MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
BOARD OF ZONING APPEALS
Held April 9, 2024
Washington County Conference Room

The Washington County **Board of Zoning Appeals** (BZA) was called to order by John Mischler at approximately 6:15 P.M. Those in attendance included John Mischler, President, Lori Gilstrap, Vice President, Todd Ewen, new Board Member and County Commissioner, Denise Coots, Board Member, Lisa Fleming, Attorney and Board Member, and Travis Elliott, County Building Commissioner/Plan Director. BZA Board Member, Marcia Dailey, was absent.

Also present were members of the public, Karen Hulsey , Paul Hulsey, Kevin Baird, Emily Rodman, and Andrew Katt.

All in attendance recited the Pledge of Allegiance, led by Lori Gilstrap. Kevin Baird then offered a prayer.

The **meeting minutes from the March 5, 2024, Board of Zoning Appeals** were approved after a motion by Todd Ewen which was seconded by Lori Gilstrap. All voting members of the BZA in attendance voted to approve the motion. The BZA then moved on to the variance request made by the Hulsey's.

A. Lisa Fleming administered the Oath to Karen and Paul Hulsey prior to their testimony in support of their variance request. The Hulsey's had previously submitted a variance package to Travis Elliott, copies of which had been provided to BZA members in advance of the meeting. The Hulsey's noted that they were buying, on contract, a .33-acre lot at 206 W. Highway 150, Fredericksburg, Indiana 47120, from Mr. Gerald Ambers, the owner of record. They expect to have this paid off in 2025 and plan to build a home on the site. A drawing of the proposed residence was included in the variance package.

   The property is served by a public water system. The variance was requested because the lot size required per Ordinance No. 2023-02 is three-quarter-acre, since this property is not served by a sanitary (city) sewer. Fredericksburg is currently an unincorporated community in Posey Township. Although it was incorporated as a town in 1859, it was disincorporated in 2012, and since then has been covered by County Ordinances.

   There was previously a home on the site, very close to the highway, but it was destroyed in a fire a few years ago. The lot has since been cleaned up. Included in

the Hulsey/Ambert variance package was an e-mail summary from Chris Boling, of the Washington County Health Department, dated January 3, 2024. Mr. Boling stated in his correspondence that the fully functioning septic system shows no sign of failure. Her further stated that it has a pump system to a standard absorption field. Mr. Hulsey provided a sketch of the septic system including the tank, pump, distribution box and lateral field. He noted that this is an expensive system due to the pump that is required to transport the waste to the back of the lot which is a higher elevation than the septic tank.

There was an exchange between board members and the Hulsey's with questions posed and information provided. The Hulsey's indicated that they are staying in a camper on this site currently and that they have a permit. Travis Elliott verified this. The Hulsey's indicated that the planned to locate their permanent home further back from the highway and ensured the BZA that the location of the new home would meet all set-back requirements.

After a lengthy discussion, all four voting BZA members present unanimously voted to approve the variance request.

The meeting adjourned at approximately 6:45 P.M.

Board of Zoning and Appeals by:

John Mishler, President	**Lori Gilstrap, Vice President**
Marsha Dailey	**Denise Coots**
Todd Ewen	**Lisa M. Fleming, WCPC/BZA Attorney**

Washington County Board of Zoning Appeals Guest Speaker(s) Sign in Sheet

Date | *time*4/9/2024 | 6:00-6:30pm

Location: Commissioners & Council Chambers (Courtroom)

Guest Speakers:

1. Pam Hurley
2. Paul Hurley
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

5.03 Time Limits:

1.0 Discussion of any Item shall be limited as follows:

- **a.** The petitioner shall have 15 minutes to present his or her case.
- **b.** Remonstrators and those in support:
  - **i.** Remonstrators and those in support shall have 3 minutes per person for the presentation of evidence in opposition or support. However, multiple individuals may defer, his or her comment time to a spokesperson who shall accrue time of those who defer, subject to a limit of 10 minutes for rebuttal and to answer questions raised by the public.
  - **ii.** The petitioner shall then have 5 minutes for rebuttal and to answer questions raised by the public.
- **c.** No limit shall be placed on the amount of time the WCPC/WCBZA takes to discuss a proposal.
- **d.** The WCPC/WCBZA may grant additional time for discussion if it deems it necessary to make an informed decision. The additional time should be allocated between the applicant and the public.

Attendance:

Washington County Planning Commission & BZA

Date|Time: 4/9/2024|6:00pm

Location: Courthouse Courtroom (2nd Floor)

PC Members	Attend
Lisa Fleming	✓
Travis Elliott	✓
Emily Rodman	✓
Danielle Walker	
Todd Ewen	✓
Rondale Brishaber	
Marsha Dailey	
Kevin Baird	✓
David Lyles	
Andrew Katt	✓
Lori Gilstrap	✓

BZA Members	Attend
Lisa Fleming	✓
Denise Coots	✓
John Mishler	✓
Marsha Dailey	
Todd Ewen	✓
Lori Gilstrap	✓

Public	Attend
Rhonda Greene	
Max Greene	
Paul Hulsey	✓
Karen Hulsey	✓