

BZA MINUTES

NOVEMBER 19, 2024

Members present: Jason Allen, Bill Davis, Jim Hufford, Jon Peacock, Drew Cleveland, Jason Hawley, and Don Calhoun

Members absent: None

Legal Representation: Jason Welch

Staff present: Debra Johnting, Area Planning Director/Recording Secretary

Others present: Rolland Abraham, Sharon Armstrong, Erik Baker, Zach Simms, Craig Martin, Lisa Staton, Jeff Oswalt, Ed Thornburg, Claudia Thornburg, Lisa Hendrickson, Daniel Edwards, Brandon Hapner

Chairman Hawley: All right. Good evening. It is now 7 o'clock November 19, 2024. This is Randolph County Board of Zoning Appeals. I would like to call the meeting to order. First off, I would like to have all the Board members say their names for the record so we can have transcription a little easier. My name is Jason Hawley, Bill Davis, Jason Allen, Jim Hufford, Don Calhoun, Drew Cleveland, and Jon Peacock. Thank you very much. First order of business is the approval of minutes from the last meeting, October 22, 2024. I assume that the Board has had a chance to review those. Are there any questions, comments, or concerns?

D. Cleveland: I move we approve the minutes.

J. Hufford: Second.

Chairman Hawley: All those in favor, say aye.

All: Aye.

Chairman Hawley: Motion is passed as presented. Just real fast, I'd like to go over a few rules about the Board of Zoning Appeals. Petitioners will have 15 minutes to present their petitions. During this time, there will be no interruptions or questions. After the petition, the Board may ask questions. Anyone wanting to speak for or against will have three minutes of each, and then the petitioner will have an additional five minutes to respond to comments. If anybody is going to speak, I please request that you come to the table and up to the microphone so your name can be heard on the record. All right, let's start this off with BZA2024-32-SP, Lisa Staton, request to place a mobile phone in residential zone R-1. If you please come to the table, state your name and address for the record.

L. Staton: Sit down, stand up.

Chairman Hawley: Sit down. The mic is facing the other way, if you could face the Board.

L. Staton: You can tell I don't do this very often. Lisa Staton, 210 Indiana Avenue, Parker City, IN.

Chairman Hawley: Have you sent out notices of certification by mail and returned the receipts to Area Planning? Article V Conduct of Hearing?

L. Staton: Yes.

Chairman Hawley: All right. Why don't you tell the Board what you're looking to do and see what we can do for you this evening?

L. Staton: Sure. So I bought what started out as three lots at 210 Indiana Avenue. It is vacant at this point in time. I have done paperwork to combine it all into one parcel and I would like to place a mobile home on that parcel. And reason being mainly because I simply can't afford to build a 950 square foot stick-built home. But the mobile home option is more affordable for me. It is a brand new mobile home sold by D&J Mobile Homes in Richmond, Indiana. And I'm a very neat and tidy, safe person. I live there on my own. I have dogs. There won't be any rental, no business, no riffraff, nothing bad going on there, just me hoping to have a peaceful place to live. And that's really it.

Vice Chairman Davis: So this is for your personal use?

L. Staton: Yes. I'm sorry. For my residence, yes.

Chairman Hawley: I assume that you already have the utilities set in place or the utilities won't be a problem to get put into place.

L. Staton: That is correct.

Chairman Hawley: Do we have any other questions from the Board this evening? Seeing none, is there anyone from the audience tonight that would like to speak for or against the proposal?

S. Armstrong: I would.

Chairman Hawley: Would you like to state your name and address for the record, please, this evening?

S. Armstrong: Sharon Marshall Armstrong, 203 Randolph Street, Parker City, IN.

Chairman Hawley: Can you tell us your concerns?

S. Armstrong: So previously, that land had been zoned and I was here for that meeting to where no mobile home could be put on there, just because it's adjacent to our property and it's, in Parker, a lot of times mobile homes get brought in and they are abandoned. This has nothing to do with her proposal, but the mobile home that was next to us it's like the guys assembling it little by little. And it is really horribly looking. My concern is years down the road, that mobile home will become just as deplorable, not anything against her, of course, but just over time. And that just seems to be the trend in Parker City. And my concern is, I don't know who's going to be living there in 20 years, in

25 years. My plan is to be there and I will probably be alone living there. My husband is a lot older than me and he's lived there for 50 some years. And, I just don't think a mobile home would be the way to go. I would like to see her have a place of residence, of course, and I have no issue with the height of the fence or anything like that or all the dogs that are there, just the mobile home itself and years down the road, what is that going to do to our property value? Our property value isn't the greatest as it is. We are right there next to the railroad tracks. And it just isn't going to be a good plan, I feel. Nothing against her, just if a home could be built there, that would be fantastic, I think for everyone.

Vice Chairman Davis: So I do have a question. How far are you from this property then?

S. Armstrong: Her fence, I mow six feet up to her fence. Because right there runs an alley that Parker City owns. I would be curious to ask the question of how new is the mobile home. When we say brand new, what is the year of that mobile home?

D. Johnting: Last year's model. And I don't know if that's put in there or not. I don't know that she had this when she applied. And just to clarify to, there was a hearing if you guys remember, there were three lots he wanted to put on three mobile homes, one on each of the small lots and rent them out. And that was turned down. Not that you couldn't have any mobile homes, there's just not three rentals. And it's one now.

S. Armstrong: My understanding was it was zoned for no mobile home.

D. Johnting: No, it's in residential still as the zoning didn't change.

Chairman Hawley: And I'm sorry, ma'am, with that, the time is up. Ms. Staton, if you would like to, you have five minutes to respond to anything if you'd like to come up again once again.

L. Staton: I certainly understand your concerns. I do really do. This is a brand new mobile home right out of the manufacturer. It's a model at D&J Homes in Richmond, Indiana, just never been lived in. I'm sure some people have walked through it. So it's brand new, clean, and it's going to stay that way.

D. Johnting: What year is it Lisa?

L. Staton: Last year, I mean, 2023, I guess, that's a question I mean, it hasn't been sitting on their lot for a very long. Sorry, I wasn't prepared for that one. But I did go look at it. I mean, it's definitely brand new. In other words, it is not falling apart. It is beautiful to look at. And I would much rather have a stick built home myself. Unfortunately, I can't afford it. So, but I pledge to always keep this property looking good. And it is unfortunate in this little corner that we're in that there is a property right next to this lady's that is horrible. There's a property to my left and to my front that are abandoned and in horrible shape, cars, etcetera. That's the one, the first one. Yes. There's another one that's right up the alley that, it's horrible and it's unsafe. And I would never want to live near

anything like that. But I found land. I could afford it. I purchased it. Now I just want to put a nice safe home there. Good. Anybody else?

D. Johnting: Ma'am, did you have more questions? I kind of took a little bit of your time. Did you want to say anything else?

S. Armstrong: No.

D. Cleveland: I have a question for down the road. If the property were to change hands and someone wanted to put in (like the gentleman before) two more mobile homes or something, they'd have to come for approval, right?

D. Johnting: The property has been combined now. So it would have to go through our office for a split.

D. Cleveland: Okay.

D. Johnting: So, that would be I don't know if the lots would be big enough now to be able to split it back out.

Vice Chairman Davis: So this is the property that they that was three into one and you purchased it?

L. Staton: And I heard the story of what happened before. So I understand. I'm just a simple person who wants to hopefully do simple things.

Chairman Hawley: Yes. I understand fully the issue with what happens in 20 years, but it's hard to say where any of us will be in 20 years.

L. Staton: None of us know. And there's plenty of rundown homes in Parker City as well. Nothing against them.

Vice Chairman Davis: There are plenty of rundown homes in Winchester too.

L. Staton: It happens. It's unfortunate, but it happens.

Chairman Hawley: Are there any other questions or concerns that need to be addressed this evening? Seeing none, I motion for a roll call vote.

Vice Chairman Davis: So moved.

D. Cleveland: Second.

D. Johnting: Don Calhoun? Yes. Jim Hufford? Yes. Jason Hawley? Yes. Bill Davis? Yes. Jason Allen? Yes. Jon Peacock? Yes. Drew Cleveland? Yes. Motion approved.

Chairman Hawley: Moving on, for the record, BZA2024-33-V, once again, Lisa Staton and request to place a six-foot fence for security and safety reasons around the entire property?

D. Johnting: That has changed. There is some of the six-foot fence there. It can be six feet behind the mobile home, since mobile home isn't there yet. Just know the request is to leave the fencing that's there now until mobile home is put in and then it will be conforming. She'll have anything six cut down to four.

L. Staton: Also, one-fourth of the fence is only four feet tall. We kind of miscommunicated when we started this process. So it's six feet around three sides and it's pretty much a big square, the property. And then it's four feet along one side. I knew when I did this that I would need to adjust my fencing. I'm not trying to break any rules here. Simply was trying to figure out where this process would go, where my building permit would go, where my house would go. So that's why we decided to talk about the fence at the same time.

Chairman Hawley: So I guess I'm a little lost. Is there just going to be a temporary fence and it's going to be taken back down to code or?

D. Johnting: For right now, you can't put a fence up according to where a house is without the house. So some of it is six where it probably will be cut down to four. But for now, because she doesn't have.

L. Staton: It's a big and sturdy cutting wood now. It's a nice fence.

D. Johnting: Until the mobile home is moved in, then she'll adjust it accordingly. You were, in the beginning, we thought you were going to want to leave the six foot. Yes.

L. Staton: I mean, I don't really. I will admit to me that this is all overwhelming for me and I apologize for that. But one side of the fence is 4 feet tall. And it could be that we work it out so that part is in front of the house.

J. Welch: Okay. I'm not sure what she's asking for.

Chairman Hawley: Yes, that's where I'm kind of lost. It feels like you're asking for a six foot in case, but I don't know.

L. Staton: There's a six-foot fence around the property other than one side that goes up against the railroad tracks. Okay. That's the side I have four-foot field fence. So I guess what I'm in my perfect world, what I'm asking for is to be able to leave as much of that six foot fence up as possible once I put my mobile home in there. But and I do have a security concern on the west side of the property, the one you showed the gentleman showed me the picture of. The gentleman that owns that property is scary and he hates dogs. And I would like for security reasons to at least be able to leave that six-foot fence there. So I don't know how that I mean, can we, like to me it seems like something we can talk about at a later date, but I don't.

D. Johnting: Well, only in this meeting. We have to come back for another meeting.

L. Staton: Right. I appreciate that.

D. Johnting: What I'm concerned about is that if it takes three months to get it in there and Parker City says no, you've got to cut it all down before you because there's no house there.

Vice Chairman Davis: So if she requests a six foot all the way around and the Board voted tonight, the City of Parker could change that?

D. Johnting: No. Only if you can't follow the rules without a house there. That's why I've been trying to say for several months, because it depends on where the house sits. As it sits six feet behind, four feet in the front, you can't if you don't have a front, you don't know where it can be put.

J. Hufford: Is there a fence there already?

D. Johnting: Yes.

J. Hufford: And that's a six-foot fence?

D. Johnting: Part of it.

J. Hufford: So you're not replacing it or anything?

D. Johnting: No. But she I don't know anymore. You're not having to cut it down when the house comes in or you don't want to cut it down.

L. Staton: I would prefer not to have to alter the fence. It's an expensive investment. However, I do not want to upset anyone. That is just like the last thing I want to do now. So I want to do.

J. Allen: Well, it's just a vacant lot right now, correct?

L. Staton: Pardon me?

J. Allen: It's just a vacant lot currently, correct? Well, just place the building wherever you want six feet or four feet from the fence that's existing.

Chairman Hawley: I think it's the height of the fence.

L. Staton: That's the height of the fence.

J. Hufford: It's a six-foot fence there now. It's been there. It stays there.

Chairman Hawley: Yes, it's all on all sides. It's a six-foot fence around the entire property.

J. Hufford: I thought you said it was six-foot on three sides except for the back of the railroad.

L. Staton: It is six-foot on three sides.

D. Johnting: She's staying there in a motorhome. And we had this discussion in the beginning if you put up a fence, there's rules where it can go and then a six-foot fence appeared.

J. Allen: How far away from the fence do you have to be?

D. Johnting: You have to be ten foot away from the sides no matter whether there's a fence there or not. That doesn't change the setbacks.

J. Allen: So the lot is big enough to be ten foot from the fifty foot?

L. Staton: I mean, it's like a big it's a half acre that's fenced in and the house is going to be a little part of it.

J. Allen: That's what I'm curious too. If you're still ten foot from the existing fence whether you put the property right in the middle or the motor home, if you put it right smack down in the middle of that property, you're more than ten feet.

L. Staton: The fence is way out around it.

D. Johnting: But anything in front has to be four feet tall, anything in back can be six.

J. Welch: It's the height of the fence that she's asking for a variance. Just for the front.

J. Hufford: It wasn't grandfathered in if the fence was already six foot tall?

D. Johnting: No, because.

J. Allen: That's what I'm confused about.

Chairman Hawley: Because we don't know where the front of the property is.

J. Allen: So do you want to six foot fence in the front?

L. Staton: Yes, sir. And why? Security, my dogs, so it's not to bother other people.

Vice Chairman Davis: And for simplicity, is it safe to say you'd be happy with six foot all the way around?

L. Staton: Well, yes, I don't need it on the railroad side.

Vice Chairman Davis: Right.

L. Staton: But yes, its safe to say that is my top choice.

Vice Chairman Davis: Make this a six-foot section for the whole thing tonight and move on. Is that possible?

D. Johnting: That's what it is right now.

J. Hufford: Should we let Parker decide whether they want it down to four foot?

D. Johnting: They were notified. They could have been here. They just want a residence there, and not a motor home.

J. Hufford: Okay, so it probably doesn't make a difference to them.

D. Johnting: For us, you either have to follow the rules or have a variance.

Chairman Hawley: So I think we're back to, I think Bill hit the nail on the head and we just ask for the six-foot all around.

J. Peacock: So Deborah, did you say if the home is not there, we can't decide anyway?

D. Johnting: What I'm asking is to go ahead and get the variance that the home will be put in there shortly, not to cut it down now and then put it back to six? So it's kind of to bridge the gap.

J. Welch: When did you build this fence? I guess I'm totally.

L. Staton: About three months ago.

J. Welch: So did you get a permit when you built the fence?

L. Staton: So when I started this process, I had a lot of verbal conversations and I was told.

J. Welch: Did you get a permit? That's a yes or no question.

D. Johnting: She didn't need a permit for the fence, but you need a permit for a residence. And she pulled a motor home in there and built a fence. So we've been trying to fix this issue since then.

Vice Chairman Davis: Do we need to table this?

J. Welch: I think we need to table this until there's a residence there. We don't know where to put the fence.

D. Johnting: But the six foot fence is already there and she wants to leave it there. It's going to be the same request.

J. Welch: Well, then did she needs make the request at the meeting when she comes back. She shouldn't have put the fence up without permission.

Chairman Hawley: Does that make sense?

L. Staton: You guys tell me what to do and I'll do it. Like I said, this.

J. Allen: Put the residence in and come back and ask for a six-foot fence variance.

Chairman Hawley: And so what we do is we table this. We keep it out, keep it open, so you don't have to necessarily process again. It's on the table. When the residence is in come back and say, hey, remember me, we got this.

J. Allen: How long is it going to be before you set the residence in?

L. Staton: I have closing date set for next Tuesday. So, of course, I was gambling a little bit, right? That's just all been working through. So I'm hopeful like within a couple of months, if not sooner.

Chairman Hawley: I mean, obviously, well within the year, I would assume within the six-month period.

J. Welch: Just table it for a month from now.

Chairman Hawley: All right. That sounds fair to table for a month?

L. Staton: Yes, yes, please. Oh my goodness.

Chairman Hawley: So this will be tabled. We'll come back to it when we have our residents in place that way we kind of get better clue as to what is going on.

J. Hufford: In two months, we don't meet next month.

D. Johnting: We don't meet next month. Yes, we got plenty of time. But we can do it for me to go for the mobile home.

J. Welch: Yes.

Vice Chairman Davis: Good luck on your closing.

L. Staton: Thank you very much. I apologize for not being as with it as I should be with this stuff.

Chairman Hawley: All right. Next on the docket, we have BZA2024-34-CU, Rolland Abraham, Randolph Central School Corporation, requests to install a 300-kilowatt solar array. Is there anyone here that would like to speak on behalf of the project?

R. Abraham: Yes. It'd be me Rolland Abraham. Zackary Simms.

Chairman Hawley: Please state your name and address for the record.

R. Abraham: My name is Rolland Abraham and the corporation address is 407 East 4th Street, Winchester, IN.

Z. Simms: My name is Zachary Simms. Address is 6406 Castaway Court, Indianapolis, IN.

Chairman Hawley: Have you sent the notice out by certified mail and return receipts to Area Planning Office?

R. Abraham: Yes, sir.

Chairman Hawley: And received Article 5 Conduct of Hearing?

R. Abraham: Yes I have.

Chairman Hawley: You have 15 minutes. Why don't you tell us what you're looking to do here today, sir?

R. Abraham: Well, just give a little background for the project. Randolph Central has been on a seven-year path to reduce energy consumption, starting with LE conversions, putting in a solar

array at the high school. We've replaced boilers and HVAC systems all throughout the district. And at this point, obviously, we've done the solar array on the roof at Willard and now we're wanting to do the one there at Baker Elementary School. Just so you're aware of our situation that the electric bill, we have two electric bills at Baker Elementary School. One is \$49,000 a year and the other is \$23,000 a year. So we're just trying to offset chunk of that cost, if not all of it.

Chairman Hawley: Why are there two?

R. Abraham: There's two meters at Baker. One of them controls just the chiller and the rest of the other meter controls the rest of the building. And if you look on the drawing, you'll see some of those solar panels are shaded slightly different. It's about thirty percent of the solar array that goes towards the chiller meter and the rest of the solar array goes towards the other meter as well. So talk about specifications.

Z. Simms: Yes. So talked a little bit about the project itself, where's it located, stuff like that. Segmental sets, 390 kW DC, about 720 modules in total. So relatively not a very large system, but good enough to compensate for the load that we're looking for. Total production of 498 mW hours annual. A little bit about where the array is going to sit on the property. We're talking about the ten-acre property parcel behind the school to the south. So the fence line on this property is going to go to 25.5 foot back from the (north) parcel line. To the east side, we're 475 feet. To the south, we're 350 feet. And to the west there, we are 61 feet and 2 inches west there. Couple of things that I just kind of want to note here for everybody. We have some visual barriers. We have three sides of this fence are going to be a screen fence to match the school. We have slats woven into the fence to kind of enclose it, if you will. We're also going to putting on the north side arborvitaes, on the front side and a little bit on that road to help drive better visual appeal.

R. Abraham: And the slats will be on the northeast and west side, not the south side. The only thing you'll see from the south side is just the panels. You don't see any of the racking system or anything like that. You just would see panels, the first row. So those slats will be on the three sides, the arborvitaes. And we're going to put arborvitaes, there's a drive that we bought that piece of property right there because we needed the access for maintenance. And so there'll be a big road all across the north end of the fence. And on the other side of that drive, we're going to try to set about 25 feet of arborvitaes. So as you come around that corner, it obstructs the view a little bit there. And we also have we also bought the piece of property that's to the that would be to the west right there, the first piece of property, that really long piece of property there. And so, we own the other side of the fence row. Now, the tornado really thinned out the vegetation in the fence row, but we'll let that grow back up over the years, so that there is even a better visual barrier to the west as well. In terms of daily operation, once this thing obviously, there is going to be a construction phase where we'll be building it. In terms of daily operation, the thing will be monitored from the Indianapolis International Airport. Veregy has a place there where those will actually monitor it. And if there's ever an issue in terms of maintenance we have a maintenance contract, they will dispatch

somebody. I usually don't know when that happens. For the one solar array we currently have, they just pop in there, fix whatever needs to be fixed and pop back out. This one's in city limits, so we probably won't be using sheep since it's within the city limits because we use sheep for the solar array out at the high school and middle school. So we'll actually mow this one. Unless you'll let us use sheep. So, give you some reference to our solar array out at the high school/middle school in 2022 has saved us \$92,986. In 2023, it saved us \$94,219. This whole project is a \$2,500,000 project. We had an independent on the Willard Group, that's all combined. The Willard Group, we had an independent estimate that says it will take \$1,300,000 for a 30-year roof on Willard. If you just subtract that from the project, we're supposed to that leaves \$1,200,000 We're supposed to get about \$400,000 in federal rebates. So the two solar arrays are going to cost us about \$800,000 in the end. So it's a pretty good deal for the School Corporation. The savings going to our operation fund, which is where we really need it. Obviously, the funding is going through the debt service fund. So it really kind of shuffles some dollars a little bit for us and then will really help the school corporation over the long haul. So I'd be glad to give up the mic to whoever and answer questions.

Chairman Hawley: I guess my question would be, obviously these things are really beneficial for energy consumption and everything else, but being in a residential area where they are, what do you project to be the effects of property value on the neighboring properties?

R. Abraham: Well, in terms of the properties nearby, it would be my hope that it would be minimal. We own the two that are adjacent now and we bought those for several reasons. And one, we needed to have drive access. We're hoping someday to have a building trades program and we could possibly build some properties, some houses there. But I would hope that it'd be minimal. We'll work hard to shield it. The arborvitaes will be planted at four feet. Eventually, they're going to be, I don't know, eight feet tall or something. So they will really shield from that north view. Even the school won't see it because they'll see a whole row of arborvitaes, and then trying to screen from the side and let the fence row grow up. So I'm really hoping that it's minimal, but I don't know that I'm not an expert on property values.

J. Allen: When is the plan to start the project?

R. Abraham: As soon as we get an okay and get the permit.

J. Peacock: North of the solar array will be yard still, right?

R. Abraham: Yes.

J. Peacock: And the 10 acres or whatever is south?

R. Abraham: Yes. So currently a hayfield and the revenue from that goes through our FFA. So whatever is not put in we'll mow all the way around the fence. So there'll be a barrier there and then from after that where we mow the whole area, then it would probably still be in hay.

J. Peacock: And there's still access to that?

R. Abraham: To get into it? Yes. Yes, because we own the drive. That first piece of property, and then probably shows a house on that piece of property, but it's not there now. We bought that and tore down that house, so that we have a drive off of Brown Street into the solar array.

J. Allen: So you guys bought the property that was in the curve?

R. Abraham: Yes, the two properties. We bought the one on Brown Street and the other street was drew a blank. Watson. And the one that's right, the first one on Watson. So we cleaned those properties up. They look pretty nice now.

D. Johnting: Those houses were demolished by the tornado.

R. Abraham: They were, those houses were destroyed. And it was a win-win. I mean, the owners were able to walk away with a check. We paid to demolish the property and take out all the concrete and all that. So I think it was a win-win for them and us as well.

Chairman Hawley: Any other questions that the Board may have tonight? Seeing none, I'd like to open up the floor to anybody from the community who would like to speak in favor or against the proposal. Gentleman if you'd like to step back. Sir, if you'd like to come up and state your name and address for the record, please, and tell us what your concerns or your issues may or may be may or may not be.

B. Hapner: I don't necessarily have any condition with it. I'm Brandon Hapner at 745 South Brown, Winchester, IN. I live right next door to the property they just bought for the access road. I was just wondering if we could get, like, a visual aid or, like, maybe an area so I could see just how close this is going to be to my property.

Chairman Hawley: I believe they had it this evening.

Discussion with several people looking at maps.

Z. Simms: You're right there. Is this your property? This is the property there were talking about.

B. Hapner: This is the playground area.

Z. Simms: This is scaled out and mapped out. So this is all shot in.

B. Hapner: Can I take a picture of this?

Z. Simms: Yes.

Discussion with several people looking at maps.

Chairman Hawley: Are there any other members of the community that would like to speak in favor or against this proposal? Seeing none, can I get a motion for a roll call vote.

Vice Chairman Davis: So moved.

J. Allen: Second.

D. Johnting: Jim Hufford? Yes. Jason Hawley? Yes. Bill Davis? Yes. Jason Allen? Yes. Jon Peacock? Yes. Drew Cleveland? Yes. Don Calhoun? Yes. Motion approved.

Chairman Hawley: Congratulations.

J. Allen: I would like to say I am proud of the school board and how you guys are handling finances on behalf of our community. Because I mean, I know you guys have put a lot of infrastructure and things that you put into that place. So I'm excited about what you got coming with the P-TECH program and things like that, because I think our kids are going to really benefit from that and it's going to help out for the next generation. So I want you guys to know that we appreciate what you guys are doing out there.

Chairman Hawley: Do we have any old business that needs to be addressed? Is there any new business that needs to be addressed? No meetings next month, correct? No meetings in December. Reports from officers, committee and staff? Seeing none, I motion that we adjourn this evening.

J. Allen: Second.

Chairman Hawley: So moved.

Chairman, Jason Hawley

Debra Johnting, Recording Secretary

Vice Chairman, Bill Davis