

CITY OF FRANKFORT

Board of Zoning Appeals

February 12, 2025

The City of Frankfort Board of Zoning Appeals met at a Regular Meeting on February 12, 2025, in the City Council Chambers, 301 E Clinton St, Frankfort, IN at 5:30 PM.

President Isac is waiting a few more minutes to give Scott time to get to the meeting.

President Isac is present and called the meeting to order. Upon roll call, the following members were present: Mike Nichols, Sam Payne, Isac Chavez, and members absent: Charles Baetz and Scott Highlander. Staff members present are Don Stock (Zoning Administrator), and Grace Mora (Administrative Assistant).

President Isac Chavez asked the board if any conflict of interest was present or if any ex-parte contact had occurred. Hearing none, he proceeds with the regular meeting.

President Isac asks if the board can still select officers since two board members are absent. Don replied yes since the majority of the board members are present.

ELECTION OF OFFICERS: Isac asks if anyone would like to change the current President or Vice President, and he calls for a motion.

Motion: Mike makes the motion for Isac to remain the president.

Motion made by: Mike Nichols

Second: Sam Payne

Roll call:

- **Aye-** Mike Nichols, Sam Payne, Isac Chavez

Motion: Mike makes the motion for Sam to remain the Vice President.

Motion made by: Mike Nichols

Second: Isac Chavez

Roll Call:

- **Aye-** Mike Nichols, Isac Chavez, Sam Payne

Motion: Isac makes the motion for Mike Nichols to be the Secretary.

Motion made by: Isac Chavez

Second: Sam Payne

Roll Call:

- **Aye-** Isac Chavez, Sam Payne, Mike Nichols

MINUTES: Tabled minutes from the November 13, 2024 regular meeting were presented for review.

Motion: To table the minutes from the November meeting since the quorum is not met.

Motion made by: Sam Payne

Second: Isac Chavez

Roll Call:

- **Aye -** Mike Nichols, Isac Chavez, Sam Payne

MINUTES: Minutes from the January 8, 2025 regular meeting were presented for review.

Motion: To table the minutes from the January meeting since the quorum is not met.

Motion made by: Sam Payne

Second: Isac Chavez

Roll Call:

- **Aye** – Mike Nichols, Sam Payne, Isac Chavez

Vice President Sam asked if he could ask a few questions about the previous minutes. Don stated that he should wait until the next meeting to ask the questions that Sam has.

NEW BUSINESS: President Chavez opened the public hearing for Docket #BZA-2025-002 Variance of Special Exception for OPEDogsalon/John and Adrea Roberts. John and Adrea are not present for the meeting. President Chavez calls on Don to present the staff report. The staff report is read in its entirety. Don states he is ready for any questions. There was a brief discussion between Sam and Don about window mounted signs, and there being no windows per the street view that I provided, it was explained to Sam that the street view on Beacon has not been updated, therefore that shows no windows, followed by a brief explanation of the Comprehensive Plan and how does this business falls under specialty business. Several of the members explained that they had driven past this address and they do have windows and the entry door is facing W. Barner Street. Mike asks if the plans that were provided are the layout of the business, Don stated yes, but for them to occupy this, a Certificate of Occupancy will be required. This led to a further discussion regarding the location of the windows and the door. President Chavez asked Don if he had any further information on behalf of the owners, Don responded no, and talked briefly about their hours of operation. Isac asked if anyone had any more questions, Mike stated he had one question. Mike asks what happens if the homeowner does not follow the home occupancy expectations or the UDO regulations, who enforces that? Don answers the question by telling the board that it will fall back on Don, since Don oversees the UDO regulations, followed by a brief discussion on conversations between Don and John regarding the rules/expectations that will need to be followed.

President Chavez asks for any further discussion from the public, hearing none, public discussion is closed. President Chavez, asks if the board has any more comments, hearing none, the board discussion is closed.

The board notes that the notice of public hearing was published in the Frankfort Times on January 29, 2025, and certified mailings were mailed to each property owner within 100 feet of the petition site on January 29, 2025. There is no conflict of interest present and the quorum was met.

Motion: To approve motion pending the building inspector passes the final inspection of the building.

Motion made by: Sam Payne

Second: Mike Nichols

Roll Call:

- **Aye-** Mike Nichols, Sam Payne, Isac Chavez.

OTHER BUSINESS:

Don explains the revised findings for the denial of docket BZA-2025-001

President Isac Chavez calls for any further business. Hearing none, he calls for a motion to adjourn. Sam Payne motions to adjourn. Mike Nichols seconds the motion. Unanimous voice to adjourn. Meeting adjourned.

Minute's summary typed by Grace Mora.

MINUTES APPROVED MARCH 12, 2025