

Greenfield Board of Zoning Appeals
December 21, 2010

President, Digby Terry, called the Greenfield Board of Zoning Appeals meeting to order. Members present:

Digby Terry
Paulette Richardson
Leo Davis
Mike Terry
Duane Knecht

Also present:

Joan Fitzwater, Zoning Administrator
Gregg Morelock, Legal Counsel

The first item of business was the approval of the November 2010 minutes. Mr. Leo Davis made a motion to approve the minutes, seconded by Mr. Knecht and unanimously approved.

The next item was petition 2010-13, Greenwalt Development, Inc., 1860 Fields Blvd, a request for a conditional use to allow a professional office use on Lot 2 in Commerce Park North, Section 8 which is zoned I-1 Enclosed Industrial. Ms. Fitzwater gave her staff report which included a description of the location of the property and uses of the surrounding properties. Ms. Fitzwater also described the proposed use of the lot being an office building and a 16 bay vehicle garage to be used by Hancock County Senior Services. Ms. Fitzwater recommended approval of the conditional use subject to the conditions as outlined in the written staff report. Mr. Terry asked if the petitioner would have to return to the Board for an approval if they were to add a future addition, or can this include the expansion. Ms. Fitzwater stated that the Board could make note of the expansion, would need to the petitioner asked about additional employees. She stated that she did not think parking would be a problem. Mr. Davis asked what was the purpose of the future addition. Mr. Morelock stated that the Board could add any conditions to this approval they deem necessary, such as requiring it to come back before the Board before expanding the use. Ms. Fitzwater stated that it was up to the Board to decide if they need to return to the Board for approval.

Mr. Harold Gibson came forward to represent the petitioner Greenwalt Development. Also present were Lyn Greenwalt of Greenwalt Development and Linda Hart with Hancock County Senior Services. Mr. Gibson described their request for approval. He stated that this is a platted lot and all utilities and drainage are in place as well as access to Field Blvd. The proposed building is approximately 3758 square feet, and the Senior Services would like room to expand in the future if need be. There are currently 7 to 8 employees. The proposed garage will be a buffer to the industrial use to the west. Mr. Gibson described the traffic flow on the lot. This proposal exceed the number of parking spaces that are required. Mr. Gibson gave staff a copy of the zoning commitments made by the petitioner. These commitment include an agreement with the property owner to the south to install a landscape buffer along the south property line and to address a small drainage issue that the property owner is currently experiencing. Also included is an agreement to fix any damage caused during construction to the shared drive.

Mr. Digby Terry asked if the proposed structure would be wood frame construction. Mr. Gibson answered yes. Mr. Terry asked about the façade of the garage. Mr. Gibson stated that it would be split face block, wood trusses and metal roof. Mr. Morelock questioned the vehicle maintenance commitments made by the petitioner, were they preventive or emergency. Mr. Gibson stated that there would not be any auto body repair being done. Mr. Morelock stated his concern regarding the type of maintenance being done and suggested that it be limited by the total cost of a repair. Linda Hart stated that at this time Senior Services does not do any type of maintenance themselves. We do not intend to do this at this time, however at some point may consider doing oil changes. They do not plan to do right way because of approvals need from INDOT and IDEM. Anything done would be light maintenance. Mr. Morelock suggested that the

limitation be only repairs authorized by INDOT and IDEM. Mr. Morelock asked if there was covenant covering the shared driveway and its maintenance. Mr. Gibson stated that there is a covenant on the recorded plat that covers who can use it, who shares in the cost of maintenance and who must carry liability insurance on it. Mr. Gibson showed the plat to Mr. Morelock in order to give him the date of recordation and instrument number for reference. Mr. Morelock suggested that the approval be granted with subject to revising their commitments A and D to address the conversation held this evening. He went on to say that he would confer with Mr. Gibson and Ms. Hart to revise their commitments in the next few days to put their commitments in a written form to be recorded.

Mrs. Richardson asked about a landscape plan and a lighting plan. Mr. Gibson presented a landscaping plan and stated that there would not be any parking lot lights. All lighting would be from the buildings. Mr. Davis asked if the lighting was a function of the Board. Ms. Fitzwater stated that the glare would need to be restricted, however would be a consideration taken during permitting. After discussion regarding the landscaping, Mr. Davis asked about the hours of operation. Ms. Hart stated that it is usually 8:00 am to 4:00 pm with limited use from 7:00 pm to 8:00 pm. Mrs. Richardson expressed concern regarding light spillage. Mr. Morelock suggested a condition to be added that the light be no more than .5 foot candle at the property line. Mr. Gibson agreed to the lighting condition. Ms. Fitzwater stated that she wanted the Board to be aware that the landscaping will also be subject to the approval of the storm water and utility departments to accommodate the existing utilities. Mr. Gibson stated that the petitioner would work with the utilities. Mrs. Richardson asked about the use of the future addition. Ms. Hart stated that it was included at the request of her board of directors. It is included to have option to grow to have more administrative office space most likely. Mr. Knecht asked if the parking and garage takes into consideration the growth. Ms. Hart believes that there is adequate parking for growth. Ms. Fitzwater stated at this time there are 17 extra parking spaces.

Dr. Georgia Knotek came forward to express regarding horns being tested and her jumping during an injection. Ms. Hart explained that there will be no horn honking, but will be the beeping from the back-up indicators that you hear from commercial vehicles when in reverse. Ms. Fitzwater asked when that happens. Ms. Hart stated usually between 7:00 to 8:30 am. Mr. Morelock asked if the testing of the indicators would be inside the structure. Ms. Hart stated that it would be done inside, however it would be happening as the vehicles were being removed from the garage. She also stated that it was unavoidable. Dr. Knotek commented that it would be going off as the vehicles were coming and going. Ms. Hart explained that the vehicles typically don't come and go throughout the day. It is mostly in the mornings. Dr. Knotek also express concern over the garage structure and what would happen with it if the proposed tenant should happen to move out. Mr. Davis stated that should the property change hands they would have to come back to this Board to make changes. Mr. Morelock confirmed Mr. Davis's answer.

Mr. Davis made a motion to approve the conditional use approval subject to the commitments submitted and amended as follows; commitment A that the maintenance would be limited to those approved by INDOT or IDEM, commitment B that landscaping be added to the east property line like that along the south property line, commitment D the commitment will reference the maintenance covenant or the recorded plat. The approval will also be subject to the condition that the light exceed .5 foot candle at the property line, that if the project were to be expanded the petitioner would have to seek an amended conditional use, and the conditions in the written staff report. Mr. Mike Terry seconded the motion which was unanimously approved.

Being no further business to come before the Board, Mr. Davis made a motion to adjourn. Mrs. Richardson seconded the meeting was adjourned.

Donna Butler
Permitting/Zoning Technician