

BZA

FEBRUARY 18, 2020

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The Pendleton Board of Zoning Appeals (BZA) met on February 18, 2020 at 7:00pm at the Pendleton Town Hall, 100 W State Street, Pendleton, Indiana. The meeting was called to order at 7:10pm. Board Members present were Kyle Eichhorn, Tammy Bowman, and Jamila Zafar. With three out of five present, a quorum was established. Representing the Town were and Utilities Office Manager Tracie Dodd.

Others in attendance included Chris Schulhof of 11216 Fall Creek Rd., Tim Paul of 222 Lucky Lane.

APPROVAL OF MINUTES

Motion by Kyle Eichhorn, seconded by Jamila Zafar to approve meeting minutes from January 21, 2020. Motion Carried.

OLD BUSINESS

A. CU04192016-02 – Finding of Fact for Appeal of Conditional Use Approval Conditions – 627 Falls Park Dr. (Hubble)

Project Timeline

April 19, 2016

- Petitioner appeared at the Board of Zoning Appeals for a Conditional Use Application to allow an athletic facility to operate in the Agricultural Zoning District.
- The Application was approved with the condition that the petitioner follow the Planned Business Design Guidelines for the site.

May 19, 2016

- Building permit issued.

July 7, 2017

- Temporary Certificate of Occupancy issued.

November 20, 2017

- Staff sent Certified Letter to Hubble's since many commitments were not complete.
- Staff gave Hubble until June 30th, 2018 to complete the commitments or to file an appeal with BZA.

June 19, 2018

- Petitioner filed appeal with Planning Department to have June 30, 2018 deadline extended to allow more time to have parking lot paved and to install landscaping.
- BZA granted Hubble an additional year to complete parking lot paving and landscaping (June 30, 2019).

September 17, 2019

- Petitioner filed second appeal with Planning Department to have June 30, 2019 deadline extended to allow more time to have parking lot paved and to install landscaping.
- BZA granted Hubble an additional year to complete parking lot paving (June 30, 2020).
- BZA extended deadline for landscaping installation to November 30, 2020.

Motion by Kyle Eichhorn and seconded by Tammy Bowman to approve this finding of fact
Motion was carried.

B. CU01212020-02: The Conditional Use application request is to allow a structure with multiple businesses (more than 4) in the Downtown Business zoning district – 228 South Pendleton Avenue (Schulhof)

Staff Findings & Recommendation

Consider withdrawing petition if this is a co-working space, a single office shared by multiple tenants.

or...

Approve with the following conditions:

- 1. No accessory buildings shall be allowed.**
- 2. No outdoor storage or parking of company vehicles shall be allowed.**
- 3. Tenants businesses must be permitted uses in the Downtown Business zoning district per the Use Matrix.**
- 4. Signage for tenants, if desired, must be uniform and secondary to the “Pendleton Office Suites” sign.**

Motion to approve Staff Recommendations striking #2 was made by Jamila Zafar, seconded by Kyle Eichhorn. Motion was carried

Motion to amend adding no more than 6 tenants will occupy the space was made by Kyle Eichhorn and seconded by Jamila Zafar. Motion was carried.

C. CU01212020-01: The Conditional Use application request is to allow a structure with multiple businesses (more than 4) in the Downtown Business zoning district – 103 West High Street (Schulhof)

Staff Findings & Recommendation

Table until site plan is completed and staff has reviewed.

- Site plan needs to show parking lot and greens spaces drawn to off-street parking regulations (Sect. 158.09).**
- Show entrance addition and floor plan.**

Kyle Eichhorn stated his concerns were on drainage and the topcoat

Schulhof added that it is hard surface and will be top coated but until the city figures out the water problem in that area he will not do anything to make the water problem worse but did not want to be held back on the entire project.

Kyle Eichhorn made a motion to approve with final landscaping and parking review by staff, motion was seconded by Jamila Zafar giving staff authority over final approval over landscaping

Motion was carried.

Next meeting is scheduled for March 17, 2020

Meeting adjourned at 8:00pm.