

**Town of Leo-Cedarville
Board of Zoning Appeals Meeting Minutes**

April 8, 2019

The meeting was called to order at 7:00 pm.

Jan Linn, Robin Liechty, David Michael Baker and Patrick Proctor were in attendance.

The Board reviewed and approved the minutes from the February 11, 2019 meeting.

Due to a delay in notice, the Special Use Exception filed by East Allen County Schools was postponed until April 15, 2019 at a special meeting.

Harvest Fellowship Church Special Use Exception, 11225 Grabill Road, zoned R3. Joe Gabet of ForeSight Consulting spoke on behalf of the applicant. Basically, the Church is adding an additional wing for Sunday school classes and some additional parking. The Plan Commission had considered the SUE at its past meeting and recommended approval of the application. Mr. Proctor stated that two persons contacted him to give verbal comments about the project. No one objected to the proposed expansion of the church use. One person was concerned about the surface water runoff that might be generated by the project. Mr. Proctor stated that a Storm Water Drainage plan has been prepared and approved by the Allen County Surveyor and the Town Engineer. A second person was concerned about noise that had been created by the youth group when having activities outside at night after dark. Three people spoke at the public hearing. Two were concerned only about the surface water runoff and one spoke in support of the project. More discussion was had about the Surface water drainage plan, which will include a retention on the west side of the property, mounding and will tie in to the existing storm water drain. Mr. Liechty stated that the complaint about the noise should not be part of the project conditions since there is an existing Town ordinance regarding noise control and only one resident has made a complaint about noise. Mr. Baker moved to approve the SUE with conditions to be drafted by the Town Zoning Administrator regarding surface water drainage. Mr. Liechty seconded. The motion carried by Unanimous vote.

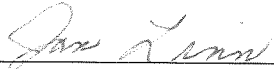
Cheryl & Dwight Silvers Special Use Exception/ Use Variance, 10119 Donald Avenue zoned R4. Cheryl and Dwight Silvers, have applied for a Special Use Exception to use their property as a computer repair business. Mr. Silvers currently conducts the business elsewhere, but wishes to slow down his business in preparation for retirement and work from home. The couple have applied for a Use Variance as well since they would like to operate the business from the detached garage located behind the primary residence, whereas the Zoning Code only allows Home Occupations to operate from the primary residence not appurtenant structures. The Silvers provided proof of hand-delivering notice of the public hearing to their neighbors. No one appeared to speak during the public hearing. The Silvers stated that in the past, prior owners had used the property for commercial use—one for an electrician's business and one for a contractor's business. Since they have owned the property, they have only used it as a personal residence. The Board considered the parking situation. The Silvers stated that they anticipated no more than 3 to 5 cars a week to come to the business.

The Board Considered the use variance. Discussion was had regarding how the current driveway on the property and the size and disposition of the building make the detached garage the preferable location for the business as it would be less visible to the neighboring lots. Also, the two prior businesses on the lot operated out of the detached garage. Ms. Linn wanted to make sure that this special use exception and variance, if approved, would not carry over to any subsequent owners. Discussion was had about the proposed signage for the business, and the applicants were informed that a sign permit was needed from the plan commission.

Mr. Baker moved to approve the special use exception and the variance on the condition that there be no business parking on the street or in the grass and that the special use exception would end if the applicants sold the property. Mr. Liechty seconded the motion. The motion was unanimously approved by the Board.

Meeting adjourned at around 8:20 p.m.

Approved

A handwritten signature in cursive script, appearing to read "Jan Linn", is written over a horizontal line.

Jan Linn

President, Board of Zoning Appeals