



Minutes July 6, 2022 Tipton County Board of Zoning Appeals

The Tipton County Board of Zoning Appeals held its regular meeting on Wednesday, July 6, 2022, at 7:00 pm, in the 1st Floor Meeting Room of the Tipton County Courthouse, 101 East Jefferson Street, Tipton, Indiana 46072.

Call to Order

Vice Chairman Scot Gasho called the meeting to order at 7:00 p.m.

Roll Call

Members in attendance: Bob Powell, Scot Gasho, Doug Heron and Weston Nicholson.

Members absent: Gary David

Staff in attendance: Steve Niblick, Judy Coker, and David Langolf Smith.

Staff absent: none.

Modifications to Agenda / Agenda Summation

None.

Approval of Minutes

a) June 1, 2022, Minutes

Bob Powell made a motion to approve the minutes of June 1, 2022, as presented; seconded by Doug Heron. Motion carried 4-0.

Public Hearings

a) CO-V-16-22 Nevada Church Development Standard Variance

Amanda Philapy came forward to present the petition for a development standard variance to allow an off-premise sign in the AG zoning district.

Doug Heron asked how big the old sign was. Amanda Philapy stated that the new sign is taller because they want people to be able to see the sign when the corn is up. Amanda stated that the new sign is at least a foot, maybe two, taller than the old sign and is slightly wider, but would be placed in the same location as the existing sign.

Bob Powell asked about the placement of the sign in reference to State Road 19, and if the new sign is higher in the air than the old sign, will people pulling up to the stop sign be able to see underneath it when they are looking to the south. Amanda Philapy stated that the sign is past the beginning of the corn field, so when the corn is up. You cannot see the sign coming from the south. Bob Powell confirmed that the corn would be the obstruction, rather than the sign, in seeing traffic coming from the south. Amanda Philapy agreed and stated that this is why they wanted the sign to be a little taller so that it could be seen over the corn.

Bob Powell asked if the petitioner would have any problem placing the sign no closer to the road than the west side of where the old sign is located. Amanda Philapy stated that the new sign would

be placed in the same location as the old sign. Bob Powell clarified that the west part of the sign will be no closer to the road than the current sign is at this time. Amanda Philapy stated that they would bring the sign closer to Nevada Road, not closer to State Road 19.

Discussion ensued concerning the placement of the new sign in relation to State Road 19. Amanda Philapy agreed that the new sign would be placed no closer to State Road 19 than the current sign.

Bob Powell made a motion to close the public hearing; seconded by Doug Heron. Motion carried 4-0.

Bob Powell stated that he believes the sign has been there long enough that if there was a problem, the State would have already put in a request to have it move. Bob Powell reiterated that the west edge of the sign should be placed no closer State Road 19 than the current sign.

Doug Heron motioned to approve the petition as presented; seconded by Weston Nicholson. Motion carried 4-0.

b) CO-V-19-22 Conditioning Limited Development Standard Variance

Ryan Campbell came forward to present the petition for a development standard variance to place a structure closer to the road than the setback of 75 feet from the right-of-way allows.

Bob Powell asked if the buildings currently on the property were required to have variances. Ryan Campbell stated that this is the first variance that they have had to get, but they all have permits.

Discussion ensued concerning the existing structure on the property, their distances to the road, and when they were constructed.

Scot Gasho asked about future plans for expansion and if the future buildings would be able to meet the setback. Ryan Campbell stated that this building is as close as they plan to come to the road, as this building is for shipping and receiving. Ryan Campbell stated that all future building will continue north and will meet the county setback standards.

Bob Powell asked if the docks would be on the north side of the proposed building and if the request is to have the structure placed 63 feet from the indicated black line on the site plan. Ryan Campbell confirmed that the docks would be on the north side of the proposed building and that the building site would be 63 feet instead of the required 75 feet from the right-of-way.

Bob Powell asked how many docks they are planning to put on the north side. Ryan Campbell stated that they are planning on putting in six doors there. Bob Powell asked how many docks they would lose if they abided by the Tipton County standards. Ryan Campbell stated that would lose approximate three and clarified that the 63 feet number is from the center of the road.

Ryan Campbell stated that, per the Tipton County ordinance, the setback is 75 feet from the right-of-way, which is 40 feet. Ryan Campbell stated that 20 feet from the center of the road plus 75 feet for the setback is 95 feet, whereas he is requesting to place the structure 63 feet from the center of the road. Ryan Campbell stated that the difference from the zoning standard and the request is 32 feet, which would account for approximately three doors. Ryan Campbell stated that this would

make the project unfeasible, unless they turned the building with the dock doors on the east, which would create a significant traffic hazard.

Bob Powell asked if they are planning on future expansion. Ryan Campbell stated that they are planning to expand other buildings if they continue to keep growing.

Bob Powell asked if the petitioner thinks they should be off the road further than that. Ryan Campbell stated that with the design facing to the north, it allows trucks to get off the road. Ryan Campbell stated that additional storage buildings will be further off the road, but this design allows trucks to quickly pull off the road and stay off the road while they check in and wait for dock space. Ryan Campbell explained that they reason they are placing six docks is so that there is not as much of a backlog of trucks backing up on the road.

Bob Powell asked if the long buildings to the west of what is going to be build are already there. Ryan Campbell stated that the west building is existing and is built out to that full length. Ryan Campbell stated that building just east of that is approximately 240 feet shorter back to the south than what the picture shows.

Bob Powell asked if the petitioner could put docks in the north end of the building in the picture. Ryan Campbell stated that they could not because that would stop the potential for future growth to the north.

Discussion ensued concerning the placement of the docks and why the docks could not be placed on the north end of the building, as well as the placement of the existing buildings in relation to the road.

Scot Gasho closed the public hearing.

Doug Heron stated that if they turn the building sideways and bring the traffic off the road instead of from the north, no ordinances would be violated but it is not as safe as the proposed site plan. Doug Heron stated that the proposed site and orientation of the building is the safest alternative for traffic.

Discussion ensued amongst the board members concerning the petition.

Ryan Campbell came forward to explain the practical difficulties and to expound on the orientation of the other buildings. Ryan Campbell explained that going to the north would hinder future growth and capacity. Ryan Campbell stated that the docks need to be attached to the current building and existing facilities.

Weston Nicholson asked how wide the current two buildings are. Ryan Campbell stated that the buildings are 80 feet wide.

Weston Nicholson asked about putting the docks in the middle. Ryan Campbell stated that they looked at this option but realized that they would create a bottleneck for traffic on the inside the building with forklift trucks. Ryan Campbell stated that the proposed plan puts the loading and unloading activities out and forklift traffic going through the building and keeps it centrally located.

Ryan Campbell explains the various alternatives they looked out before settling on this plan.

Scot Gasho asked if the building they are proposing will have an inside dock or will the trucks stay outside and just back into it. Ryan Campbell stated that the trucks will stay outside and back into the docks.

Scot Gasho pointed out that the proposed building is a little wider, at 100 feet. Ryan Campbell stated that the wanted this building a little wider for more space for staging and unloading.

Discussion ensued among the board members concerning the petition.

Doug Heron made a motion to approve the petition; seconded by Weston Nicholson. Motion carried 3-1, with Bob Powell providing the dissenting vote.

Old Business

a) CO-V-08-22 Bruce development standard variance Findings of Fact

Bob Powell made a motion to approve the Findings of Fact for CO-V-08-22 as presented; seconded by Doug Heron. Motion carried 4-0.

b) CO-V-10-22 Bales development standard variance Findings of Fact

Bob Powell made a motion to approve the Findings of Fact for CO-V-10-22 as presented; seconded by Doug Heron. Motion carried 4-0.

c) CO-SE-04-22 Wyman special exception Findings of Fact

Bob Powell made a motion to table the Findings of Fact for CO-SE-04-22; seconded by Weston Nicholson. Motion carried 4-0.

New Business

The BZA set an Executive Session meeting for July 18, 2022, at 5:30 pm to discuss pending litigation.

Adjournment

There being no further business, Bob Powell made a motion to adjourn the meeting at 7:58 pm; seconded by Doug Heron. Motion carried 4-0.



Chairman

Executive Director

8-3-2022

Date

Aug 3, 2022

Date