

October 18, 2016

The Ellettsville, Indiana, Board of Zoning Appeals met in session on Tuesday, October 18, 2016, at the Fire Department Training and Conference Room. Terry Baker called the meeting to order at 6:00 p.m. Terry Baker led the Pledge of Allegiance.

Roll Call: Members present were Terry Baker, President; Fred Baugh, Todd Lare, Russ Ryle and Pat Wesolowski.

Election of Officers

Pat Wesolowski made a motion to keep the same officers. Russ Ryle seconded. Motion carried.

Approval of Minutes

Terry Baker entertained a motion for approval of the minutes of the meeting on November 17, 2015. Todd Lare moved for approval. Fred Baugh seconded. Motion carried.

New Business

Request for a use variance to construct a new building at the south end of Richland Township's ("Township") property (Ritter Street and Park Street); Petitioner: Bynum Fanyo & Associates, on behalf of the Richland Township Trustee; Case No: BZA 2016-01

Kevin Tolloty, Planning Director, explained this petition is for a use variance for the Township to construct a new office on the same parcel as the existing office. The parcel is zoned Residential 1 ("R-1") and government offices are not a permitted use and thus requires a use variance. There are five criteria to be considered:

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
3. The need for the variance arises from some condition peculiar to the property involved;
4. The strict application of the term as of the zoning ordinance will result in practical difficulties in the use of the property; and
5. The approval does not interfere substantially with the comprehensive plan adopted under the 500 series of this chapter.

It is staff opinion that the use variance will meet the aforementioned criteria. Therefore, staff recommends approval of the variance request.

Pat Wesolowski asked if the building will be on the hill at the corner of Ritter and Park Streets and is it zoned residential. Mr. Tolloty answered yes. Mr. Wesolowski asked if the ball parks are all zoned R-1. Mr. Tolloty replied yes. Mr. Wesolowski asked if homes could be built on the ball parks. Mr. Tolloty answered yes but it is a flood zone. Mr. Wesolowski asked why a variance is needed if they can build. Mr. Tolloty replied they can't build an office in an R-1 zone.

Russ Ryle noticed there is limited parking with the building and they're going to have a food pantry. Mr. Tolloty said there are eight parking spaces plus one accessible space. Mr. Ryle asked if they currently operate a food pantry out of their existing building. Mr. Tolloty answered yes.

Pat Wesolowski's concern is they're going to remove parking on the hill, there won't be enough for the ball parks and 20 to 30 cars will not have a place to park because of the building location. Mr. Ryle added it will also impact parking for the Monroe County Fall Festival. He is concerned it will have a negative impact on an already overly congested area. Mr. Wesolowski is also concerned about runoff. What are the plans for the driveway

and parking area? Mr. Tolloty answered the Township will go through technical and development plan review.

Rick Coppock, Bynum Fanyo and Associates, explained the building will be situated on a steep hill parallel to the contours of the bank so they won't have to do a lot of excavation and earthwork on the hillside. Grading will not infringe on the ball park or seating area. Eventually, the Street Department will move and that area can be utilized for parking. Mr. Baker commented the Township could install a gate and block off the parking whether there is a building or not. People attending the ball games do not want to park somewhere and have to walk. Mr. Wesolowski disagreed and reiterated he is concerned about parking because it is a mess during baseball season. He doesn't see taking away the parking lot.

Kevin Tolloty thinks the greater concern is the Trustee's office and food pantry that floods on average once a year. This causes enormous damage to the building, they lose food and they're out of operation for several weeks so people won't have access to food. Parking is a problem in most of the Town. Mr. Coppock opined the parking problem is more of a function of the ball diamonds and little league than the Township that serves the citizens and provides the food pantry for Richland Township. The parking problem should be addressed by the ballpark and not encumber on the Township to solve their problem. There was a lengthy discussion about parking after the Street Department relocated to the new Town Hall property. Mr. Baker thinks people responsible for the ballparks need to address parking. Mr. Wesolowski stated their decision has to be what is best for the Town long term. The location of the building is not the best for the Town. Mr. Tolloty reminded the members the Petitioner could build something else that is permitted under the zoning. They're not looking at parking but whether putting a government office and keeping it in a residential zone is going to cause problems for the surrounding area.

Rick Coppock advised the Township has purchased the Turtleback Creek Pool property and their plan is to raise the area creating parking and a path to the ball parks. Mr. Wesolowski asked if the Township had previously attempted to purchase the Dowdy land for additional parking.

Marty Stephens, Richland Township Trustee, explained approximately two years prior they attempted to purchase the Dowdy property between the pool and baseball diamond to the south. However, the purchase fell through because of a land contract that had not been filed. The Township has purchased the Kenton Robinson parcel across from the Dowdy property for additional parking to access the southern baseball fields.

Terry Baker entertained a motion. Fred Baugh made the motion to accept BZA 2016-01
Todd Lare seconded. Roll call vote: Terry Baker – yes; Fred Baugh – yes; Todd Lare – yes; Russ Ryle – yes; and Pat Wesolowski - yes. Motion carried 5-0.

Pat Wesolowski advised he voted yes because of the additional parking to be made available. Mr. Ryle agreed.

Adjournment

Terry Baker entertained a motion to adjourn. Fred Baugh so moved. Russ Ryle seconded
Motion carried. Meeting adjourned at 6:07 p.m.

Terry Baker, President

Fred Baugh

Todd Lare

Pat Wesolowski

Russ Ryle

Denise Line, Secretary