



**CLARK COUNTY BOARD OF ZONING APPEALS
OF THE CLARK COUNTY PLAN COMMISSION
April 18, 2018**

The regularly scheduled meeting of the Clark County Board of Zoning Appeals was held on April 18, 2018, at 5:00 p.m. in the Conference Room, Room 418, Fourth Floor, Clark County Government Building, Jeffersonville, Indiana.

The following Board Members and Staff were present in the open meeting:

Kim Baker
Duard Avery
Guy Guernsey
Michael Killen
Stacia Franklin – Executive Director
David Nachand – Attorney

The following Board Members and Staff were absent from the meeting:

Keith Coats
Ilpo Majuri – Code Enforcement Officer

The following appeared on the agenda:

1. Call to Order. Michael Killen called the meeting to order at 5:00 p.m. ✓
2. Approval of the prior minutes from the March 21, 2018 meeting. Guy Guernsey made a motion to approve. Kim Baker seconded the motion. Motion carried 4-0.
3. BZA-04-18: Kenny's Imports, 1222 McCullough Pike, Clarksville, filed a petition for a dimensional variance to reduce the front setback from 50 feet to 30 feet for a rebuild of an accessory structure after a fire located at 1222 McCullough Pike, Clarksville, Indiana.

John Kraft, Young, Endres, & Kraft, 126 West Spring Street, New Albany, explained his client's property suffered a major fire and an accessory building was being reconstructed when it received a violation for no permits. He stated the owner wanted to rebuild on the existing foundation and found later the front setback did not meet zoning law for Clark County. Mr. Kraft also stated all information for permits have been given to the Office of Planning and Zoning and they are waiting on the decision from the BZA for the front setback before obtaining their permits.

Stacia Franklin read the list of adjoiners. No adjoiners spoke to the issue. No audience members wished to speak to the issue. Stacia Franklin read the findings of fact.

Guy Guernsey made a motion to approve. Duard Avery seconded the motion. Motion carried 4-0.

4. Robert and Carol sham: Board Conditions on Use Variance granted by a Special Judge. David Nachand explained the Esham case and how a judge overturned the BZA ruling and the Board has the right to impose conditions. He summarized the findings of fact he prepared for the Board.

Kim Baker made a motion. Guy Guernsey seconded the motion. Motion carried 4-0.

5. Other BZA Business

- a. 2018 Clark County Flood Report. Stacia Franklin explained the report regarding the 2018 flooding event.

Meeting adjourned at 5:45 p.m.



Michael Killen, Chairman



Stacia Franklin, Executive Director

Ilpo Rajani, Building Commissioner