

**MINUTES**  
**WALTON BOARD OF ZONING APPEALS**  
**Thursday November 19, 2020**

The meeting of the Walton Board of Zoning Appeals was called to order by Mac Martin at 7:00 PM in the Walton Town Hall, 100 S. Depot Street, Walton, IN.

**ROLL CALL:**

Members present: Jeremy Hall, Mac Martin and Brian Ayers

Member absent: Nick Pickering and 1 member to be appointed

Staff present: Eric Servin, Arin Shaver and Peggy Dillon

Public in attendance: See sign in sheet

**ACTION ON MINUTES:**

Mr. Hall made a motion to approve the minutes from May 27, 2020 as presented. Mr. Ayres seconded the motion and all were in favor.

**PUBLIC HEARING:**

Mr. Servin reported that proper notification has been met on these cases.

Mr. Martin asked if any members had any contact with the petitioners, advocates or opponents in today's cases. All stated they had not.

All wishing to speak were sworn in.

WBZA #20-02 A Petition of Lawrence Tucker requesting a Use Variance to allow a taxi service. The property is located at 108 Dutchess St. Walton and is zoned SR, Suburban Residential.

Mr. Servin gave the following information:

- Property is north of the Marathon gas station and west of US 35
- Surrounding uses include Commercial Business and Residential
- Commercial business allows for taxi business
- No further lighting is proposed
- Signage is a 2.5 ft. X 4 ft. sign in the front yard and
- Hours of operation are Monday – Sunday 24hrs.
- Access is existing
- No landscaping is proposed
- Number of employees is 7 – 8
- Parking requires 1 space per employee; there is not enough parking space

Mr. Tucker stated that the following:

- This will be a dispatch center

Mr. Hall asked if the bicycle business is still at this location and Mr. Tucker said no.

Mr. Martin questioned the licensing and insurance for the drivers and Mr. Tucker stated they will have license and \$200,000 liability insurance.

Mrs. Shaver stated that Logansport keeps track of this but Walton does not.

Mrs. Shaver stated she will contact the Walton Attorney to ask if there should be any documentation on file, this could be added as a condition of approval.

Mr. Martin questioned the signage and Mr. Tucker stated there is only a sign on the side of the building.

Mr. Tucker state he has security lights but there will be no additional lights.

Martin asked for questions from the Board, there were none. Mr. Martin asked for questions or comments from the public, there were none.

The following conditions were read by Mr. Hall, Secretary:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits are obtained and proof be given to the Zoning Administrator.
4. Anything that the attorney requires to be on file will be provided by the petitioner.

Commitments of Approval:

1. That no more than 1 business run at one time on this property.
2. That the petitioner work with staff if future lighting be installed and that it be full cut-off.
3. That all parking be neat and orderly, and that all customer parking be clearly marked and signed appropriately.
4. That no additional access points be created.

The petitioner agreed to these conditions.

Mr. Hall motioned to bring this petition to a vote. Mr. Ayers seconded the motion and all members were unanimous to approve #20-02.

The Board completed the findings of fact.

Mr. Martin explained the appeals process.

WBZA #20-03: A petition of Nicholas Ingram requesting a Use Variance to allow retail trade to sell firearms and ammunition. The property is located at 205 S. Maple St. Walton, IN and is zoned NR, Neighborhood Residential.

Mr. Servin located the property and gave the following information:

- The petitioner will be selling firearms and ammunition at his home
- No lighting will be added
- Signage will be an 8.5" X 11" window sign
- Current driveway will provide 6 parking spaces
- Hours of operations will be Saturday and Sunday 8:00 am – 1:00 pm
- No landscaping is proposed
- Number of employees is 1

Mr. Servin asked for questions.

Mr. Martin spoke concern of selling firearms in a home with children present.

Nickolas Ingram, 205 S. Maple St., explained that he will not have an inventory of guns, he will be taking orders and then customers will pick up the order; there won't be customers coming to his home to look at guns.

Bryon Collins, 201 S. Maple St., spoke concern of selling firearms; having people coming to the house at all times; traffic increasing.

Mr. Ingram explained that his business is by order only; customers will be called when their order is in and then they will pick it up; only 1 customer will be there at a time; he is open only 2 days for customers; ammunition will be locked away.

Mr. Martin stated that this is a better situation then he had understood.

Paul Wines, 206 S. Maple St., spoke in favor stating that Mr. Ingram is a good neighbor.

The following conditions of approval were read:

1. That all conditions of proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.
4. The petitioner provide liability insurance to the Planning Staff.

The following commitments were read:

1. That if future lighting be installed, the petitioner work with staff and be full cut-off.
2. That all parking be neat and orderly, and that all customer parking be clearly marked and signed appropriately.
3. If there are any complaints filed with the Walton Police or the Town Hall, this petition will be brought to the Walton Board of Zoning Appeals to be re-heard.
4. The approval will stay with the owner, Nicholas Ingram, and will become void once he vacates the property.

The petitioner agreed to these conditions and commitments.

Mr. Martin asked for further questions or comments, there were none.

Mr. Hall motioned to bring this case to a vote. Mr. Ayers seconded the motion and roll call vote was unanimous to approve #20-03.

Mr. Martin explained the appeal process.

**REPORTS:**

There were none.

**OLD BUSINESS:**

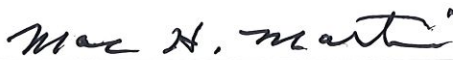
None.

**NEW BUSINESS:**

None

There being no further question or comments, the meeting was adjourned at 7:52 PM, November 19, 2020.

  
\_\_\_\_\_  
Officer, WBZA

  
\_\_\_\_\_  
Officer, WBZA

  
\_\_\_\_\_  
Recording Secretary

