

April 7, 2004

The Ellettsville, Indiana, Plan Commission met in a work session on Wednesday, April 7th, 2004 at the Town Hall. Frank Buczolich called the meeting to order at 6:35 PM.

Roll Call: Frank Buczolich, President; David Drake, Vice-President; Don Calvert; Lisa Creech; Ed Bitner; Terry Baker; Sandra Hash, Secretary and Jeffrey York, Planning and Zoning Administrator.

Purpose of Work Session – Reviewing Proposal for off street parking, loading and driveways prepared by Jeffrey York and making revisions as necessary.

Jeffrey York had previously passed out his proposal allowing the Commission to review and asked for input. He then revised it after discussion and explained the version has been revised further and went through the proposal briefly pointing out what had been changed from the suggestions he had received. He added on page two, # 11, which requires a permit when installing parking lots, driveways and loading areas. Terry Baker had asked if section 152.222, letter C refers to gravel or not. It does not. In section 152.223 he took out the phrase “whether inside or out the Town”. It was discussed about adding B, 1 and 2 to Single Family Residential and Two-Family Residential which led to a discussion about how restrictive things should be about working on a person’s vehicle. Jeffrey suggested adding the phrase “minor vehicle repairs” such as oil changing, battery changing and tire changing in Single Family Residential and Two-Family Residential areas to section 152.220, # 9 and the Commission agreed. All agreed to allow B, 1 and the last sentence of B, 2 be duplicated in section A also. Terry Baker had also suggested adding the words “or adjacent property” to B, 3 and all agreed.

Ed Bitner stated he was concerned about grandfathered properties and circumstances. His driveway is close to the neighbor’s property line and water from his down spouts run along the drive.

Jeffrey York pointed out this proposal was written so any new construction or alterations will have to comply by these standards. For any existing circumstances it will be up to the Plan Commission to decide how or if this amendment will apply, they may be considered as “grandfathered” and therefore would not have to abide by the guidelines of the new amendment. After discussion of grandfathering existing property circumstances, he decided to add the phrase “non-conforming” to 152.220, # 6 so it reads “When the intensity of non-conforming use of any building...”. He pointed out the two new sections in 152.226 concerning driveway standards and explained it was suggested to change the layer of stone to 6” and specify the type of stone. All agreed 4” was fine as well as not specifying what type of stone and to leave this section as proposed. There will be a permit fee of \$25 for residential driveways. Today he added to the Fourth Offense paragraph the wordage “Property owners agree to hold the Town harmless ... to subsection immediately above.” He then read the fine schedule for noncompliance with regulations. A lot of discussion followed.

Lisa Creech stated she would like each fee to increase by five dollars and all letters be sent via certified mail. She also suggested adding the phrase “Receipt of non delivered certified mail will be delivered by local law enforcement officers” to the Fourth Offense.

David Drake said to keep in mind several of the property owners that will be sent these letters do not live in the Town of Ellettsville or surrounding areas, so we can not expect outside law agencies such as the Indianapolis Police to hand deliver those letters.

Sandra Hash said this was too many letters and too many chances for people to comply; it draws out the process for too long. The letter writing process is very time consuming.

David Drake suggested using the State Statute wordage on abandoned vehicles but tailor it to Ellettsville’s situations using our Ordinance. He suggested to simplify the process send out the first warning letter by certified mail, then if no action has been taken to tag the vehicle which allows a 72 hour grace period to correct the situation before being towed.

Lisa Creech said other circumstances for example several teenagers parking illegally daily at a home in her neighborhood after school so in this case the letter system would be more encompassing, but agreed the 72 hour tag system would work well for abandoned vehicles.

Sandra Hash asked about parking in the grass for special occasions.

Terry Baker stated the City of Bloomington does not go out looking for cars parked on the grass, only if they get a complaint do they address the problem.

It was concluded all fines should increase by five dollars and be sent via certified mail and add the phrase about officers delivering non delivered certified letters.

Section 152.223, B was discussed to change it to a minimum of two parking spaces per unit for Multi-Family Residential homes.

David Drake asked if parking on unimproved areas applies to everything not just new installations or alterations. He also asked if gravel parking was allowed in places and wordage stating it has to be maintained if new gravel drives are allowed and on existing gravel drives.

Jeffrey York stated yes. He further explained this ordinance will allow a single or two family home which is not in a new subdivision to have gravel parking and it allows existing homes regardless of location to have gravel drives. New structures in subdivisions are required to have paved driveway parking. He agreed new and existing gravel drives need to have guidelines for being maintained. Section 152.223, B2 being added to A should clarify that parking be maintained properly.

After discussion the second paragraph of Section 152.223 which reads "On street parking shall be permitted ... Indiana Department of Transportation" was removed from the proposal.

Jeffrey York said he will give Mike Spencer a draft to review.

Lisa Creech made a motion to approve this new Parking, Loading and Driveways Ordinance as amended tonight. David Drake seconded. Frank Buczolich asked for a roll call vote. Frank Buczolich – yes, David Drake – yes, Lisa Creech – yes, Ed Bitner – absent (left at 7:25 p.m.), Don Calvert – yes, Terry Baker – no, because he wanted to see a final draft before voting officially and Sandra Hash – yes. Motion carried 5-2.

The document as an Ordinance will be forwarded after the revisions and a final draft is prepared on to the Town Council for Monday's meeting.

Adjournment

Terry Baker made a motion to adjourn. Lisa Creech seconded. Motion carried. Meeting was adjourned at 7:33 PM.