

Liberty Township Board of Zoning Appeals

Public Hearing Decision

Applicant: Greg Schultz – Parking Space Reduction Variance for Dollar General (required 71 – requested 32 spaces)

Public Hearing Date: 9-16-2025

~~Public Vote~~/Announcement Date: 9-22-25

CUP#:

MOTION: *Passed/Approved*

Vote:

Sylvia Cook	<i>Sylvia Cook</i>	Approve	Approve w/conditions	<u>Denied</u>
Leigh Ann Bowen	<i>Leigh Ann Bowen</i>	<u>Approve</u>	Approve w/conditions	Denied
John Dillon	<i>John Dillon</i>	<u>Approve</u>	Approve w/conditions	Denied
Beax Hord	<i>Beax Hord</i>	Approve	Approve w/conditions	Denied
Mike Mortin	<i>Mike Mortin</i>	<u>Approve</u>	Approve w/conditions	Denied
Becky Chamberlin	<i>N.A.</i>	Approve	Approve w/conditions	Denied

The Board finds the request is hereby *Approved* by a majority of the members.

Reasons for Approval, Approval w/conditions or Denial shall be listed to validate vote. (use of other side is permitted)

Chairman/Co-chairman, Liberty Township Board of Zoning Appeals

Greg Schwartz - Dollar General - Parking Space Variance

Date: 9-16-25

OPINION: Passed 4 to 1 (5 sitting members)

Public Testimony and deliberations reflect that adjoining neighbors are not in favor of building on this location due to proximity to residential property. Concerns regarding traffic, lighting, congestion, the floodplain, the creek, water runoff as well as the topography of the proposed build site were expressed. The Board finds that we are only to reflect on "parking" the other issues must be addressed by the builder. The Proposal site is zoned COMMERCIAL, proper for the requested business.

Undue Hardship 521.08

Strict adherence to the current resolution, requiring the full 71 spaces rather than the 32 requested, creates a hardship NOT CREATED BY THE DEVELOPER. The hardship is due to the proximity to residential properties. Such a variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity. The variance will reduce unnecessary pavement, use of lighting and congestion found with larger parking lots. This request is rare. It is the first variance request before the Board of Zoning Appeals. The granting of this variance will allow the property to be developed as zoned within the business corridor of Liberty Township, while preserving the rights and character of the area. The proposed site is located within a floodplain and on a creek. The two remedies are 1. a variance for parking space or 2. the need to purchase more land for additional parking. The variance allows for less impervious pavement creating water run off. In addition, a smaller footprint preserves the character and needs of the residential neighbors within 300 feet while not impeding on the adjoining business zone for its intended use. It is the Board's opinion that this does meet the minimal request standard in the resolution.

Board of Zoning Appeals Co Chair

Leigh Ann Bowen