the property may remain vacant for years to come.

For all of the foregoing reasons, on this 16th day of June, 2020, the Topeka - Wolcottville Board of Zoning Appeals finds the Petitioner has met its burden of proof and hereby approves the variance as requested.

OTHER BUSINESS: None

ADJOURNMENT: Doug Fought made a motion to adjourn. Sally Fought seconded the motion. A vote was taken, motion carried and meeting adjourned at 6:57 p.m.

TOPEKA-WOLCOTTVILLE BOARD OF ZONING APPEALS

BY: _____
Tyler Young, President

BY: _____
Doug Fought

BY: _____
Sally Fought

BY: _____

BY: _____