

**MINUTES OF A REGULAR MEETING OF THE BOARD OF ZONING APPEALS
OF THE CITY OF JASPER, INDIANA AND PUBLIC HEARING
February 5, 2014**

Vice Chairman Josh Gunselman called the Regular Meeting of the Board of Zoning Appeals to order at 6:30 p.m. Paul Lorey took roll call as follows:

Jerry Uebelhor, Chairman	-Absent	Randy Mehringer	-Present
Josh Gunselman, Vice Chairman	-Present	Darla Blazey, Director of Community Development / Planning	-Present
Dan Buck, Secretary	-Absent	Renee Kabrick, City Attorney	-Present
Bob Cook	-Absent		

Mayor Terry Seitz appointed Paul Lorey to serve on the board for tonight's meeting.

PLEDGE OF ALLEGIANCE

Vice Chairman Gunselman led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the January 2, 2014 regular meeting were reviewed. Randy Mehringer made a motion to approve the minutes as mailed. Paul Lorey seconded it. Motion carried 3-0.

STATEMENT

Vice Chairman Gunselman read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto, and the City of Jasper Comprehensive Plan. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

OLD BUSINESS

Petition of The Evangelical Lutheran Good Samaritan Society for a variance from the general regulations of Section 16.035.050 (Residential Zoning Sign Standards) and Section 16.035.060(5)(c) (Business and Industrial Zoning Sign Standards) to construct a monument sign within a residential district with a height of 9 feet and maximum areas of 73 square feet.

The petition to construct a monument sign was granted at last month's meeting. The petition regarding the size of the sign was withdrawn.

NEW BUSINESS

Petition of Cheryl A. Dalton and Jim K. Sanders (as owners) and Ann Bennett (as petitioners) for a variance to operate a business (nail and hair salon) in a residential zone.

Ann Bennett was present to request a variance to increase the number of employees at Fringe Hair and Nail Salon to a total of eight. The business has been in operation since December of 2007. At that time, the current owner, Cheryl Dalton, was granted a variance from the Board of Zoning Appeals to operate the salon at the residential-zoned property, located at 3419 Villa Drive. Ms. Bennett told the Board she is interested in purchasing the property and in continuing to operate the salon; however, she would like to ‘grow’ the business. The intent is to add another stylist position and possibly nail technicians and massage therapists sometime in the future.

The hours of operation were a concern for some board members. Attorney Kabrick said the original variance allowed for the salon to be in operation Tuesday and Wednesday 7:00a.m.-8:00a.m.; Friday 7:00a.m.-5:00p.m.; Saturday 7:00a.m-Noon and closed Sunday and Monday. Thursday was not referenced. Ms. Bennett requested the hours of operation as Monday-Thursday 7:00a.m.-8:00p.m.; Friday 7:00a.m-5:00p.m. and Saturday 7:00a.m.-4:00p.m. Following some discussion, Vice Chairman Gunselman stated that, in his opinion, the hours should remain the same as the times determined with the initial variance, explaining that the business is still in a residential neighborhood and should not have commercial traffic at all hours of the day.

Parking was also discussed. Paul Lorey pointed out his concern of additional parking spaces if the business increases its clientele. Ms. Bennett said she has researched a few ideas for additional parking and parking flow; i.e., adding a concrete drive to allow vehicles to enter in front and exit around the rear of the property.

Following discussion and a call for remonstrators, Paul Lorey made a motion to close the public hearing. Randy Mehringer seconded it. Motion carried 3-0.

Paul Lorey made a motion to grant a variance to allow a business (nail and hair salon) in a residential zone at 3419 Villa Drive, with hours of operation to include the addition of Monday hours, 7:00a.m.-5:00p.m., keeping the existing hours Tuesday-Wednesday; 7:00a.m.-8:00p.m., Thursday and Friday 7:00a.m.-5:00p.m.; and Saturday 7:00a.m.-4:00p.m. and also allowing a maximum of six employees. Randy Mehringer seconded it. Motion carried 3-0.

ADJOURNMENT

With no further discussion, Randy Mehringer made a motion to adjourn the meeting, seconded by Paul Lorey. Motion carried 3-0, and the meeting was adjourned at 6:50 p.m.

Jerry Uebelhor, Chairman

Dan Buck, Secretary

Kathy M. Pfister, Recording Secretary