

**NEW WHITELAND
BOARD OF ZONING APPEALS
MARCH 23, 2021
6:30 p.m.**

PUBLIC HEARING

President, John Purdie, began the meeting at 6:30 p.m. Members present were Duane McCauslin, Mike Ryle, Pamela Paulin, John Purdie and Matt Gillock. Zoning Administrator, Tim Guyer and Attorney, Lee Robbins were both in attendance.

MINUTES:

Duane McCauslin motioned to approve the minutes from the last meeting which was from the January 2021 meeting. Pam Paulin seconded the motion. Vote was 5 affirmative.

VARIANCE 21-V-02 SARAON PETROLEUM INC. 300 TRACY ROAD

Mr. Herminder Saraon is owner of Saraon Petroleum Inc. Attorney, Eric Prine with Van Valer Law Firm is representing Saraon Petroleum Inc. tonight. Mr. Herminder Saraon's intention is to open the building as an ice cream parlor but also more like a convenience store. The variance request is for him to be able to sell tobacco and lottery tickets at this location. He will sell items such as milk, bread and canned goods. Sales will be inside only, other than the window at the back of the building, they will still use it.

Attorney, Eric Prine states that Mr. Saraon will employ 7-8 people. There will be no alcohol and no petroleum. He has plans to build a 6' fence on the north side of the property to separate the business from the residents. That will serve as a buffer. Eric Prine states that this business is not much different from the previous owner, Scoops and Treasures. The property is currently vacant. Mr. Saraon is here tonight because he wants to have a successful business and is coming to the members tonight completely transparent of his intentions.

Lee Robbins states that the owner is asking properly and in an honorable way requesting the variance to sell tobacco and lottery tickets. Mr. Saraon is not coming into town doing something in hopes that the Town doesn't find out later. There were no remonstrators in the audience.

VARIANCE 21-V-02 SARAON PETROLEUM INC. (continued)

There was discussion that by selling tobacco and lottery tickets it becomes a more intense use of that property. The members also discussed traffic. Eric Prine states that there will be no more traffic than the traffic there was with Scoops & Treasures. And no more traffic than what Brew Two Liquor Store has that is also located nearby on Tracy Road. Eric Prine states it will be more of a neighborhood store with foot traffic. Eric also mentioned that there are two entrances. One on Tracy Road and the other on Ashland Avenue. Mike Ryle states that he has observed the traffic at that location and he has never saw a problem of people getting in and out or hindering any other traffic. John Purdie agreed.

John Purdie motioned to approve the variance. Mike Ryle seconded the motion. Vote was 4 affirmative. One member opposed.

VARIANCE 21-V-03 RAY SKILLMAN 1099 N US 31

Lisa Rains with Sign Solutions spoke on behalf of Ray Skillman. The variance request is to have a permanent sign for Mitsubishi. Ray Skillman has exceeded his sign allowance.

They went through the Findings of Facts. They talked about how this sign will be in line with other signage and there will not be a visibility problem. The sign will be placed with a 35' set back and 15' set back.


Ray Skillman sells three different type of cars. Mitsubishi is another make of car that is affordable for the community. Mitsubishi has requirements. Dealerships are required to have permanent signage for the make of each car. Mitsubishi requires a pole sign. A pole sign is the smallest one to install. Greg with Crossroads Engineering located at 341 Sherman Drive in Beech Grove, Indiana states that this request is above Ray Skillman. Mitsubishi dictates to Ray Skillman and requires a sign to advertise Mitsubishi, if they are going to sell Mitsubishi vehicles. The same thing with Ray Skillman selling Fiats/Alfa Romera's, he has to have a sign for those car makers.

VARIANCE 21-V-03 RAY SKILLMAN (continued)

Duane McCauslin states the sign is 15' from the overhead line. The sign is not going to cause a problem with traffic. Duane motioned to approve the Findings of Facts for Variance 21-V-03 for the permanent Mitsubishi sign and to grant the variance. Mike Ryle seconded the motion. Vote was 5 affirmative.

Bill Asher with Asher Conveying approached the podium with a question about property he would like to buy. Lee Robbins states that it isn't the Board of Zoning Appeals that interprets the Zoning Ordinances. This board doesn't provide an answer to interpreting the Zoning Ordinances. That is a different board, that is the Plan Commission. Tim Guyer states that he previously spoke with Mr. Asher and instructed him to submit a letter explaining what it is that he wants to do on the property on Hawthorne Bloom. Lee Robbins told Mr. Asher to call him and Lee gave him his office phone number. Lee will guide him through the ordinances.

John Purdie adjourned the meeting at 7:21 p.m.



Approved By:

Respectfully submitted:

Cindy Yates
Recording Secretary