

LEBANON BOARD OF ZONING APPEALS
MONDAY, NOVEMBER 5, 2007

TO: ALL BOARD MEMBERS
FROM: RECORDING SECRETARY
SUBJECT: MINUTES TO MEETING

Chairman Robert Duff called the meeting to order. All members were present for the meeting. Minutes from the October meeting were approved.

The first item on the agenda was Geff & Lori French requesting a 10-foot rear setback Variance to permit an in ground swimming pool to be located at 325 Ulen Overlook. The property is Zoned PUD. The required setback is 20-feet. This comes with a favorable recommendation from the Plan Commission with the stipulation that the applicant clarifies with the Lebanon Utility officials that the pool will not be near utilities in the easement. Lori French was present for the meeting. Mrs. French explained that there is a 10-foot utility easement in the rear of the property and the required setback is 20-foot feet from the property line. The swimming pool will be 16'x32'. The pool will be 6-feet away from the utility easement. At the request of the Plan Commission Harold Folden, Steve Large and Artie Edwards from the Lebanon Utilities inspected the property and all agreed the pool would not interfere with any utilities. Proof of publication and notice to neighboring property owners were given. Jim McVey asked if she would be installing a privacy fence. Mrs. French stated that she would not be installing a fence she would be installing an automatic electric cover instead. The pool installer John Metzger would install the cover when he installed the pool. Jim McVey stated that he did not think the cover would be as safe as the fence. City Code stated that a swimming pool must have at least a 5-foot fence around the perimeter of the pool. Stan Meece stated that the City was written before the State of Indiana approved the use of automatic covers and that it is a State Code that allows the covers. Lyle Hunter made a motion to approve the 10-foot variance as presented. Rob Bevington seconded the motion. Eugene Souders stated that he thinks there should be a stipulation in the motion to have a 5-foot fence installed instead of the automatic cover. There was discussion amongst the board members since Larry Giddings was not present for the meeting the Board would want his opinion on this matter. Jim McVey stated that the matter should be resolved before Mrs. French finishes the pool or add water. A vote was taken. Lyle Hunter-approve, Rob Bevington-approve, Robert Duff-approve, Eugene Souders-oppose, Jim McVey-approved. Motion passes.

Applicant has requested to be continued until the January 7, 2008 scheduled meeting. K&M Holdings requesting a Variance to permit outside storage of six tanks that will be screened and covered. This is located at 616 Ransdall Road. This property is Zoned ID.

Meeting Adjourned.

Submitted by Recording Secretary
Kristi Spencer

Chairman, Robert Duff

Secretary, Lyle Hunter