

Board of Zoning Appeals

MEETING DATE: October 20, 2020

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 Tammy Bowman at 7:04 p.m.

II. ROLL CALL AND DETERMINATION OF QUORUM

Board members in attendance were Tammy Bowman, Kyle Eichhorn, Jamila Zafar and Mike Romack. A quorum was established. Individuals representing the Town were Planning and Zoning Administrator Kayla Hassett and Town Attorney Jeff Graham. Also, in attendance, was Joshua Ring representing Ring Investments.

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion to accept the minutes from the September meeting as written was made by Jamila Zafar and seconded by Kyle Eichhorn. Roll call vote was taken with all members giving approval. The motion was carried.

V. OLD BUSINESS

No Old Business to report.

VI. NEW BUSINESS

A. CU10202020-01: 300-block S. Main St. (Ring Investments) – Two new duplexes on adjacent lots in the Historic Residential zoning district.

(Presentation provided in Google Drive)

Staff Findings – Planning and Zoning Administrator Kayla Hassett presented the following:

- Petitioner, Ring Investments, represented by Joshua Ring and present at meeting.
- Applicant petitioned two new duplexes, located on lots 19 and 20 in Whites Addition at corner of Tile Street and Main Street.
- Two lots occupied by home that is now vacant.
- Petitioner seeks to build two duplexes, one on each lot, for a total of four units.
- Petitioner seeks Conditional Use in Historic Residential Zoning District, with petition similar to the Butler family home addition and white/pink home located on Pendleton Avenue, now each a two-family use property. As Petitioner to build new duplex on two vacant lots, this is the first time a petition as such has been proposed.
- Deemed Conditional Use to assure parking lot issue as well as number of family use in Historic Residential Zoning District is presented to BZA for approval.
- Planning Department Staff does not anticipate any issues with proposed Petition.

The following discussions took place:

- Mike Romack asked if any feedback has been received. Kayla Hassett replied that the Town has only received favorable responses.
- Mike Romack asked the type of zoning for the property across the street from Petitioner's property. Kayla Hassett replied Historic Residential Zoning District as well. Hassett further stated that despite large setbacks, there is plenty of room to place the duplexes while allowing adequate room for driveway. Hassett added that setbacks are required by bulk matrix and Petition is in compliance.
- Joshua Ring commented that the black line represents the property boundary and may install a privacy fence down the middle of the two duplexes. Ring further stated that the green shaded area is the space Petitioner can build in. Hassett added that the green area is space for the primary building, also pointing out that additional space is available for accessory structures/garage with the red areas representing placement of sidewalks.
- Joshua Ring confirmed that the Petition complements the original home design. Ring added that they have discussed all spacing and dimensions, but drawings are

very conceptual at this time and submitted designs only as ideas of what is being considered.

- Kayla Hassett clarified that the Board of Zoning Appeals is only deciding whether to approve the Conditional Use and once design finalized, Petitioner will go through the normal permit process. Joshua Ring commented that the structures will fit the character of the neighborhood and wish to get the zoning approved before developing the design plans.
- Mike Romack asked if the petition would need to go before the Historic Preservation Commission. Kayla Hassett replied that only buildings in the Local Historic Zoning District must go before the Historic Preservation Commission and therefore no restrictions set on materials, etc.
- Joshua Ring assured that they will use brick or hardy plank siding for the exterior of the three bedroom/two bath rental layout. Project rental income to be similar as Summerlake which currently rents a residence of this size at \$1200 - \$1500 per month.
- Kyle Eichhorn asked if the original home had a basement. Joshua Ring confirmed yes.

Kayla Hassett shared the additional findings as follows:

- Two parking spaces required for dwelling unit.
- Four parking spaces required for a two-family use.
- A parking space is 9' x 18'.
- Driveway parking is permitted residential districts.
- Need to locate utilities and meet with Justin Wood from the Water Department.
- Unified Development Ordinance is silent as to how garage space is counted for parking space.
- Bulk matrix requires Conditional Use to follow Single Family Use such as setbacks, building height and lot coverage.

Staff Recommendations –

Approval with the condition that Petitioner will provide the following:

- Maximum lot coverage to equal 50% (this is what other HR zoned properties are held to);
- Minimum unit size to equal 720 square feet (this is minimum for two-family dwellings);
- Garage spaces shall count toward parking requirement.

The following discussions took place:

- Kyle Eichhorn asked Petitioner if comfortable with the maximum 50% lot coverage. Joshua Ring replied yes. Eichhorn commented that the lot coverage requirement should not be an issue even with lot #20 being smaller than lot #19.
- Joshua Ring expressed understanding of the concern for development that is being planned across the street from Petitioner's property. Mike Romack asked if landowner received notice of the Petition. Kayla Hassett stated that the previous owner may have been the one whom received the notice prior to the sale of the real estate. Romack asked if condos could go in across from Petitioner's property. Hassett added that the property owner, Kyle Smith, has been great to work with and plans to come back to the Planning Department if wishes to pursue Petition for zoning amendment.
- Kyle Eichhorn asked the BZA members if wish to restrict building materials to set precedence moving forward and asked if restrictions are typically set in the Historic Residential Zoning District. Kayla Hassett replied that there are restrictions in the Local Historic Zoning District, but none in the Historic Residential Zoning District. Hassett further stated that she is hesitant to include these requirements on small projects and reserve for only neighborhoods with large number of homes. Hassett added that she does not feel the need to include material requirements as Petition seems to be a great investment for this area.

A Motion to approve Staff's recommendations to approve Conditional Use CU10202020-01: 300-block S. Main St. (Ring Investments) – Two new duplexes on adjacent lots in the Historic Residential zoning district was made by Mike Romack and seconded by Kyle Eichhorn. Roll call vote was taken with all members giving approval. The motion was carried.

VI. ADJOURNMENT

Meeting was adjourned at 7:30 p.m.

Next meeting November 17, 2020