

Board of Zoning Appeals

MEETING DATE: September 19, 2023

TIME: 7:00 p.m.

LOCATION: Pendleton Town Hall

100 W. State Street Pendleton, Indiana

ORDER OF BUSINESS

I. CALL TO ORDER

Meeting was called to order by Kyle Eichhorn at 7:00 p.m.

II. ROLL CALL AND DETERMINATION OF QUORUM

Board members attending in person: Kyle Eichhorn, Jenny Sisson, James King, Rob Williams. A quorum was established. Individuals representing the Town in person: Planning and Zoning Administrator Denise McKee. Representing the Town via Zoom: Planning Director Hannahrose Urbanski, Town Attorney Jeff Graham. Also attending in person: John Beam of T-E Incorporated, Jeff Jones of 104 Reformatory Road Pendleton, Mike Liotti of Indy Boat Co.

III. APPROVAL OF PREVIOUS MEETING MINUTES

Kyle Eichhorn requested a motion to approve Meeting Minutes from the August 15, 2023 Meeting, motion made by Jenny Sisson, seconded by James King. Roll call vote was taken and all members voted in favor of said motion. Motion carried.

IV. OLD BUSINESS

V. NEW BUSINESS

A. V09192023-01: Variance from Development Standards request to allow building orientation of primary structure to face side of the lot, to allow double frontage setback less than the minimum required and to allow double monument signage in the General Business (GB) Zoning District– 740 W Henderson Way, Preet & Preet, LLC via T-E Incorporated – Aaron Carl

Denise McKee presented Current Use / Site Details: (Images on Google Drive)

- Zoned: General Business (GB)
- Property consists of 5 parcels combined at 1.5 acres, with intent to reconstitute into one larger parcel
- Double frontage property and currently undeveloped
- High-pressured gas line easement on most-western border of property and access to stormwater management system/detention pond east of property

Denise McKee presented the Variance from Development Standards requested by Petitioner to allow the following:

- Primary structure orientation to face west property line as compared to front property line (heaviest road designation if double frontage lot) as required
- 35-foot front yard setback along State Street compared 75-foot standard for principal arterial roadway classification; 28-foot front yard setback along Henderson Way compared to 40-foot standard for local roadway classification in GB zoning
- Double monument signage (one facing State Street; one facing Henderson Way) compared to one per lot standard

Denise McKee presented the Staff Analysis based on analyzing the petition against approved/relevant plans and ordinances, as well as any existing conditions and/or variances placed upon the site:

- Proposed primary structure orientation allows Petitioner to maximize benefit of the land and compliments block
- Double frontage lot supports one monument sign facing each frontage road, also consistent with block
- Neighboring parcel to east (Three Rivers Federal Credit Union) was approved for a 44-foot front yard setback variance off State Street in April 2022
- Petitioner commits to dedicate additional 20-foot public right-of-way on northwestern tip of Parcel Number 48-14-17-300-018.003-013
- All other architectural and development standards anticipated to be met in Site Development Review; McKee noted that additional variances may be necessary later if these are approved
- No public responses received in opposition or in favor

Questions / Discussion

- Kyle Eichhorn stated that it would be aesthetically pleasing for the setback to be consistent with 3-Rivers and Starbucks; he noted the location of the dumpster, and that it should be moved towards the back
- Jenny Sisson stated that given the double frontage, the backs of the buildings should also have a “front” look
- Denise McKee informed that details like parking spaces, bike spaces, landscaping requirements will be covered in additional conversations; this is a preliminary site plan
- Hannahrose Urbanski stated trail connectivity would be considered with landscaping, and in response to concerns about the space allocated behind and around the building, including the drive-up, Urbanski informed that the Engineer and Fire Chief would review for spacing, turning radius etc.
- McKee also noted that the allotted space for the drive meets all requirements
- No public comments

Kyle Eichhorn requested a motion to approve V09192023-01 as presented with the three variances requested and dedication of additional 20-ft public right-of-way as noted, with a condition of re-locating the dumpster behind State Street. Motion was made by Jenny Sisson; seconded by James King. Roll call vote was taken and motion approved by all. Motion carried.

B. V09192023-02: Variance from Development Standards request to allow applicant at minimum ten (10) foot front yard setback for the construction of an accessory structure up to eighteen (18) feet in height in the Single-Family Residential Large Lot (SF-1) Zoning District – 104 Reformatory Road, Jeffrey Jones

Denise McKee presented Current Use / Site Details: (Images on Google Drive)

- Zoned: Single Family Residential - Large Lot (SF-1)
- Property is 1.9 acres
- Property located at corner of South Pendleton Avenue and Reformatory Road
- One-story, single-family residence with detached 2-car garage, both structures are 18-feet in height
- Front yard setback variance approved for accessory structure detached 2-car garage in 1995

Denise McKee presented the Variance from Development Standards requested by Petitioner to allow the following:

- A 10-foot front yard setback compared to minimum 25-foot front yard setback standard to accommodate a 14' x 20' detached workshop/storage accessory structure west of existing detached garage
- Construct workshop/storage accessory structure with a height of up to 18-feet compared to 15-foot maximum accessory structure height standard

Denise McKee presented the Staff Analysis based on analyzing the petition against approved/relevant plans and ordinances, as well as any existing conditions and/or variances placed upon the site:

- Approval will not be injurious to public health, safety, morals and general welfare of the community. No line of site issues along roadway noted
- Proposed improvement will be subordinate in area, bulk extent, and purpose to primary structure and detached 2-car garage
- Impervious surface percentage well under 30% maximum at 3.25% including proposed improvement
- Proposed workshop/storage accessory structure will compliment architecture and exterior material of existing structures located on property
- Proposed accessory structure will not extend beyond the front facade of the existing detached 2-car garage
- Existing driveway will not need expanded to support proposed accessory structure

- All other architectural and development standards anticipated to be met
- No public responses received in opposition or in favor

Questions / Discussion

- Petitioner Jeff Jones informed that the structure is now planned to only be one-story instead of two-story, as in the original request; height variance request verbally removed by Jones
- No public comments

Kyle Eichhorn requested a motion to approve as V09192023-02 as presented with 10- foot front yard setback, and with the condition that the architecture will be complimentary and not extending in front of the existing accessory structure. Motion was made by James King; seconded by Jenny Sisson. Roll call vote was taken and motion approved by all. Motion carried.

C. V09192023-03: Variance from Development Standard request to allow applicant to increase height of perimeter fence around portion of property and storage structures to eight feet in the Heavy Business (HB) Zoning District – 8843 W County Road 700 S, RALEYWAKE, INC via Frederic Lawrence

Denise McKee presented Current Use / Site Details: (Images on Google Drive)

- Zoned: Heavy Business (HB)
- Property is 14.3 acres
- Property located at corner of 700 South and State Road 13
- Phase 1 - Site Development Plan for indoor/outdoor storage units approved July 2023 (east side of property)
- Phase 2 - Future Development for boat sales and showroom subject to Site Development Plan submittal and review (west side of property)

Denise McKee presented the Variance from Development Standards requested by Petitioner to allow the following:

- Install 8-foot galvanized steel perimeter fence, exceeding the 6-foot fence height maximum in all zones

Denise McKee presented the Staff Analysis based on analyzing the petition against approved/relevant plans and ordinances, as well as any existing conditions and/or variances placed upon the site:

- Increase in height of fence will not be injurious to public health, safety, morals and general welfare of the community
- Installation of 8-foot fence will enhance overall site security for storage units, outdoor storage and future Phase 2 sales and service area; if approved, variance will apply to entire parcel for the future west phase
- Property to the east approved for 8-foot privacy fence variance in August 2023

- Proposed galvanized fence material and the requested steel barrier topper permitted per the Unified Development Ordinance
- No public responses received in opposition or in favor

Questions/Discussion

- Petitioner Mike Liotti explained that the extended height is mainly for security purposes
- No public comments

Kyle Eichhorn requested a motion to approve as V09192023-03 as presented. Motion was made by Jenny Sisson; seconded by Rob Williams. Roll call vote was taken and motion approved by all. Motion carried.

VII. ADJOURNMENT

Meeting was adjourned by Kyle Eichhorn at 7:59 p.m.

Next meeting October 17, 2023 at 7:00 pm.