

Board of Zoning Appeals
City of Crawfordsville
May 17, 2017

The City of Crawfordsville Board of Zoning Appeals met on Wednesday, May 17, 2017 at 7:00 p.m. in the Common Council Chambers of the Municipal Building. Board members present were: Don Swearingen, Don Gould and Phil Littell. Others in attendance were: Brandy Allen, Director of Planning & Community Development; Darren Chadd, City Attorney of Taylor, Chadd, Minnette, Schneider & Clutter; and Megan Huckstep, Executive Assistant, Department of Planning & Community Development.

President Don Gould called the meeting to order at 7:00 p.m. and the roll was called.

Meeting minutes from April 19, 2017 were presented. Don Gould made a motion to approve the minutes as presented. Don Swearingen seconded. Motion approved 3-0.

Don Gould reviewed the rules of procedure.

212 N Washington Street Dan Wemer, Red Hawk Choppers Inc. UV 0051

Brandy Allen presented the first item of business submitted by Dan Wemer of Red Hawk Choppers who was requesting a use variance from the schedule of uses established by the City Zoning Ordinance to operate a motorcycle shop and a small used car dealership in an I-1, industrial zoning district at 212 North Washington Street. Ms. Allen reiterated that the current zoning classification was I-1, industrial and that the use structure was currently used for The Vine Church who was currently building and would be relocated to the west side of town. Ms. Allen reviewed the neighboring zoning districts as well as the surrounding uses which included a few retail establishments, an automobile dealership, bar and a museum. Ms. Allen provided a brief history of the property, noting that the past few uses of the property had been churches. The traffic patterns and transportation system were reviewed. Ms. Allen explained that the property was located on Washington Street in downtown Crawfordsville. She reported that Washington Street was a heavily traveled state highway, and the use would not create any additional traffic or transportation issues. Ms. Allen informed the Board that the Petitioner currently operated the same business on the south side of downtown on South US Highway 231 and no issues had been identified to the location on the state highway concerning traffic and transportation. She explained that the new location did have additional space on-site which would allow for better transportation throughout the site. No known environmental concerns or issues were discussed. It was also noted that there were no known fire, police or emergency preparedness issues. Ms. Allen informed the Board that the current tenant of the building, The Vine Church, was constructing a new church which they expected to move into later in the summer of 2017. Without a new use for the building, it would be a vacant downtown building. Ms. Allen noted that Horner's Automotive received use variance approval from the Board of Zoning Appeals to operate at their current location on an adjacent property located off of North Green Street. Ms. Allen identified the specifics of the request, stating that the motorcycles would be displayed in an interior showroom. She also stated that the dealership intended to sell a small amount of cars as well. She noted that the plans demonstrated two parking spaces identified for automobile sales while the remaining 16 spaces would be for customers and employees. Ms. Allen reviewed the findings of fact as follows:

Whether the approval will not be injurious to the public health, safety, morals, and general welfare of the community?

No. The property will not be injurious to the public health, safety, morals, and general welfare of the community. The adjacent property has operated as an automobile dealership for many years with no known issues.

Whether the use and value of the area adjacent to the property included in the use variance will not be affected in a substantially adverse manner?

No. Property values will not be affected in a substantially adverse manner. The property is zoned Industrial, and use of the property for motorcycle/automobile sales would be a less intense use than other permitted uses in an industrial zone. An automobile dealership operates adjacent to this property.

Whether the need for the use variance arises from some condition peculiar to the property involved?

Yes. This property has been zoned for industrial use, along with several other parcels in the downtown. While this may have been appropriate historically, this is no longer the appropriate zoning classification for downtown Crawfordsville based on current uses and the future land use plan. This structure would not be able to be utilized for industrial purposes, and no recent use as located in this structure without approval from the Board of Zoning Appeals..

Whether the need for the variance was not self-created?

The need for this variance could be considered self-created, because the property owner desires to be able to operate a business at this specific location and there are other sites in Crawfordsville that are presently zoned for use as a used car lot. However, most uses at this site will require a variance to operate due to the industrial zoning, so it is likely that a variance will be necessary at this property regardless.

Whether the strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought?

The strict application of the terms of the zoning ordinance would constitute an unnecessary hardship if applied to the property. The industrial use is not an appropriate zoning district for downtown Crawfordsville, and the permitted uses would not be desirable.

Whether the approval does not interfere substantially with the Comprehensive Plan?

No. The future land use plan shows this area as commercial development – not industrial. The City has adopted a downtown revitalization plan that suggests changing the industrial zoning in the downtown area.

Based on the findings of fact, Ms. Allen stated that staff recommended approval of the use variance as it was presented.

Dan Wemer, owner of Red Hawk Choppers came forward to address the Board. He stated that his business was expanding. The new location was larger and would be a better fit overall especially with additional parking and better accessibility.

No one came forward to speak in favor or opposition of the request. It was noted that no written correspondence was received. Don Swearingen made a motion to approve the use variance as presented. Phil Littell seconded. Motion approved 3-0.

1765 S US Highway 231

York Brothers Realty, Inc.

DSV 0070

Ms. Allen presented the second petition submitted by Nick York of York Brothers Realty requesting a development standard variance from the signage standards and regulations of the City Zoning Ordinance for the existing York automobile dealership at 1765 South US Highway 231. Ms. Allen explained that the site was currently used as an automobile dealership that would continue to operate with the expansion of a new brand, known as FIAT, not previously sold in Crawfordsville. Due to the expansion and the branding requirements, Ms. Allen stated that York's was requesting a development standard variance from the signage ordinance in order to add a second free-standing sign to their property. It was noted that there were no known traffic or transportation issues, as well as no known fire, police or emergency services concerns. Ms. Allen explained that the property was surrounded by additional businesses and the

Board had approved multiple free-standing signs for the businesses located on the property immediately south of the York automobile dealership property. The findings of fact for a development standard variance were considered as follows:

The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

No.

The need for the variance was not self-created.

The need for the variance would not be considered self-created. The existing freestanding sign was constructed prior to the dealership's partnership with FIAT. The original signage was not designed to add the FIAT logo.

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The use and value of the area adjacent to the property will not be affected in a substantially adverse manner. The property is zoned business like all surrounding properties in the area, and there are multiple signs surrounding the property.

The strict application of the terms of this Chapter will result in practical difficulties in the use of the property.

The FIAT brand has signage requirements for the dealership. If the signage requirements can't be met, the company would not be in compliance. This could create practical difficulties for the dealership.

Based on the findings of fact, staff recommended approval of the development standard variance.

Nolan Crum, sales manager at York, came forward representing the petition. Mr. Crum provided the specific dimensions of the sign and stated that it would be located in the North East corner of the lot. He noted that there would not be any visibility issues.

No one was present in the audience to speak in favor or opposition of the request. It was noted that no correspondence was received. Don Gould moved to approve the development variance request for a second free standing sign. Don Swearingen seconded. Don Swearingen asked Planning Director Brandy Allen if she expected any concerns or issues with the sign and she replied that she did not anticipate any issues. With no further discussion, the petition was approved 3-0.

With no further business, the meeting adjourned at 7:15 p.m.

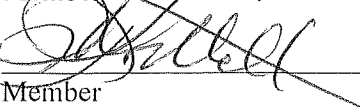
Minutes Approved: 06.21.2017



President



Member



Member

Member

Member