

WHITELAND BOARD OF ZONING APPEALS
March 2, 2018

Council members present

Richard Hill, President	_____
Byron Temple, Vice President	X
Leslie Beeson, Member	X
Juanita Emery, Member	X

Other town officials present

Julia Meece, Deputy Clerk Treasurer	X
Joe Csikos, Planning & Zoning Director	X
Stephen Watson, Town Attorney	X
Dan Cartwright, Community Development	X

Call to order:

B. Temple called the meeting to order at 7:22 pm

Pledge to the flag

Roll call

Absent R. Hill

Determination of Quorum:

Needed Quorum reached

Election of Officers:

L. Beeson made a motion to keep Richard Hill as President and Byron Temple as Vice President. J. Emery seconded the motion.

Passed 3-0

Appointment of Secretary:

L. Beeson made a motion to keep Julia Meece as Secretary. B. Temple seconded the motion.

Passed 3-0

Approval of Minutes:

Minutes were not voted on this time from the October 5, 2017 meeting due to the section of Election of Officers not being transcribed. This will be added and will be voted on at the BZA meeting on April 5, 2018.

Swearing In:

Public hearing sworn in at 7:25 pm

Old business:

- None

New business:

- ***Variance Request 2018-V-01 (179 S US Hwy 31) Advantage Tool Rental***
 - J. Csikos stated that we are still waiting for verification of Proof of Public Notice made by the Petitioner (Advantage Tool Rental) for running in the newspaper and individual mailing(s) to resident(s) near the location for Public Hearing. The Petitioner apologized for the delay and stated that they are emailing the verifications to Joe now. And would like to still present for the variance requests to the board tonight. The public in the audience did state that they received the mailings to their residences and got them a couple weeks ago, so it would appear to be within the notification guidelines. The public present did not have any objections to the notices received or the timeliness of getting them.

- L. Beeson made a motion to consider, having the notice requirements appearing to be satisfied, to proceed with the Public Hearing tonight, subject to receiving the verifications as required. B. Temple seconded the motion.

Passed 3-0

- J. Csikos presented that the petitioner is requesting a variance from developmental standards of Exterior Materials & Site Paving. Town's ordinance requires 100% masonry on all Commercial structures and a dustproof paving for all lots. The property is proposing a site plan with stone gravel on the back-storage lot and a reduction of masonry on the exterior of the building. Staff recommends approval of the petition with the following conditions of landscaping trees being added between the parking area and US 31 (minimum of 5 trees should be included). As well as 8 trees that are typically 6 ft in height to be placed along the back of the chain link fence around the gravel storage area on the South line view. And the condition of a pedestrian way to be provided along the US 31 frontage in the form of an 8 ft walking trail.
- The Petitioner, Sean Eberhart of Advantage Tool Rental, is requesting for the variances for his new company that will mirror the same company in setup that he currently has in Shelbyville, IN. They are requesting the North & West elevation sides of the building to have a partial "stone façade" of a 4 ft tall ribbon and the rest of those sides along with the rest of the building to be metal. They are confident that they will put an appealing looking building there that will not negatively affect any property values in the area and will be much nicer looking than the current businesses located beside the location and across the street, that don't appear to meet the current developmental standards required of the Town. The parking lot in front of the building will be concrete/asphalt, but it is being asked for the back-storage lot for storing of the larger rental equipment to be gravel instead of asphalt. The gravel is needed for large equipment with jack stands that on hot days would sink into hot asphalt and cause damage. The equipment would also cause damage to the asphalt and the equipment when having tight turn radiances on asphalt verses having a gravel lot.
- Board & Public Hearing Questions (these were answered by Petitioner, J. Csikos, and D. Cartwright)-
 - The awning in the drawing is only a partial?
 - The front of the building will be L shaped and the awning will be on the corner of the West side of the building and wraps around partially to the North side of the building.
 - Type of fencing for the gravel storage area? Chain or Privacy? Keeping the gravel in the area? Able to change this to "conceal" the storage area views more from the residents behind the building?
 - It is set for a 6ft chain link fence. The gravel will be compacted tight to keep it inside the fence and would meet the requirements from the Tech Review meeting. There are still more talks needed regarding landscaping. The fence could be brought in some to allow for trees to be placed along the back of the gravel storage area to help with residents' concerns. Also, this property is zoned for this type of business and does not prevent them from having this type of a storage area, and the variances being requested tonight do not refer to what he is going to store at the location.
 - Able to see the storage area in back from US 31?
 - Yes, it is possible to be seen from US 31.
 - What is the walking trail being requested by staff?
 - The parking lot is currently right by US 31 and staff is recommending for this walking trail to be placed to allow for walking path between the lot and US 31. They are still finalizing the size and exact placement of the walking trail, if it is a board requirement.

- After the Petitioner presented and Public Hearing was held, it was verified that Joe received the email of the running of the hearing in the newspaper on 2/16/18 and the mailings to the residents that were done on 2/13/18. These were within the needed notification guidelines, but Joe still needs to verify that all the required residents were notified as needed for the vicinity.
- L. Beeson made a motion to approve request 2018-V-01 for a variance of stone storage areas & reduction of 100% masonry with the requirements of adding landscaping screening trees at the rear of the chain link fence surrounding the stone storage area, landscaping trees added between the parking area & US 31, a pedestrian walking trail along the US 31 frontage, contingent that all public notices going to the residents required, and using the Staff Report as the Findings of Fact with the noted changes. B. Temple seconded the motion.

Passed 3-0

Other business:

- None

L. Beeson made a motion to adjourn. B. Temple seconded. Meeting adjourned at 8:13 pm.

Passed by the Board of Zoning Appeals on this day 5th **of** April, 2018

Aye

Leslie Beeson
Leslie Beeson

Juanita Emery

Byron Temple, Vice President

Richard Hill, President

Nay

Leslie Beeson

Juanita Emery

Byron Temple, Vice President

Richard Hill, President

Attest:

Julia Meece
Julia Meece, Deputy Clerk, Secretary