

# City of Greenfield Board of Zoning Appeals Regular Meeting Minutes

Thursday, October 15, 2020, 7:00 p.m.  
Richard J. Pasco Council Chambers, City Hall  
10 S. State St, Greenfield, IN 46140

Board of Zoning Appeals (BZA) Vice President, Paulette Richardson, called the meeting to order at 7:00 p.m.

BZA Secretary, Brandon Badger, took Roll Call with the following members present:

Paulette Richardson, Vice President  
Leo Davis  
Joe Lonnemann  
Dan Theobald

Members absent:

Mike Terry, President

Nonmember staff present:

Jenna Wertman, Senior Planner  
Brandon Badger, Secretary

No city attorney was present.

Consideration of meeting minutes from previous BZA meeting held August 20, 2020.  
L. Davis moved to approve the August minutes without change; J. Lonnemann seconded; motion carried 3-0 with Dan Theobald in abstention.

## OLD BUSINESS:

None

## NEW BUSINESS:

**1. CU20-000008: 915 W Fourth St, B & M Hancock Properties, LLC** requests approval of a Conditional Use to establish a multi-unit development with up to 9 units in an existing structure, approximately .57 acres.

J. Wertman presented the staff report in favor of approval.

Board questioned J. Wertman:

There is no proposed alley access. The site has a small outdoor recreation area. No pets will be allowed. There have no similar housing proposals during my time at the city. No outside

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storage is allowed in residential districts. Vehicles which meet the standard of proof as inoperable will be issued a violation under the UDO.

Petitioner, Brad Hancock, appeared in person, was sworn, and testified in sum as follows:

This style of housing is more common in denser urban areas. Rent in this area has increased substantially which has created a need. People are looking for shared space to rent. I want to create a safe affordable place to live.

Board questioned B. Hancock:

I cannot discriminate based on family size/status but the optimum number of tenants is 1 per unit. The average approximate space of the rooms is 120sq ft. I expect tenants will be those whose income is low. It will not be restricted to a certain gender. I have other rentals but none are of this style. I have had one eviction in 12 ½ years. The on-site manager will not perform maintenance. There will be rules for tenants. The on-site person will be a tenant who will communicate with me. The facility will have cameras and key pad entry locks with separate codes for each tenant. I will keep the wheelchair ramp. I have had two estimates for the parking lot. One said they can patch and seal it and the other said they won't patch but that it needs repaving. I will accept Section 8. The existing green space will remain open green space. I will not provide a grill but I may add a picnic table. There is also a large porch which will remain. I will add parking stops in accordance with the city ordinance. There will be no 24 hour on-site manager. They will be a tenant not a security guard. I expect they will have a job and spend a typical amount of time away from and at the residence. I don't want to pursue this project if it requires a 24 hour manager. That would not be affordable with only 9 units. I don't want outdoor storage or abandoned vehicles on any of my properties. I may add an abandoned vehicle clause in the lease. The units will have a small refrigerator and television. I will charge one month rent as a deposit. There will be a full shared kitchen. Illegal activities will be prohibited but there will be no policy prohibiting alcohol.

P. Richardson opened the floor to public comment on **CU20-000008**.

Ricky L. McPherson, Jr, 939 W Fourth St, Greenfield, appeared in person, was sworn and testified in sum as follows:

Concerns included screening from new resident auto headlights in parking lot. J. Wertman explained that buffering will be expected along the west line of the proposed site. Neighborhood children have used the green space on the south side of the lot in question for about 16 years as a park. Dumpster located at the southwest corner of the property might impose undue trash smells for us as the immediate western neighbor. Will this be a halfway house type of facility? We don't want people straight from jail or a rehab facility. What will your rules be regarding overnight visitors?

Cheryl Zech, 918 W Fourth St, appeared in person, was sworn and testified in sum as follows:

Concerns included increase in traffic along this street that has no sidewalks. Children also walk along Fourth to their bus stop. This use will have more traffic compared to previous uses of this site. A previous boarding house in the area had numerous fights and similar criminal issues. Can a family of 3 live in one of these single rooms? J. Wertman states that the UDO does not

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discuss family size in any way but that is possible. Will children be allowed to sleep in the same room with a parent here? J. Wertman states that zoning plays no role in these determinations. P. Richardson states that there are state and local entities which are charged with dealing with these and other issues discussed today.

Jeff Lowder, 118 N Broadway, appeared in person, was sworn and testified in sum as follows:

Concerns included sharing of restrooms especially with gender neutral bathrooms and the number of persons living in each room. There is a need for lower priced housing in Greenfield. What is the least square footage of space allowed per person? J. Wertman states that the UDO does not determine minimum room size or maximum capacity in residential housing.

Mitch Pendlum, 1711 Stonewall Cir, appeared in person, was sworn and testified in sum as follows:

On behalf of concerned constituents as their council representative. Concerned about safety of children in the area. Recently released convicts could live there. One furnace is not sufficient. This development is designed to make money not help the poor. BZA should require minimum lease length. BZA should review the Petitioner's lease before making a decision.

P. Richardson states that the BZA does not review leases.

B. Hancock provided the following summary to remonstrators' concerns:

Criminal background checks will be performed. No felons in general will be allowed. I want tenants who will follow general rules and not cause trouble for neighbors or myself. Dumpster will be serviced weekly. Neighborhood children will not be allowed to continue to use the green space as a park. The expected plan will have 9 units and will share 3 private use full bathrooms. I chose not to designate bathrooms as gender specific because I don't know who will be living there. If the BZA required, I would be willing to designate gender specific bathrooms. Utilities will be included with rent. Residents are not required to live there. There are two furnaces. Visitors will be allowed a maximum of 2 overnights per week. Visitors who violate rules or cause disturbances will be asked to not return. Most of my leases are 12-24 months. This facility will be 30 days to 1 year. The 30 days is meant to be a trial for both parties. I don't think that a family of 3 or more would be comfortable here and I would prefer not to rent to families.

P. Richardson closed the hearing to public comment as to **CU20-000008**.

Board questioned B. Hancock:

The property manager will be a resident there. They will facilitate communication between me and tenants. They will have some oversight of the facility and forward that information to me. They will clean common areas if they choose to negotiate those duties into their lease. They will likely have a job and will not be expected to be present 24 hours a day. They do not screen tenants or sign leases. I agree to the 2 conditions as outlined in the staff report. J. Wertman states that a privacy fence may satisfy buffering requirements in condition 2. Fence along south property line will be repaired.

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Petitioner will work with staff on placement of a fence along the west property line. Staff will coordinate with utilities to ensure placement does not negatively impact utility access.

P. Richardson moved to approve **CU20-000008** with the two conditions as outlined in the staff report; J. Lonnemann seconded; motion carried 3-1.

OTHER BUSINESS:

None

L. Davis moved to adjourn; D. Theobald seconded; motion carried 4-0.

Meeting adjourned at 8:25 p.m.